

IN BOARD OF SELECTMEN
MONDAY, JANUARY 14, 1991

Present: Chairman Judith A. Cope, David A. Wallace, and John C. Drobinski.

The statutory requirements as to notice having been met, the meeting was convened by Chairman Cope at 7:40 p.m., at the Fairbank Senior Center.

Kuwait Crisis

Selectman Wallace suggested and the Board concurred that the Selectmen send a message to President Bush expressing hope that he would push for a peaceful solution rather than initiate war, and allow non-war initiatives to work in the Middle East crisis.

Selectman Drobinski added that this cry for peace and request for reassessment of implications of war does not mean a lack of support for the troops.

Selectman Cope expressed her desire that resolution of all international disputes be accomplished through the United Nations rather than by war.

Appointment - Long Range Planning Committee

Present: Philip Ferrara.

After interview, it was on motion unanimously

VOTED: To appoint Philip Ferrara, 23 Wildwood Lane, to the Long Range Planning Committee for a term to expire April 30, 1992, subject to receipt of resignation from incumbent Stephen Bohac.

Minutes

It was on motion of Selectman Cope unanimously

VOTED: To approve the minutes of January 7, 1991, as drafted.

Budget - Pool Enterprise Fund

On the recommendation of the Executive Secretary and the Town Accountant, noting that there is a requirement for Enterprise Fund receipts to match expenditures, it was on motion unanimously

VOTED: To approve the revised estimated receipts of \$373,471 for the FY92 Pool Enterprise Fund Budget.

Capital Equipment Program

Executive Thompson expanded on his memorandum of January 7, 1991, setting forth his recommendations for a two-year capital equipment program and the funding mechanisms for each of the two-years. Mr. Thompson stated that he wished to take the program one year at a time and intended to have a full discussion with the Finance Committee, noting that there might be some changes

in the FY92 priorities which he recommends be funded through the Stabilization Fund.

At the close of discussion relative to the methods of gas tank replacement available, it was on motion of Selectman Wallace unanimously

VOTED: To move forward with the Capital Equipment Program for FY92 as set forth by the Executive Secretary in his memorandum of January 7, 1991, funding to come from the Stabilization Fund, and to amend the Warrant article previously submitted to conform to the same.

Town Treasurer/Collector - Retirement Benefits

Present: Town Treasurer/Collector

The Board noted receipt of a January 9, 1991 communication from Town Treasurer/Collector Chester Hamilton requesting the continuation of medical coverage upon retirement. Mr. Hamilton stated that his participation in the Middlesex County Retirement Plan was precluded by reason of age; therefore he is denied the continuation of medical coverage as a retiree from the Town unless so voted by the Board of Selectmen.

Mr. Thompson stated that the Board of Selectmen had voted to extend such coverage to a retiree in a similar situation, and that the benefit provided by the Town would approximate \$2,000 annually.

Therefore, in order to insure that health insurance coverage equivalent to that of retirees from town employment who are eligible for coverage at 50% cost through OME is available to Mr. Hamilton upon his retirement, it was on motion of Selectman Wallace unanimously

VOTED: That Chester Hamilton and his spouse are eligible for group health insurance benefits as if he were a regular retiree.

Ft. Devens Sudbury Annex - FOCUS Report

Present: Sudbury Representative Sue Pettengill, and Deborah Schumann, member of the FOCUS Board of Directors.

FOCUS member Sue Pettengill elaborated upon the written presentation of materials provided to the Board under date of January 14, 1991, providing information relative to the organization (FOCUS), its affiliations and goals, a brief history of the sites, a status report, and maps setting forth the aquifers (except for those in Maynard for which information is not available at this time) and the wetlands in relation to the hazardous waste sites at the Ft. Devens Annex. Some of the points noted by Ms. Pettengill are:

- FOCUS has been recognized officially by the EPA and the DEP and therefore will receive all official notices and will be solicited for input during the Superfund clean-up process.
- The agreement between the parties which gives the EPA power to oversee the clean-up is expected to be signed in late February 1991; until then the EPA is involved in record search conducted by OHM Consulting.
- FOCUS has performed verified sediment tests at the Marlboro-Sudbury State Forest which reveal excess toxic limits for lead, cadmium, mercury, zinc and

- copper.
- FOCUS has performed unverified surface water tests from the same area revealing the presence of phenols, ammonia and phosphorus are in excess of the water quality standards for allowable limits.
 - While there are many sites pinpointed on the property, the site designated as A3 and located in Maynard close to the Sudbury border is of top concern and would, in and of itself, have made the EPA priorities list alone. It is regarded as a general dump. While it is believed that sites designated as A3, A7, and A9 are regarded as EPA priorities, the contaminants migrating from site A10, in the opinion of FOCUS, have the potential to damage Sudbury's water supply.

Selectman Drobinski cautioned that surface water tests tend to be a waste of money, and that it is absolutely critical for FOCUS to use the services of independent qualified consultants for any credibility in the process. Ms. Schumann stated that their membership includes two hydrogeologists and a laboratory chemist whose volunteer services they are utilizing until such time as the group is able to fund, through a TAG grant or otherwise, the services of an independent consultant.

Ms. Schumann stated that although FOCUS has documented proof of the use of radiologicals, there has been no official acknowledgement of same. Selectman Drobinski suggested that the DOE has a program to specifically address this and this matter should be brought to its attention.

Ms. Pettengill summarized the testing presently being performed under Board of Health and Water District auspices and the desire of FOCUS to expand these tests, which include sampling at Hop Brook at Stearns Mill Pond, and do further analyses of the data already available. The Board stated it will support any reasonable request made to these agencies in this regard on a case by case basis. FOCUS representatives agreed to copy the Board on any requests made and Mr. Thompson stated his intention to discuss the matter with the Water District Superintendent.

Ms. Schumann stated that the priority of FOCUS is to stop the potential for migration of contaminants, then perform the clean-up.

The Board expressed its commitment to maintain open communication channels with FOCUS, advising FOCUS of the Board's concerns and informing FOCUS of public notification and other information. The Board also agreed to issue a letter of endorsement of the goals of FOCUS as stated in the handout and to endorse TAG grant applications if necessary and requested at a later date.

Public relations were discussed relative to the interest of Town officials and State and Federal representatives. Conservation Coordinator Deborah Montemerlo was highly commended by the FOCUS representatives and by the Board for her involvement relative to the site.

The Board stated its appreciation to FOCUS for the information and status report provided this evening and for their continuing efforts on behalf of the Town.

FY92 Budget - Landfill Enterprise Fund

Present: Highway Surveyor Robert A. Noyes; Assistant Highway Surveyor John Lindgren; Highway Operations Assistant James Pianka; Louis Giannetti; Town Engineer I. William Place; Resource Recovery member Janelle Winston and resident Scott Lewis.

Executive Secretary Thompson reviewed the information presented to the Board in his memorandum dated January 11, 1991, involving changes to the Landfill, Engineering and Highway budgets and the operation of the Landfill. A new organizational chart, dated January 14, 1991, showing responsibility for operations at the Landfill through the Highway Surveyor, and the supervision and inspections responsibility vested in the Engineering Department was presented to the Board and incorporated within the Landfill Enterprise Fund FY92 Budget. Mr. Thompson will coordinate the interaction of the departments. This organization and resulting personnel changes have been carefully worked out between Mr. Noyes, Mr. Place and Mr. Thompson and incorporated into the revised Landfill budget along with other revisions worked out with the Budget and Personnel Officer.

Mr. Thompson informed that the organizational chart has been forwarded to the Chairman of the Resource Recovery Committee and it is his intention to forward the approved budget as well for comment. Upon adoption of the new organization by the Selectmen, it is Mr. Thompson's intention to implement the organizational changes immediately.

With regard to the fee structure, it was suggested that every effort should be made to maintain the current fees at or near the same level for FY92 and FY93. Mr. Noyes stated that receipts for FY91 are not too far off target, informing that one way to accommodate a level fee structure is to delay or modify purchase of capital equipment.

In response to Selectman Drobinski, Mr. Thompson informed that it is would be his recommendation to fund the future expense of capping the Landfill by bond issue rather than use the capital fund which is currently designated for equipment purchase within the Landfill budget. Equipment replacement is currently programmed over a five-year period.

Highway Surveyor Noyes added that the composting program is already successful and indicated that the Town could achieve savings in stockpiling loam for the eventual capping process. Loam will also be needed to cover the slopes at the North Sudbury gravel pit and the excess could be sold.

All agreed that recycling endeavors are coming along. Mr. Noyes stated he is trying to reduce the paper cost. There is a need to particularly encourage recycling of the types of materials, e.g., large detergent containers, which bring in the most return to the Town.

Upon the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To approve the Table of Organization relative to the Town of Sudbury Sanitary Landfill dated January 14, 1991, and to approve the receipts and

expenses in the amount of \$449,350, as stated in the revised FY92 Landfill Enterprise Fund budget.

Selectman Drobinski praised the continuing progress made at the Landfill.

Highway Budget

Mr. Noyes reported that the Highway FY92 Budget, as revised in consultation with the Budget and Personnel Office, reflects only costs of step increases. He is currently in the process of preparing three reduction options, one which will include Mr. Thompson's recommended \$100,000 reduction, which will be forwarded to the Selectmen when submitted to the Finance Committee.

Mr. Noyes reported that the street lighting change has been accomplished except for the excluded Historic Districts and has produced a savings of approximately \$5,000 which has been appropriated to upgrade other areas.

It was noted that Boston Edison has completed a major tree trimming project which should result in fewer power outages during storm conditions.

Relative to questions concerning maintenance of walkways and the possibility of extensive use if more students are required to walk to school, Mr. Noyes informed that two bombadiers are in use now and all walkways are plowed. The Department will need to do some overlays on some of the older walkways.

The Selectmen reviewed and indicated approval of the budget, as revised, as it relates to the areas of their responsibility: Landfill, cemeteries, street lighting and trees.

Unisys - Consultant

Relative to the hiring of a consultant on the Town's behalf to monitor drilling and sampling activities under the DEP Work Plan for the Unisys site, Selectman Cope stated that she would prefer that the scope be described as "evaluating" rather than "monitoring". Selectman Drobinski suggested that both terms be used. Selectman Cope stated that members of the former Wastewater Advisory Committee and one other individual intend to submit input on the scope of the work. Selectman Drobinski stated that he was in the process of reviewing qualifications of the personnel to be assigned by the two firms suggested and will make a recommendation for selection as soon as possible.

Relative to the timetable, Executive Secretary Thompson suggested that the meeting of January 28 be targeted for approving the scope and finalizing the hiring.

It was noted that Unisys has to file a Determination of Applicability under the Wetlands Protection Act with the Conservation Commission and, it is believed, could not begin until such time as a determination that the work is not applicable has been rendered.

Relative to the possibility of the Town's acquisition of the property, Selectman Cope stated that she thought use as a golf course, which has been one

of the uses suggested, would be to the benefit of the Town. The Board concurred.

Donations - Council on Aging

It was on motion unanimously

VOTED: To accept \$81.50 in miscellaneous donations for deposit into the Council on Aging Van Donation Account; and to authorize the Council on Aging to expend the same for purposes of operating and maintaining the Council on Aging van.

Wood-Davison House

The Board noted a January 11, 1991 communication from the Wood-Davison Restoration Task Force Committee relative to the importance of finalizing the architectural contract. It was noted that Town Counsel has conferred with the Architect, and changes to the proposed contract will be forthcoming.

At the suggestion of Mr. Thompson, the Task Force has requested that application be made to the Internal Revenue Service for a charitable tax exemption status 501(c)(3). The Board referred the request to Town Counsel to accomplish.

Executive Session

It was on motion by roll call vote at 9:45 p.m. unanimously

VOTED: To enter into Executive Session for the purpose of discussing litigation matters.

(Chairman Cope, aye; Selectman Wallace, aye; Selectman Drobinski, aye.)

There being no further business, the Chairman announced that the public session would not be reconvened.

The meeting was adjourned at 10:00 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk