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TOWN OF WAYLAND

BOARD OF SELECTMEN

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

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Board of Selectmen Meeting Minutes Executive Session July 15, 2019 7:00 PM

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; Arthur Unobskey, Superintendent of Wayland Public Schools; Susan Bottan, Director of Finance and Operations, Wayland Public Schools; Jeanne Downs, School Committee Chair; Paul Brinkman, Town Engineer; Becky Stanizzi, River's Edge Advisory Committee Chair.

Purpose: At 10:05 p.m., C. Karlson moved, seconded by L. Anderson, to call 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 21 (a) (3) to discuss strategy with respect to collective bargaining with the Wayland Teachers Association regarding health insurance payroll deductions; 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 regard 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 litigation Ordway v. Town of Wayland pending with the Massachusetts Commission Against Discrimination (MCAD); and pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to discuss strategy with respect to litigation related to David Bernstein v. Planning Board of Wayland; and pursuant to, Massachusetts General Laws Chapter 30A, Section 21 (a)(3) and (6) to review and approve the executive session minutes of June 26, 2019. Vote to approve and hold executive session minutes of June 26, 2019.

D. Levine left the meeting at 10:05 p.m.

Wayland Teachers Association health insurance payroll deductions:

**River's Edge:** P. Brinkman and R. Stanizzi joined the Board for this discussion. At a previous meeting, the Board had requested that P. Brinkman meet with Wood Partners and their engineers to better understand the soil and construction costs impacting the purchase price. P. Brinkman provided the Board a Rivers Edge Purchase Price Analysis dated July 10, 2019 and summarized the information from his discussions:

- The Geotech Consideration costs were reduced from \$680,606 to \$297,181 after further analysis.
- The Removal/Remediation Soil costs remain at \$3,036,750.
- The Wastewater Treatment Plant estimated cost at \$2.5 million remains a preliminary number.

The Board discussed continuing negotiations on the soil costs by requesting the excavation plan. Negotiation discussions on the Land Disposition Agreement included discussions to minimize soil removal from Wayland thereby holding down this cost. C. Karlson and B. Stanizzi felt strongly that additional information was needed to substantiate the cost estimate.

P. Brinkman explained that the wastewater treatment plan was the largest risk for increased costs. He suggested initiating discussions with Wood Partners to explore using the Town Center wastewater plant for processing and piping the outflow back to the discharge area at River's Edge. This could have the added benefit of lifting the Administrative Consent Order on the field behind Town Building and providing more flow for the Town Center plant. The Board encouraged him to have those discussions and explore the option further.

At 11:00pm, P. Brinkman and R. Stanizzi left the meeting.

**Bernstein v. Planning Board:** L. Miller reported to the Board that there are three days scheduled for this hearing. The first was on July 9, the second is tomorrow, July 16, and the third day is scheduled in August. Former Chief of Police Irving was first to testify on July 9. It is anticipated that his testimony will be completed on July 16 and that the remainder of the Town witnesses will complete their testimony tomorrow and then Bernstein's witnesses will begin. There has been no new information in the testimony of former Chief Irving.

Ordway v. Town of Wayland: L. Miller reported that a MCAD conciliatory hearing is scheduled for 10:00am on July 16 and she plans to attend. Officer Ordway has provided her demand as required by the MCAD.

Also, Ordway and others filed a step 1 grievance which was denied by the Police Chief. The Personnel Board has scheduled a step 2 grievance hearing for July 30 and authorized L. Miller to attempt resolution prior to that time. This morning, L. Miller met with involved staff and K. Buckley to attempt resolution. She will keep the Board informed, as appropriate,

**Executive Session Minutes:** Due to the hour, the Board delayed action on this item until the next executive session.

**Exit Executive Session:** At 11:12 pm, L. Anderson moved, seconded by T. Fay, to exit Executive Session. Roll call vote of the Board. YEA: L. Anderson, M. Antes, T. Fay, C. Karlson. NAY: none. ABSENT: D. Levine. ABSTAIN: none. Adopted 4-0.

Documents provided:
1. Rivers Edge Purchase Price Analysis, July 10, 2019, from P. Brinkman