



LOUISE L. E. MILLER
TOWN ADMINISTRATOR
TEL. (508) 358-7755

www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

APPROVE AND HOLD

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
June 3, 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

Purpose: At 9:43 pm, C. Karlson moved, seconded by M. Antes, 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) (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 to consider the purchase, exchange, taking, lease or value of real estate with respect to the Rivers Edge Project at 484-490 Boston Post Road, and pursuant to Section 21 (a) (3) to discuss strategy with respect to litigation – Ordway v. Town of Wayland pending with the Massachusetts Commission Against Discrimination and to discuss strategy with respect to collective bargaining with Wayland Firefighters Local 1978, International Association of Firefighters, AFL-CIO, and to review and approve the executive session minutes of May 20, 2019. Approve and hold: executive session minutes of May 20, 2019.

River's Edge: L. Miller distributed the executed copy of the Tenth Amendment to the Land Disposition Agreement calling attention to Exhibit B detailing the submitted soil removal costs. The purpose of the discussion is to update the BoS on steps required prior to negotiating the offsets to purchase price of the property. Town Engineer P. Brinkman will work with our engineering consulting firm BETA to review the costs and the need for additional foundation work (piers). The Town's proceeds from the sale are significantly less than the amount anticipated. Paul Brinkman will report to the Board next week the conclusion reached by BETA. The Town then must determine whether to hire a consultant pursuant to the Land Disposition Agreement to challenge the costs. In the meantime, Wood Partners is moving forward with the project, putting in time and money with DEP for stormwater structures. The Town should be well positioned to negotiate the costs which are set forth in Exhibit B.

Twenty Wayland LLC: L. Miller explained the purpose of the discussion is to determine strategy for moving forward with negotiations with Twenty Wayland to acquire land for conservation and municipal use. L. Miller reported that Town Engineer P. Brinkman is reviewing Stormwater Basin 2 for functionality and compliance with the outstanding Conservation Order of Conditions and DEP requirements. The functionality and compliance of Stormwater Basin 2 will determine how the Town will structure its offer for the properties surrounding the municipal parcel. He has identified four issues for review so far: maintenance, access, evaluation of structure to handle run off from a CoA/CC type development and potential Easement and Covenant Restrictions (ECR) issues. He will report to the Board next week.

Wayland Firefighters: L. Miller updated the Board on the discussions to allow Firefighter's to cover police detail work for overtime pay. There were questions on how to handle appointments and contract language; however, discussions have advanced so that a policy can be worked out between the Police and Fire Departments with a Memorandum of Agreement (MOA). T. Fay asked if the Police union was in agreement. L. Miller said they were as the demand for detail work exceeds the personnel supply. Firefighting responsibilities will take precedence over detail work. The Board thanked L. Miller for her work on this issue.

Review of Executive Session Minutes: The Board reviewed the draft executive session minutes of May 20, 2019. L. Anderson moved, seconded by D. Levine, to approve as amended and hold the minutes of May 20, 2019. Roll call vote of the Board. YEA: L. Anderson, M. Antes, C. Karlson, D. Levine. NAY: None. ABSENT: None. ABSTAIN: T. Fay. Adopted 4-0-1.

D. Levine left the meeting at 9:59 pm.

Ordway v. Town of Wayland: L. Miller reviewed the recent developments for the Board. The MA Commission Against Discrimination found probable cause with the complaint, and the hearing is scheduled for July 1. J. Ordway started back at work on May 6. L. Miller spoke with J. Ordway, Chief Swanick and Lt. Gibbons to work through outstanding issues. [REDACTED] L. Miller requested the Board's support to enter into mediation working with MIIA (MA Interlocal Insurance Association) and J. Ordway. The Board concurred with pursuing mediation.

Exit Executive Session: At 10:09 pm, M. Antes moved, seconded 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. Tenth Amendment to the Land Disposition Agreement, signed May 31, 2019 by Town of Wayland.
2. Draft executive session minutes of May 20, 2019.