



STEPHEN CRANE
ACTING TOWN MANAGER
TEL. (508) 358-3620
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

Approved and
Released with
Redactions

BOARD OF SELECTMEN
THOMAS J. FAY
ADAM G. GUTBEZAHL
CHERRY C. KARLSON
CAROL B. MARTIN
DAVID V. WATKINS

SELECT BOARD
Meeting Minutes
Executive Session
May 23, 2022
7:00 p.m.
Council on Aging Room
41 Cochituate Road, Wayland, MA

Attendance: Tom Fay, Cherry Karlson, Carol Martin, Adam Gutbezah, Dave Watkins (remote)

Absent: none.

Also Present: Stephen Crane, Acting Town Manager; John Bugbee, Assistant Town Manager

Purpose: At 7:05 p.m. T. Fay called the session to order by unanimous roll call vote of the Board (YEA: D. Watkins, C. Martin, A. Gutbezah, C. Karlson, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0-0.) in open session; pursuant to Massachusetts General Laws, Chapter 30A, Section 21(a) (2) to conduct a strategy session in preparation for contract negotiations with non-union personnel (Acting Town Manager); 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 et al.; pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and approve the executive session minutes of May 2 2022 (1 of 2 sets), May 2, 2022 (2 of 2 sets), May 9, 2022, and May 14, 2022 with the intent to hold said minutes; and pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (2), (3), and (6) to review and release with redactions the executive session minutes of April 12, 2022, April 19, 2022 (session 2), May 2, 2022 (session 2), May 9, 2022, and May 14, 2022 with the intent to release said minutes.

All members and those attendees participating remotely confirmed they could discuss confidential matters in private.

Acting Town Manager Negotiations:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Bernstein: T. Fay reported that town counsel had made the changes per the Board's last discussion, reviewed the agreement and provided an updated version for the Board's vote. T. Fay explained that need for those plaintiffs who pursued the appeal to sign a release. C. Karlson asked if new traffic data resulting in changes to traffic mitigation levels could be the subject of legal action. A. Gutbezah cautioned that any changes should be data driven. He requested that all signage be in

place within 45 days of finalizing the settlement and that traffic measurements not happen until the fall. A. Gutbezahl moved, seconded by C. Karlson, to execute the Settlement Agreement as in the executive session packet and to direct the Acting Town Manager to make the Settlement Agreement public when directed by town counsel. Roll call vote of the Board: YEA: A. Gutbezahl, D. Watkins, C. Martin, C. Karlson, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0. S. Crane clarified that making the document public means to post it online. The Board concurred.

Minutes: The Board reviewed the four sets of executive session minutes and suggested some edits. D. Watkins clarified his use of a transcription service for the April 4, 2022 minutes. C. Martin moved, seconded by A. Gutbezahl, to approve as amended and hold the executive session minutes of May 2, 2022 (first session), May 2, 2022 (second session), May 9, 2022, and May 14, 2022. Roll call vote of the Board: YEA: C. Karlson, A. Gutbezahl, D. Watkins, C. Martin, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

The Board reviewed the minutes related to negotiations with the Acting Town Manager for release. C. Karlson moved, seconded by A. Gutbezahl, to release with redactions the executive session minutes of April 12, 2022, April 19, 2022 (session 2), May 2, 2022 (session 2), May 9, 2022, and May 14, 2022. Roll call vote of the Board: YEA: D. Watkins, A. Gutbezahl, C. Martin, C. Karlson, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Exit Executive Session: At 7:38 p.m., C. Karlson moved, seconded by A. Gutbezahl, to exit Executive Session and return to open session. Roll call vote of the Board: YEA: D. Watkins, A. Gutbezahl, C. Martin, C. Karlson, T. Fay. NAY: none. ABSENT: none. ABSTAIN: none. Adopted 5-0.

Documents provided:

1. Town of Wayland, Wayland, Massachusetts, Acting Town Manager Employment Contract, dated May 15, 2022.
2. Release from Jill Porter, provided by KPLaw.
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. Email from C. Karlson, dated May 20, 2022, titled Exec session minutes - potential release with pdf attachment minutes for potential release related to negotiations with the Acting Town Manager.