

## DiNapoli, MaryAnn

---

**From:** Senchyshyn, John  
**Sent:** Wednesday, October 09, 2013 2:22 PM  
**To:** DiNapoli, MaryAnn  
**Subject:** FW: Wayland BOS  
**Attachments:** Wayland Investigation Letter.pdf; ATT00001.htm

---

**From:** Senchyshyn, John  
**Sent:** Wednesday, October 09, 2013 11:53 AM  
**To:** douglearn@realtour4u.com; Ed Collins (ejclaw@comcast.net); josephnolan1@verizon.net; stevencorreia@comcast.net; Tony Boschetto (tboschetto@yahoo.com)  
**Subject:** FW: Wayland BOS

All,

Below is an email that I received from Bob Ritchie.

AAG Amy Nable has issued a request for information to follow-up Kim Reichelt's OML complaint. Bob asks that you begin your responses and forward him your drafts and accompanying documents.

Let me know if you have any questions.

John

---

**From:** Bob Ritchie [<mailto:bobritchie@comcast.net>]  
**Sent:** Wednesday, October 09, 2013 1:13 AM  
**To:** Senchyshyn, John  
**Subject:** Fwd: Wayland BOS

See attached. Can you suggest to the board members that they begin their respective responses and send to me a list of their planned responsive documents and draft answers to the questions? Also let each know that I am available for consultation as soon as I return. I'll be reachable beginning next Tuesday, but can field email requests on the road before then. We must comply by the 25th. Call if you have any questions John. BobR

Bob Ritchie  
Amherst, MA  
413-531-2431  
[bobritchie@comcast.net](mailto:bobritchie@comcast.net)

Begin forwarded message:

**From:** "Nable, Amy (AGO)" <[amy.nable@state.ma.us](mailto:amy.nable@state.ma.us)>  
**Date:** October 8, 2013, 1:11:28 PM PDT  
**To:** "Bob Ritchie ([bobritchie@comcast.net](mailto:bobritchie@comcast.net))" <[bobritchie@comcast.net](mailto:bobritchie@comcast.net)>, "[mjlanza@comcast.net](mailto:mjlanza@comcast.net)" <[mjlanza@comcast.net](mailto:mjlanza@comcast.net)>  
**Subject:** Wayland BOS

Bob / Mark,

Attached, please find a request for information relevant to our review of Ms. Reichelt's Open Meeting Law complaints against the Wayland Board of Selectman. Hard copies have been mailed.

Regards,  
Amy

Amy L. Nable  
Assistant Attorney General  
Director, Division of Open Government  
Office of Attorney General Martha Coakley  
One Ashburton Place  
Boston, MA 02108  
Tel: (617) 963-2451 (direct)  
Fax: (617) 722-0184  
[amy.nable@state.ma.us](mailto:amy.nable@state.ma.us)



MARTHA COAKLEY  
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE  
BOSTON, MASSACHUSETTS 02108

(617) 727-2200  
www.mass.gov/ago

October 8, 2013

Douglas Leard, Chair  
Wayland Board of Selectmen  
41 Cochituate Road  
Wayland, MA 01778

**RE: Open Meeting Law Complaints**

Dear Chairman Leard:

We received copies of two Open Meeting Law complaints on September 24, 2013 from Ms. Kimberly Reichelt, alleging violations of the Open Meeting Law, G.L. c. 30A, §§ 18-25, by the Wayland Board of Selectmen (the "Board"). Specifically, the complaints allege that 1) the Board deliberated about the Town Administrator's contract outside of an open meeting prior to the August 26, 2013 meeting at which it voted to terminate his employment; and 2) that the notice for the Board's August 26, 2013 meeting was not sufficiently specific to inform the public that this topic would be discussed. The complaints were originally filed with the Board on September 3, 2013 and September 18, 2013, respectively, and the Board responded to both complaints by letter dated September 23, 2013.

Under the Open Meeting Law, the Attorney General has responsibility for investigating this matter. In order for us to assess the merits of the complaints we received, we request that you provide this office with the documents and information requested below, in writing, on or before **Friday, October 25, 2013**.

For purposes of this request, "Board" shall mean the Wayland Board of Selectmen and all individuals who were members of that body on August 26, 2013.

Documentary Material

- 1) Any and all written correspondence between members of the Board that was sent or received prior to and including August 26, 2013, concerning the August 26, 2013 meeting agenda item reading "Review Town Administrator Employment Agreement and Job Description." This request includes, but is not limited to, correspondence via email and text message.



Written Information

- 1) Please provide a signed statement from Selectman Boschetto, responding to the following questions:
  - a. When, and in what manner, did you first ask Chair Leard to add the item reading "Review Town Administrator Employment Agreement and Job Description" to the agenda for the Board's August 26, 2013 meeting?
  - b. At the time you requested that the item reading "Review Town Administrator Employment Agreement and Job Description" be added to the agenda for the Board's August 26, 2013 meeting, did you anticipate making a motion to terminate the Town Administrator during that meeting?
    - i. If yes, did you convey this intent to Chair Leard? When, and in what manner?
  - c. Did Chair Leard ever contact you for additional information or clarification regarding the August 26, 2013 meeting agenda item reading "Review Town Administrator Employment Agreement and Job Description?"
    - i. If yes, when, and in what manner? What was the substance of that discussion?
  - d. Did you discuss, verbally or in writing, the possibility of terminating the Town Administrator with any other Board member prior to the Board's August 26, 2013 meeting?
    - i. If yes, when, and in what manner? What was the substance of that discussion?
  
- 2) Please provide a signed statement from Chair Leard, responding to the following questions:
  - a. When, and in what manner, were you first asked to add the item reading "Review Town Administrator Employment Agreement and Job Description" to the agenda for the Board's August 26, 2013 meeting?
  - b. At the time you added the item reading "Review Town Administrator Employment Agreement and Job Description" to the agenda for the Board's August 26, 2013 meeting, what did you anticipate would be discussed under this agenda item?
  - c. Did you ever contact Selectman Boschetto for additional information or clarification regarding the August 26, 2013 meeting agenda item reading "Review Town Administrator Employment Agreement and Job Description?"
    - i. If yes, when, and in what manner? What was the substance of that discussion?
  - d. Did you discuss, verbally or in writing, the possibility of terminating the Town Administrator with any other Board member prior to the Board's August 26, 2013 meeting?
    - i. If yes, when, and in what manner? What was the substance of that discussion?

- 3) Please provide a signed statement from each of the remaining three selectman. responding to the following:
- a. Did you discuss, verbally or in writing, the possibility of terminating the Town Administrator with any other Board member prior to the Board's August 26, 2013 meeting?
    - i. If yes, when, and in what manner? What was the substance of that discussion?

In addition, please provide this office with any and all information that you believe may be helpful to the resolution of this matter. If you have any questions regarding this letter, please do not hesitate to contact me at the number below.

Sincerely,



Amy L. Nable  
Assistant Attorney General  
Director, Division of Open Government  
Ph: (617) 963-2451

cc: Bob Ritchie, Esq.  
Mark Lanza, Esq.  
Kimberly Reichelt