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TOWN OF WAYLAND

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WAYLAND, MASSACHUSETTS 01778

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

October 19, 2020

5:00 p.m.

Wayland Town Building, Council on Aging 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; Seath Crandall, Management Analyst

Purpose: At 9:01 p.m. C. Karlson called the session to order in the Council on Aging 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) (3) to discuss strategy with respect to litigation Stephen Cass v. Robert Irving; 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; pursuant to 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 pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6), to review and approve the executive session minutes of September 8, 2020 and September 21, 2020 with the intent to approve and hold said minutes.

All members participated remotely via Zoom and confirmed that they were alone and could discuss confidential matters in privacy.

Twenty Wayland: C. Karlson reported that Frank Dougherty, Twenty Wayland/KGI, contacted her regarding a permitted use of the Town Green (owned by KGI) for an arts performance. Then, he expressed interest in meeting to discuss the failed settlement agreement and finding a means to complete the transaction. No date was set. The Board expressed interest in restarting discussions. D. Watkins requested information to better understand the items being negotiated. The topic will be placed on an executive session after the election.

Cass v. Irving: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ordway v. Town of Wayland: L. Miller summarized recent actions for the Board and recommended that the Town move to mediation given new information that came from the discovery phase. [REDACTED]

[REDACTED] This is estimated at approximately [REDACTED]

[REDACTED] The last demand from Ordway was for [REDACTED]. The arbitrator ordered reinstatement but did not award back pay [REDACTED]

L. Miller asked for permission to enter mediation and for a settlement cap of [REDACTED]. This would allow the Town to settle at [REDACTED] with the insurance contribution capped at \$50,000. The Board discussed various mediation requests and potential outcomes. There was agreement that mediation was the best path forward for both parties. T. Fay moved, seconded by M. Antes, to authorize Town Administrator Louise Miller to offer up to [REDACTED] towards settlement of this case. 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.

Minutes: The Board reviewed the draft executive session minutes of September 8, 2020 and September 21, 2020. L. Anderson moved, seconded by M. Antes, to approve and hold the minutes of September 8, 2020 and September 21, 2020 as amended. 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.

Exit Executive Session: At 9:39 pm, T. Fay moved, seconded by D. Watkins 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. Draft executive session minutes of September 8, 2020
2. Draft executive session minutes of September 21, 2020