



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

Approved for
Release
6/13/2011



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CONFIDENTIAL

BOARD OF SELECTMEN
DOUGLAS J. LEARD
JOSEPH F. NOLAN
ALAN J. REISS
MICHAEL L. TICHNOR
WILLIAM D. WHITNEY

Board of Selectmen Executive Session Minutes February 11, 2008

Attendance: D. Leard, J. Nolan, A. Reiss, M. Tichnor, W. Whitney

Also present: Town Administrator Frederic E. Turkington Jr., Human Resources Director/Assistant
Town Administrator John Senchyshyn, Town Counsel Mark J. Lanza

Purpose: The session was called at 9:52 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote (5-0) in open session as permitted by M.G.L. Chapter 39, Section 23B, paragraph three, to discuss pending litigation between the Town of Sudbury and the Wayland Planning Board, and thirteen residents of Glezen Lane and the Wayland Planning Board, both of which challenge the issuance of the MSP for Town Center; collective bargaining between the Town and the Wayland Library Association; and the acquisition of real property by the Town (41 River Road), because a public discussion of these matters would have a detrimental effect on the litigating and negotiating position of the Town.

Discussion: Library: J. Senchyshyn reviewed the proposed Memorandum of Agreement between the Town and the Wayland Library Association. He explained that the agreement mirrored the wage and other language changes sought and achieved by the town in negotiations with other groups, but that health insurance mitigation would result from impact bargaining when all other contracts were settled (similar language to teacher's contract). J. Senchyshyn left the meeting at 10:03 p.m.

41 River Road: M. Lanza reviewed the history of the transaction from 2006 to present. He explained that the Town needed to formally exercise the right of first refusal by February 14, 2008, in order to continue negotiations for the purchase of 11.6 acres or less of the property held under Chapter 61B with CPA funds. A placeholder article for the Annual Town Meeting will be adjusted to reflect any agreement.

Town Center Litigation: M. Lanza reviewed the suit from Glezen Lane residents and addressed questions as to standing, coordination of legal strategy with the developer, consideration of strategy reflecting two suits, the role of the Planning Board in the legal strategy, and the impact of the suit on traffic mitigation meetings with the Board of Road Commissioners and public input. M. Tichnor asked whether there was any basis for use of special counsel, given town counsel's workload related to other matters and preparation for Annual Town Meeting. He further inquired as to the usual course of action defending land use decisions. W. Whitney asked that M. Lanza leave executive session so the Board could discuss representation. M. Lanza left the executive session at 10:50 p.m. It was the consensus of the Board to authorize the Town Administrator to discuss representation with Kopelman & Paige and the Chair to gather the input of the Planning Board Chair and discuss relations between their counsel and M. Lanza before making a final decision.

Adjourn: By motion of D. Leard, seconded by A. Reiss, the Board, by roll call vote, unanimously voted to exit executive session at 11:04 p.m.