



NAN BALMER  
TOWN ADMINISTRATOR  
TEL. (508) 358-7755  
www.wayland.ma.us

# TOWN OF WAYLAND

41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON  
MARY M. ANTES  
LOUIS M. JURIST  
CHERRY C. KARLSON  
DOUGLAS A. LEVINE

**Board of Selectmen  
Meeting Minutes  
Executive Session (First of Two)  
April 24, 2017, 6:45 P.M.  
Wayland Town Building, Selectmen's Meeting Room  
41 Cochituate Road, Wayland**

**Attendance:** Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Douglas A. Levine (arrived 6:51 p.m.)

**Absent:** Louis M. Jurist, Town Administrator Nan Balmer

**Also Present:** Assistant Town Administrator/Human Resources Director John Senchyshyn

**Purpose:** The session was called at 6:45 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, C. Karlson. NAY: none. ABSENT: L. Jurist, D. Levine. ABSTAIN: none. Adopted 3-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(2) to discuss strategy with respect to negotiations with non-union personnel, Town Administrator. The Chair declared that a public discussion of this matter may have a detrimental effect on the bargaining or negotiating position of the Town.

**Discussion:** L. Anderson led the discussion of the requirements under the Town Administrator's existing contract, specifically Section IX on Reappointment/Contract Renewal. L. Anderson and C. Karlson said they held a meeting with N. Balmer last week to discuss her willingness to consider reappointment and thoughts on length of term. J. Senchyshyn offered comments on updating the contract – changing dates, adding current salary, updating language on first three years of contract.

D. Levine joined the meeting at 6:51 p.m.

The Board briefly discussed the length of the contract term and how this contract fits with other non-union personnel/management team negotiations. L. Anderson said she contacted Town Counsel to draft a letter expressing the board's intent to enter into contract negotiations.

C. Karlson moved, seconded by M. Antes, to authorize the Chair to send a letter drafted by KP Law to N. Balmer, to enter into discussions for reappointment, and to negotiate terms of a successor contract. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, D. Levine. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

J. Senchyshyn said he will inform the Personnel Board of this action during its executive session this evening.

M. Antes moved, seconded by D. Levine, to exit the executive session at 6:57 p.m. Roll call vote: YEA: L. Anderson, M. Antes, C. Karlson, D. Levine. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

**Board of Selectmen  
Meeting Minutes  
Executive Session (Second of Two)  
April 24, 2017, 8:53 P.M.  
Wayland Town Building, Selectmen's Meeting Room  
41 Cochituate Road, Wayland**

**Attendance:** Lea T. Anderson, Mary M. Antes, Louis M. Jurist, Cherry C. Karlson, Douglas A. Levine

**Absent:** None

**Also Present:** Town Administrator Nan Balmer

**Purpose:** The session was called at 8:53 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote of the Board (YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. 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 litigation in a pending action regarding 20 Millbrook Road, and to discuss whether the town should pursue legal proceedings with respect to the town's agreement with Twenty Wayland, LLC, relative to property and development located off 400-440 Boston Post Road.

**Discussion:** The Board reviewed the litigation regarding 20 Millbrook Road. It was the consensus of the Board to go forward to file a preliminary injunction when there are funds available for the \$3,000 - \$5,000 legal expense.

C. Karlson reviewed the status of the settlement discussions with Twenty Wayland, LLC. The Board discussed a draft updated Letter of Intent (LOI). C. Karlson said that the draft Rules and Regulations for the Town Green offered by KGI Properties, LLC (KGI) are unacceptable, and that Frank Dougherty, on behalf of KGI, was unwilling to accept the proposed LOI. C. Karlson asked the Board to suggest any changes to the Letter of Intent which she would take to F. Dougherty the next day, so that the Selectmen could agree on a final document May 1. She noted that the proposed LOI gives sixty days to sign the Settlement Agreement during which time town staff need to complete defined work. The timetable may not allow sufficient time to complete the work. D. Levine suggested negotiating directly with Anthony DeLuca, the Chief Operating Officer, rather than through F. Dougherty. C. Karlson said A. DeLuca does not return her calls. The Director of Assessing will confirm whether a letter was sent to KGI saying the land would be taxed at full value. It was agreed that the Letter of Intent would be sent to Attorney Kwesell for final revisions, after which it would go on May 15 agenda for Board approval.

M. Antes moved, seconded by L. Jurist, to exit the executive session at 9:18 p.m. Roll call vote: YEA: L. Anderson, M. Antes, L. Jurist, C. Karlson, D. Levine. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

**Items Distributed for Information and Use by the Board of Selectmen at the April 24, 2017, Executive Session Meeting**

1. [REDACTED]
2. Town Green Rules of Use: Email correspondence from March 23-April 18 between Twenty Wayland LLC, and Cherry Karlson
3. Land Donation: Email correspondence from March 23-28, 2017 between Twenty Wayland LLC, Conservation Administrator Linda Hansen, and Cherry Karlson