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# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

RELEASED WITH  
REDACTIONS

## BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
THOMAS J. FAY  
CHERRY C. KARLSON  
DOUGLAS A. LEVINE

**Board of Selectmen  
Meeting Minutes  
Executive Session  
September 9, 2019  
7:00pm**

**Wayland Town Building, Selectmen's Meeting Room  
41 Cochituate Road, Wayland**

**Attendance:** Lea Anderson, Mary Antes, Tom Fay, Cherry Karlson, Doug Levine

**Absent:** None

**Also Present:** Louise Miller, Town Administrator; Elizabeth Doucette, Assistant Town Administrator; Paul Brinkman, Town Engineer

**Purpose:** At 6:33pm, C. Karlson called the session to order in the Selectmen's Meeting Room, Wayland Town Building by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, T. Fay, C. Karlson, D. Levine. ABSENT: None. ABSTAIN: None. Adopted 5-0.) in open session as permitted by Massachusetts General Laws, Chapter 30A, Section (a) (6) to discuss the purchase, exchange, lease or value of real estate with respect to the Town's agreement with Twenty Wayland, LLC, relative to property and development located off 400-440 Boston Post Road, and Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6) to consider the purchase, exchange, taking, lease or value of real estate in regards to the Rivers Edge Project at 484-490 Boston Post Road, and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a)(3) to discuss strategy with respect to collective bargaining with the Wayland Teachers Association, Wayland Educational Secretaries Association, Wayland Food Service Association, Custodians & Maintenance Local 116 regarding health insurance payroll deduction, and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (6) to discuss the purchase, exchange, lease or value of real estate with respect to accepting Spencer Circle as a public way, and Pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a)(6) to review and approve the executive session minutes of August 12, 2019

**APPROVE AND HOLD:** Executive Session minutes of August 12, 2019

**River's Edge:** P. Brinkman joined the Board for this discussion. C. Karlson reported on the phone call with Jim Lambert, Wood Partners, to discuss the soil removal costs. Wood Partners has no incentive to reduce the \$3.1 million number because any savings accrues to the Town. A proposal to share in the cost savings was discussed as a means of incentivizing Wood Partners to reduce costs. Similarly, the record keeping related to soil removal is onerous for both parties. Thought was given on how to do that more efficiently thereby benefiting both the Town and WP. P. Brinkman suggested potentially limiting how the contingency (about 11% or \$300,000) can be used as a means of increasing payment to the Town. The Board discussed hiring an outside consultant, paid by WP, to review the soil costs. P. Brinkman said this may save some money but will also require a longer process including review by a third party. He wasn't certain the savings would be commensurate with the cost of the delay in permitting and moving the project forward. T. Fay confirmed that WP was required to dispose of all soils properly and that the price included that cost. L. Anderson asked about changing the reporting on moving soils and if the Town might lose on potential reimbursements.

WP continues to permit the wastewater leach field. P. Brinkman is working with WWMDC on numbers and expenses to process wastewater from River's Edge. This has the potential to be positive for the Town to bring more flow through the wastewater plant and by eliminating the need for WP to build a treatment plant. \$2.5 million is set aside for plant construction; if it is not needed, the savings will accrue to the Town.

The consensus of the Board was for L. Miller, P. Brinkman and C. Karlson to continue discussion with Wood Partners to draft an 11<sup>th</sup> amendment to the Land Disposition Agreement for BoS review.

P. Brinkman left the meeting at 6:52pm.

**Twenty Wayland:** The Board reviewed the status of each pending strategy.

- Continue tax title collection efforts as warranted.
- Hold off on eminent domain for now.
- Consider sending a demand letter for the remaining \$620,000 in gift funds. The Board discussed the timing of this letter.
- Issuing an RFP to make public the Board's desire to pursue other building/leasing sites for a CoA/CC facility.

The Board discussed taking the RFP discussion out of executive session as a strategy to bring 20W back to the table for negotiations on the Municipal Parcel. At this time, there has been no contact about transferring the Municipal Parcel.

D. Levine moved, seconded by T. Fay, to remove the discussion of issuing an RFP for CoA/CC space from executive session. The Board understood that this strategy discussion would now be public. Roll call vote of the Board. YEA: M. Antes, T. Fay, C. Karlson, D. Levine, L. Anderson. NAY: None. ABSENT: None. ABSTAIN: none. Adopted 5-0.

**Spencer Circle:** C. Karlson reported that she and L. Miller met with Gordon and Evelyn Schultz on September 3 to discuss the steps necessary to have Spencer Circle accepted as a Town road. Easement language for accessing the drainage system must be completed first. Two properties/owners are involved in the easement: 6 Spencer Circle (Schultz) and 4 Spencer Circle (D'Amico). They plan to hire counsel. The Board discussed options for the notification period for maintenance (1-2 weeks) and for emergencies (no notice) as well as language regarding liability. L. Miller will discuss a mutual release of liability vs a full release of the Town with town counsel. It was the consensus of the Board that L. Miller should work with town counsel to revise the easement document and bring it to the Board for review. Next steps will include a review by the DPW Director and Board of Public Works before sending to the Spencer Circle residents for review. C. Karlson noted that the Town Planner was working with the contractor to have repair work completed. When the Easement is ready for signature, the Road Acceptance process can begin again and an article prepared for Annual Town Meeting.

**WTA et al Health Insurance:** This topic was not discussed.

**Executive Session Minutes:** The minutes were provided for review. The Board prioritized returning to open session to provide an update on the EEE action plan and to review and vote minutes at its next executive session.

**Exit Executive Session:** At 7:04pm, L. Anderson moved, seconded by D. Levine, to exit Executive Session. Roll call vote of the Board. YEA: M. Antes, T. Fay, C. Karlson, D. Levine, L. Anderson. NAY: None. ABSENT: None. ABSTAIN: none. Adopted 5-0.

**Documents provided:**

1. Draft executive session minutes of August 12, 2019.