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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  
DAVID V. WATKINS

## BOARD OF SELECTMEN

Meeting Minutes

Executive Session

December 3, 2020

3:00 p.m.

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

**Attendance:** Lea Anderson, Mary Antes, Tom Fay, Cherry Karlson, Dave Watkins

**Absent:** None.

**Also Present:** Louise Miller, Town Administrator; John Bugbee, Assistant Town Administrator; Seath Crandall, Management Analyst; Paul Brinkman, Town Engineer

**Purpose:** At 3:11p.m. 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: M. Antes, L. Anderson, T. Fay, D. Watkins, C. Karlson. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0-0.) in open session as permitted by Massachusetts General Laws, Chapter 30A, Section 21 (a) (6) to consider the purchase, exchange, taking, lease or value of real estate in regard to final purchase price, payment details, and the twelfth amendment to the Rivers Edge Project at 484-490 Boston Post Road.

All members participated remotely via Zoom and confirmed that they were alone and could discuss confidential matters in privacy. S. Crandall left the meeting once all members were present.

**River's Edge:** L. Miller explained that this session would focus on the negotiations to connect to the Town's wastewater treatment plant, specifically the proposed timeline, major milestones and identified risks. Two engineering firms are working on plans with P. Brinkman. C. Karlson reminded the Board that the discussion of connecting is an open session topic and that today's discussion is limited to the financial negotiations related to that connection. P. Brinkman reviewed a map of the proposed construction components showing the collection pump at River's Edge, pipe running to the treatment plant, pump station for returning flow, the pipe carrying the outflow to the leach field at River's Edge. He reviewed the proposed permitting and construction timetable. The red line (flow to the treatment plant) would be required to be in place by October 1, 2021. The purple line and pump station (returning flows) need to be in place for units to be occupied. While they will be constructed together, only the first part is needed for Wood Partners' October 1 deadline. P. Brinkman discussed other upgrades to the plant that might occur is additional funds remain from the MassWorks grant but noted they should be removed from the financial negotiation as they are not required.

P. Brinkman reviewed the proposed construction schedule, noting that August 15 – October 1 is a tight schedule but reasonable. However, he noted that these soils have been previously disturbed (easy digging) with the water main work. Construction needs to wait until August 15<sup>th</sup> due to nesting birds. The water main work took three weeks to complete in the same area. The Board thanked P. Brinkman for his work. P. Brinkman left the meeting at 3:55pm.

L. Miller walked the Board through the draft Twelfth Amendment discussing the increased purchase price for the additional units (2a), costs for the septage plant demolition (3a) and increased soil costs with cost sharing for savings on costs under \$3.2 million (3b). Both of these expenses are subject to the Town reviewing all cost submissions. Section 3c related to the wastewater treatment plant to be built on site will be revised pending the completion of negotiation to connect to the town's system.

C. Karlson explained that the Drainage and Access Easement documented in item 4 remains an open session topic and will be on the agenda for the December 7 meeting. L. Anderson noted that 4b needs to be updated to reflect the Town Meeting approval. Section 4d refers to Wood Partners work with Sudbury.

The Board then discussed the proposed term sheet on the connection to the wastewater system. Two major milestones were discussed relative to releasing escrow: permitting and completion by October 1. For permits, the project requires permits from Conservation (complete – amended water main permit), Mass DOT (already contacted them, permit to be filed within a week), and MassDEP (already contacted them; previous permit was issued to Wood Partners). MEPA (Mass EPA) has confirmed in writing that no permit is required from them. Additionally, Wood Partners will need a connection permit from the WWMDC. Wood Partners is negotiating for a construction completion date of October 1. Financially, the Town is dependent on \$400,000 of the building fee being released from escrow before June 1. These funds have been reported on the FY21 Tax Recap. Similarly, the approximately \$600,000 of bonds for the asbestos work are due by the end of FY21.

C. Karlson reviewed the purchase price details to date:

\$1,500,000	per LDA
\$ 705,261	per 8 <sup>th</sup> Amendment, water main
<u>\$ 300,000</u>	proposed 12 <sup>th</sup> Amendment, additional units
\$2,505,261	

Wood Partners is proposing to escrow \$1,769,000 of this amount, leaving the Town a payment of \$736,261 at closing. These funds would be deposited into a real estate account which can be appropriated by town meeting.

L. Miller reported that the engineering firms have completed the conceptual design which will allow the DOT permit to be filed. D. Watkins asked if there was a timeframe for Wood Partners to complete its work on the leach field and pump station. C. Karlson agreed it should be added to the document. Any savings from the septage plant demo or the soils will be deposited to the real estate account. The Board discussed other potential risks such as a delay due to COVID or Wood Partners inability to continue with the project. D. Watkins suggested tying the 50% escrow release to a measurable date, dollar or engineering event. L. Miller will work with P. Brinkman to define the 50% event in that manner. C. Karlson noted that from an environmental perspective the construction area along Route 20 has already been disturbed multiple times and that the outflow to the leach field may be better for the Sudbury River.

The Board asked L. Miller to continue discussions with Wood Partners and report back on December 7<sup>th</sup>.

**Exit Executive Session:** At 5:01 pm, L. Anderson moved, seconded by T. Fay to exit Executive Session and adjourn the meeting. Roll call vote of the Board: YEA: M. Antes, T. Fay, C. Karlson, L. Anderson, D. Watkins. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Documents provided:**

- 1. Land Disposition Agreement (LDA)
- 2. Link to eleven amendments to the LDA, available on the Town website
- 5. Closing Agenda (draft of documents required for closing), provided by Anderson Krieger, special counsel for Wayland