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IN BOARD OF SELECTMEN  
MONDAY, MARCH 13, 1989

Present: Chairman David A. Wallace and John C. Drobinski.

The statutory requirements as to time and place having been met, the Chairman convened the meeting of the Board of Selectmen at 7:30 p.m. at lower Town Hall.

Utility Petition No. 89-12 - Maynard Road

Present: Joseph D. Bausk of New England Telephone Company.

The Board reviewed Utility Petition No. 89-12 submitted by New England Telephone Company for installation of conduit, service terminal with pad, and service cabinet with pad on Maynard Road.

Executive Secretary Thompson noted that all appropriate abutters had been notified and approval had been recommended by the Inspector of Buildings and Wiring Inspector under date of March 7, 1989.

Joseph D. Bausk, representative of New England Telephone Company, displayed photographs of service terminals similar to that proposed in this petition and there was no response from the public to Chairman Wallace's invitation to express support or opposition to said petition.

It was on motion of Chairman Wallace unanimously

VOTED: To approve Utility Petition 89-12 of New England Telephone and Telegraph Company for permission to install the following, under or upon the surface of Maynard Road - Easterly side beginning at pole 55 Marlboro Road, running southerly to existing manhole #120, 55' conduit to include one service terminal and pad, one service cabinet with pad and power supply, beginning at manhole #120 to service terminal 17' conduit; as shown on New England Telephone and Telegraph Company's Plan No. 89-3 entitled "Plan for Conduit, Pad and Service Terminal Location".

Utility Petition No. 89-13 - Powder Mill Road

Present: Joseph D. Bausk of New England Telephone Company; abutters Michael and Patricia Simmons; Town Engineer I. William Place.

The Board reviewed Utility Petition No. 89-13 submitted by New England Telephone Company for installation of approximately 59' conduit, one pad and service terminal and one service cabinet and pad on Powder Mill Road; and approximately 30' conduit on Mossman Road.

Executive Secretary Thompson noted that all appropriate abutters had been notified and approval had been recommended by the Inspector of Buildings and Wiring Inspector under date of March 7, 1989.

Joseph D. Bausk, representative of New England Telephone Company, informed the Board that he has just learned from Michael and Patricia Simmons of Four Powder Mill Road that they are in possession of a map which indicates that the

property which is the subject matter of this petition is owned by the Simmons'. Upon inquiry, Town Engineer I. William Place stated that ownership of that portion of land is uncertain. Mr. Simmons stated that the map showing them as owners was supplied by former Town Engineer James Merloni.

Mr. Bausk stated that he would have someone from New England Telephone Company check the deed and confirm the ownership of the parcel; Mr. Place added that someone from his office is also checking the ownership status with the Land Court.

At the request of Mr. Bausk, it was on motion of Chairman Wallace unanimously

VOTED: To allow New England Telephone Company to withdraw Utility Petition No. 89-13 for installation of approximately 59' conduit, one pad and service terminal and one service cabinet and pad on Powder Mill Road; and approximately 30' conduit on Mossman Road.

Override Question on Town Ballot/Annual Town Meeting

The Board reviewed copy of letter dated February 17, 1989, to Town Accountant James Vanar from Mariellen P. Murphy, Director, Bureau of Accounts, Commonwealth of Massachusetts Department of Revenue, Division of Local Services, which was written in response to letter dated January 31, 1989, from Mr. Vanar to Ms. Murphy.

Executive Secretary Thompson reminded the Board that Mr. Vanar forwarded his letter to Ms. Murphy in order to obtain written guidance from the Commonwealth as to how the Town should proceed with regard to an override question and what options the Town has with regard to same.

Chairman Wallace expressed the consensus of those present that, although Ms. Murphy confirmed Mr. Vanar's opinion that appropriations may not properly be made subject to a contingency, her letter does not clearly address Mr. Vanar's specific question concerning override and debt exemption questions placed on the Town Election Ballot prior to Town Meeting and whether Town Meeting may vote a budget beyond the Proposition 2½ levy limit if the questions fail.

Mr. Thompson stated that in his opinion, Ms. Murphy's letter puts the Town "back into limbo" as to what is proper; but that his interpretation of her letter is that the Town may appropriate beyond the limits of Proposition 2½, with the knowledge that sometime during the fiscal year, the amount would have to be adjusted or spending stopped once the Proposition 2½ levy limit is reached. Mr. Thompson explained that he further based his conclusion on the fact that Town Meeting is a legislative body, regardless of whether the election is part of it or not. Chairman Wallace added that if Mr. Thompson's interpretation is correct, even if an override question fails on the Ballot, it would be appropriate for the Moderator to accept motions exceeding the Proposition 2½ limit.

Mr. Thompson went on to say that he believes the idea is that if the override fails, then go to Town Meeting and explain what that means to the Town. If Town Meeting wants to proceed with an override at that point, perhaps

in a lesser amount than that proposed in the override ballot questions, then the townspeople can vote that lesser amount, which would require confirmation by ballot/referendum.

In response to inquiry by Chairman Wallace, Mr. Thompson stated that he has not heard the Town Moderator's response to Ms. Murphy's letter and stressed that, although the Moderator may consult with Town Counsel, it will be the Moderator's decision as to how to proceed at Town Meeting.

Park and Recreation Commission - Resignation

Upon review of letter dated March 7, 1989, from Park & Recreation Commission member Alan J. Williamson, and memorandum dated March 10, 1989 from the Commission, it was on motion of Selectman Drobinski unanimously

VOTED: To acknowledge receipt of the resignation dated March 7, 1989, from Alan J. Williamson of 131 Barton Drive, as a member of the Park & Recreation Commission; to request the Executive Secretary to send a letter on behalf of the Selectmen to Mr. Williamson, thanking him for his contribution to the Town; and to request the Executive Secretary, in conjunction with Park & Recreation Commission, to take the appropriate action to schedule filling the vacancy created by said resignation.

The Selectmen requested the Executive Secretary to inform the Park & Recreation Commission that this matter will be given high priority as soon as Town Meeting is adjourned.

Police Department - Appointment of Police Matron

It was on motion of Chairman Wallace unanimously

VOTED: To appoint Ann H. Bard of 898 Waverly Street, Framingham, as Police Matron, for a term to expire April 30, 1990, as requested by the Police Department in a communication dated March 6, 1989, from Lt. Ronald Nix.

Wright Farm Subdivision - Acceptance of Walkway Easements

After review, it was on motion of Selectman Drobinski unanimously

VOTED: To accept grants of walkway easements relative to the following Hopestill Brown Road parcels within the Wright Farm Subdivision:

Lot 4 (Four Hopestill Brown Road), granted by Gregory W. and Susan C. Hunt as shown on "Plan of Land in Sudbury, Mass. prepared for Creighton Hamill", dated December 7, 1988, drawn by Schofield Brothers, Inc.; and Lot 6 (60 Hopestill Brown Road), granted by Howard E. and Kathleen J. Rose; and Lot 5 (50 Hopestill Brown Road), granted by Charles W. and Patricia A. Shields; and Lot 4, granted by Wright Realty Trust, Warren J. Wright and Dorothy M. Wright, Trustees, all as shown on "Plan of Land in Sudbury, Mass. prepared for Creighton Hamill", dated December 7, 1988, drawn by Schofield Brothers, Inc.

Walk 'N Mass Volkssport Club - Ten Kilometer Walk

It was on motion of Chairman Wallace unanimously

VOTED: To grant permission to the Walk 'N Mass Volkssport Club to conduct a ten-kilometer walk in Sudbury on July 9, 1989, as described in a communication dated January 16, 1989, from Chairperson Elizabeth M. Foley, which has been approved by the Police Chief in written communication dated March 6, 1989.

Transfer of Funds - Unclassified Line Items

Upon recommendation of Budget Officer Terri Ackerman, it was on motion of Chairman Wallace unanimously

VOTED: To approve the transfer of \$813.26 from Unclassified 950-803, Property/Liability Insurance, to 950-804, Town Report; subject to concurrence by the Finance Committee.

Minutes

It was on motion of Selectman Drobinski unanimously

VOTED: To approve the minutes of the meeting held March 6, 1989, as presented; subject to comment by Selectman Cope.

School Committee - Concern Regarding Perception of Override Question

Selectman Drobinski informed that he had a brief conversation with a member of the School Committee, who wondered when the Selectmen are going to come out with some sort of position statement concerning the override question.

Chairman Wallace stated that he and Richard Pettingell of the Finance Committee presented their views for support of the override for the Town Crier, which will appear this week. Mr. Wallace explained that in discussing the override questions, he and Mr. Pettingell made it very clear that the number 2 question, debt exemption, was for the Senior Citizen Center and the number 1 question, concerning the override, although including the schools, was not limited to the schools; and that if the override did not pass, every budget in the Town would be affected.

Selectman Drobinski stated that the School Committee believes it is "taking the heat" for the override question, and does not think this is fair. Selectman Drobinski concluded by stating that he wishes to make it very clear that he believes that, although an individual may have differences with the School Committee concerning many issues that have arisen, a vote against the override should not be the tool to express those differences, as defeat of the override would affect every department in Town.

Town Meeting Articles Re: Research District

The Board acknowledged receipt with thanks of the comprehensive letter dated March 10, 1989, from Ralph Tyler of One Deacon Lane, commenting on the four Town Meeting articles which concern development in Research Districts, and requesting support of the Selectmen for these articles.

Selectman Drobinski informed that he believes the Planning Board is going to discuss these articles at its meeting on Monday, March 20, 1989; and that it is the policy of the Selectmen to withhold comment until they receive input from the Planning Board.

350th Anniversary Celebration - Map of Parade Route

The Board acknowledged receipt of copy of map showing the proposed Parade Route for the 350th Anniversary Celebration, which is scheduled to take place September 4, 1989, from 10:00 a.m. to 12 Noon.

The Selectmen will review and give comments, if any, to the Executive Secretary.

Composting Facility Proposal With the Town of Wayland

The Board acknowledged receipt of copy of Plan for the proposed composting facility with Wayland.

Executive Secretary Thompson opined that progress looks good and that this facility is the best investment that the Town has had in the past ten years, because the benefits will be enjoyed immediately by lessening the impact on the Sudbury Landfill and extending its life expectancy.

Haynes Meadow Conservation Land

The Board acknowledged receipt of memorandum dated February 27, 1989, from Richard Wilsack, Spokesman for Abutters to the Haynes Meadow Conservation Land. At the request of the Selectmen, Executive Secretary Thompson will obtain a written report concerning this matter from the Conservation Commission, and will place this on the Selectmen's agenda for discussion when reasonable to do so.

Annual Town Meeting - Acceptance of Street Layouts

Present: Town Engineer I. William Place; Abutter Florine Schoen.

At 8:05 p.m. Chairman Wallace convened a public hearing for the purpose of receiving public comment and to vote on the question of layout out certain town ways, which are proposed for acceptance as public ways at the 1989 Annual Town Meeting under Article 13.

Executive Secretary Thompson noted that all appropriate abutters had been properly notified, and acknowledged receipt of letter dated March 7, 1989, from Town Planner Lee Newman, advising that the Planning Board has voted to recommend acceptance of Centre Street, Twin Meadow Lane and Wadsworth Road; Fairhaven Circle, provided a Certificate of Compliance is issued by the Conservation Commission; Scotts Wood Drive, subject to execution of driveway easement between Lots numbered 20 and 21; and Hopestill Brown Road, provided a Certificate of Compliance is issued by the Conservation Commission;

Town Engineer I. William Place requested approval for the following ways: Center Street (portion); Twin Meadow Lane; and Wadsworth Road.

Mr. Place stated that he would recommend conditional approval only for the following ways:

1. Fairhaven Circle - Mr. Place stated that there is no Certificate of Compliance as yet [later, it was learned that the Certificate had issued];

2. Scotts Wood Drive - Mr. Place stated there is a Certificate of Compliance outstanding; and he has been informed by the developer that the problems are being worked out between the attorneys for the homeowners and the developer concerning a driveway easement, a problem affecting the private owners and not the Town directly, but rather incidentally, in order for the Town to record an accurate Plan. Mr. Place has received assurance from the developer that everything will be resolved prior to Town Meeting;

3. Hopestill Brown Road - Mr. Place informed the Board that since conditions have not been corrected, the Certificate of Compliance has not issued; and there remain outstanding issues to be resolved. Mr. Place also stated that there is a driveway to be relocated (this requires no easement for the Town); and a fence on a right-of-way, which matter has been referred to Town Counsel.

Chairman Wallace invited comment from the public, and Florine Schoen of 20 Scotts Wood Drive stated that despite what the developer, Kenneth Moore, has told the Town Engineer, she has had no contact with the developers and the problems remain unresolved. Mrs. Schoen stated that she and her husband would like some assurance that the matters will be taken care of.

Executive Secretary Thompson explained that if a Certificate of Compliance is not issued by the time of Town Meeting, that street would be withdrawn from consideration for acceptance. Mr. Place added that he believes that the Planning Board is withholding release of the Performance Bond to the developer, and since this involves substantial monies being held up, he believes this is a good incentive for the developer to meet his obligations forthwith.

It was on motion of Chairman Wallace unanimously

VOTED: To lay out of the following as town ways, which are proposed for acceptance as public ways at the 1989 Annual Town Meeting under Article 13:

Centre Street;

Twin Meadow Lane;

Wadsworth Road;

Fairhaven Circle;

Hopestill Brown Road (subject to issuance of Certificate of Compliance by Conservation Commission; and subject further to receipt of certified Registry copy of recorded Conservation Restriction, to be obtained from Registry and sent by attorney;

Scotts Wood Drive (subject to issuance of Certificate of Compliance by Conservation Commission; and subject further to revision of plan to reflect execution of driveway easements between owners of Lots 20 and 21).

Landfill - Malone Parcel/North Road

The Board acknowledged receipt of copy of letter dated February 28, 1989, from Town Engineer I. William Place reporting his findings concerning the question of using the Malone Parcel for a possible source of borrow material to be used as daily cover at the Sand Hill Sanitary Landfill.

Massachusetts Municipal Association - Meeting

The Board acknowledged receipt of notice of meeting with administrative and legislative leaders scheduled for Saturday, April 1, 1989, from 9:00 a.m. to 1:00 p.m. The Executive Secretary will check with Selectman Cope to see if she will be able to attend; Chairman Wallace and Selectman Drobinski will check their schedules and report back to the Executive Secretary as to their availability.

Raytheon

The Board acknowledged receipt of copy of letter dated March 6, 1989, to the Executive Secretary from Steven J. Fugarazzo, Manager, Plant Engineering Department, Raytheon, 528 Boston Post Road, enclosing a check for \$1,446.80 to cover the costs of striping a portion of Route 20, and requesting the Town accept this payment as satisfaction of Raytheon's obligation under Article 10(B)(1) of its Site Plan Approval dated October 24, 1984.

It was on motion of Chairman Wallace unanimously

VOTED: To request the Executive Secretary to consult with Town Counsel and to meet with a representative of Raytheon to discuss Article 10(B)(1) of its Site Plan Approval dated October 24, 1984, and Raytheon's request to obviate its obligations thereunder by making a payment covering the costs of striping a portion of Route 20; and to also discuss with Raytheon its Letter of Credit, which expired January 1, 1989.

Wayland/Sudbury Septage Disposal Treatment Facility Discharge Permit

Present: Operational Review Committee (ORC) members Michael Guernsey, Bruce Ey and Steven Sandler; Board of Health member Hugh Caspe and Director Robert Leupold; Wastewater Advisory Committee Chairman William Cooper; Wayland ORC and Conservation Commission representative William Gagnebin; Conservation Commission member Frances Clark (who arrived at 9:15 p.m.).

At 8:30 p.m., Chairman Wallace convened a joint meeting with the Operational Review Committee and Board of Health to discuss environmental concerns connected with the proposed Wayland/Sudbury Septage Disposal Treatment Facility increased discharge permit request.

Executive Secretary Thompson gave a brief summary of the events leading up to this meeting, by stating that in February 1989, at the request of William Cooper, Chairman, and Walter Stadnisky of the Wastewater Advisory Committee,

Russell Kirby, Chairman, and Lael Meixsell of the Planning Board, and Gordon Henley, Chairman of the Conservation Commission, the Selectmen drafted a letter requesting the Commonwealth's Executive Office of Environmental Affairs (EOEA) to reconsider its determination that the increased discharge permit request does not require the preparation of an Environmental Impact Report. After forwarding said letter to the EOEA on February 21, 1989, the Selectmen learned that the words "notice of action" contained therein required a more detailed and formal procedure. Mr. Thompson concluded by stating that at the Selectmen's meeting of February 27, 1989, the Selectmen were given copies of the following for review and consideration:

1. Memorandum from Robert C. Leupold, Health Director, dated February 27, 1989, concerning Landfill leachate treatment at the Septage Plant, attaching leachate testing results for July 1, 1987 and stating that Plant Superintendent Bruce Strong will provide leachate test results in March 1989 when Wayland leachate will be processed.

2. Memorandum from Robert C. Leupold, Health Director, dated February 27, 1989, concerning the MEPA appeal.

3. Letter dated February 27, 1989, from Bruce Ey, Representative on the Operational Review Committee, stating that as a member of the ORC, he cannot justify spending money to prepare a full EIR to increase the discharge permit of the plant and setting forth the case why such an increase should be approved.

At that time, at the request of Conservation Coordinator Deborah Montemerlo, copies of the above were forwarded to Gordon Henley of the Conservation Commission for comment; and Mr. Thompson was requested to take no further action with regard to the EOEA until the Selectmen have met with the Operational Review Committee and the Board of Health, as well as all interested parties.

Chairman Wallace explained that he hoped the meeting this evening would result in a consensus as to how the Selectmen and the Town should proceed with regard to this increased discharge permit request.

In addition to the above-numbered documents, the Board reviewed correspondence previously received, as follows:

4. Copy of letter dated December 28, 1988, to EOEA from the Conservation Commission, requesting that a full EIR be required with a complete and comprehensive scope to include enumerated items of concern;

5. Copy of letter dated December 29, 1988, to EOEA from the Wastewater Advisory Committee, commenting on the Environmental Notification Form;

6. Copy of letter dated January 2, 1989, to the EOEA from the Planning Board, stating support for the Conservation Commission's and Wastewater Advisory Committee's request that a full EIR be required;

7. Copy of minutes of the meeting of the Wastewater Advisory Committee on February 2, 1989, as they concern the Septage Facility Expansion EIR;



and noted:

8. Memorandum dated March 11, 1989 (received late this afternoon) from the Conservation Commission, outlining issues of concern which Conservation Chairman Gordon Henley wishes addressed at this evening's meeting.

Chairman Wallace made inquiry of ORC member Bruce Ey as to why Mr. Ey feels any EIR is unnecessary. Mr. Ey responded by saying that the Plant can clearly handle a much larger flow than is being asked for. Mr. Ey reiterated his comments contained in letter dated February 27, 1989 (Item 3 above), that because the original draft permit was for 25,000 gallons, there was an oversight in issuing the final version of the permit restricting the plant to a maximum instead of an average daily flow of 25,000. In addition, Mr. Ey pointed out that in fact, during peak times of use by Sudbury and Wayland, the Plant has actually exceeded the limit; and in spite of this, the quality has never been a problem during these times.

Mr. Ey concluded by stating that it was DEQE who recommended that the facility apply for a discharge increase; and that the ORC wishes to reach a reciprocal agreement with other facilities in the event there is a problem with the Wayland-Sudbury facility. Mr. Ey pointed out that this Plant was not built with Sudbury and Wayland funds alone; that 93% of the funds are federal. Because of this, Mr. Ey believes there is an obligation to assist other communities; but this may be done on a contractual basis and be financially beneficial to the Facility as well. Mr. Ey expressed his disappointment with the letter submitted this afternoon by Gordon Henley (Item 8 above), since he had spoken with Mr. Henley for about 1½ hours concerning this issue.

There followed a discussion about leachate, which was defined as the water that comes out of the bottom of the landfill. Michael Guernsey of the Board of Health, and ORC member, explained that leachate (from Wayland Landfill) does not come out as a regular flow, but rather it is intentionally collected, treated and processed. It is Mr. Guernsey's opinion that the so-called leachate problem is blown all out of proportion.

Mr. Guernsey went on to say that in order for Sudbury to get the expansion needed in our landfill, DEQE is pushing very hard for Sudbury to use the same system Wayland does; i.e., put a liner down, put a collection system in there, collect the leachate, and then process it. Mr. Guernsey referred to the Anderson-Nichols report, and pointed out that the report shows that the numbers relating to leachate in the Plant are well below problematic levels. Mr. Guernsey also stated that the sludge at the Plant is still classified as "Class 1" sludge; i.e., it can be used for fertilizer for food crops. In addition, the amount of sludge leachate brings in is minimal.

Mr. Guernsey expressed his frustration and concern about the fact that a lot of things have been said and done without first talking to the people who operate the Plant. Many of the issues, questions and concerns could have been resolved if communication had been better. Mr. Guernsey informed that Bruce Strong, the Chief Operator, has always expressed a willingness to talk with anyone, and in fact he had wanted to attend some of the initial meetings held by the Conservation Commission; but he was not invited. Mr. Guernsey concluded by stating that he fears there is a political issue involved.

Selectman Drobinski assured Mr. Guernsey that he does not believe any actions were politically motivated, but rather the result of misconceptions and miscommunication.

Mr. Guernsey referred those present to the original report done by Roy F. Weston in 1977, which contains an Environmental Statement; and further, the Anderson-Nichols report of 1985 which considers the leaching issue. Mr. Guernsey also expressed his disappointment in receiving a last-minute letter from the Conservation Commission asking questions he is unable to immediately answer at this meeting.

Chairman Wallace asked about the financial aspect of the proposed increase in discharge, and how it would impact fiscally on the Town. Mr. Guernsey informed that at present, the cost is 4.3¢ per gallon to process. If the Enterprise Fund accounting method is approved at Town Meeting, as of July 1, 1989, the increase will be to 5¢ or 5½¢ per gallon. This would allow the facility to put away some money for emergency or equipment replacement purposes. This would also, Mr. Guernsey explained, put a more realistic cost on the system, since those using the facility today will be paying for replacement equipment in the future. Mr. Guernsey went on to say that those numbers are based on 5,500,000-6,000,000 gallons per year; and he provided the Selectmen with graphs showing past usage of the facility by Sudbury and Wayland.

Mr. Guernsey also commented that the terms of the grant from the federal government for the construction of this facility made it clear that the facility would have to take whatever the estimated costs are and divide them by gallonage; this would give the per-gallon processing charge.

In response to inquiry by Chairman Wallace, Mr. Guernsey stated that although there is no Enterprise Fund in effect now to verify it, it is his belief that over the last three years, receipts have exceeded expenditures. Mr. Guernsey cautioned that under the present system, there may be a problem if the receipts are greater than the costs after capital expenditures are recovered. In a worst-case scenario, Mr. Guernsey explained that if the facility were to start to run at a profit, the federal government could demand repayment of the \$3,000,000 it granted for the facility.

In response to inquiry by Mr. Thompson, Mr. Guernsey explained that hydrologically the capacity of the Plant is capable of pumping 75,000 gallons per day. Mr. Guernsey reiterated Mr. Ey's opinion that the only reason the present permit allows only 25,000 gallons per day is due to a mix-up by an individual when filling out the final permit.

Mr. Guernsey went on to explain that that the facility has a 250,000-gallon equalization tank, which amounts to roughly a 100,000-gallon "buffer". This has been a good buffer, and Mr. Guernsey commended Dr. Cooper and the original ORC for pressing for this large a system. However, as evidenced in June of 1988, the facility received 65,000 gallons for one of the days. Many more days like that would deplete the reserve. Shutting off the Town would not, in Mr. Guernsey's opinion, be an easy thing to do.

Mr. Guernsey stated that the facility has agreements with Lincoln and Carlisle to process their waste; and Mr. Guernsey commented that a dishonest

contractor who deals with several communities may be successful in bringing in waste from an outside community where there is no agreement with the facility. However, Mr. Guernsey stressed that the contractor must bring a manifest of where that load came from and the facility bills that resident directly; this serves as a safeguard on illegal loads being brought in.

Hugh Caspe of the Board of Health commented that he does not see any problem with assisting various towns for emergency situations. However, Mr. Caspe expressed concern for the long-term, and stated that he believes the facility should be getting something in return for assisting communities on a normal basis.

Bruce Ey concurred that this might be a good idea. Mr. Guernsey stated that in August of 1987, North Andover gave notice that it would have a shut-off as of September 1st for one month. Since a lot of towns wanted to come to this facility, the Plant doubled the price. Mr. Guernsey went on to say that DEQE got annoyed with Sudbury-Wayland for taking advantage of a situation. Regardless, Mr. Guernsey concluded, it is a fact that this facility is the only plant in the country designed to treat 100% septage; thus, such charging of other communities may make sense. Mr. Guernsey stated that this is an issue that all committees and departments can sit down and discuss; but is not, he believes, something that requires writing letters to DEQE and MEPA.

In order to further clarify the present situation with regard to the request for increase in discharge permit, Mr. Guernsey explained that the Plant had received several violations in June, and Bruce Strong talked to DEQE concerning this. DEQE suggested the facility file for an increase, and inferred that, although they did not believe there would be any problems, technicalities required a MEPA review. During that process, WESTON was asked to do an analysis of what the Plant can and cannot do, and Mr. Guernsey referred those present to letter dated March 21, 1988, from Wayne Kimball, P.E., Principal Project Engineer, WESTON. Given their understanding that there would be no real problem in obtaining the increase, the reports filed were admittedly not detailed.

Mr. Guernsey stated that the other issue is that under the original designs of that Plant 100% expansion was allowed on the property within the fence; and he stated that it was never intended that expansion of the Plant was not a consideration. Mr. Ey further explained that even if the Plant has to expand, there obviously is no plan to spend the money on it now; but he wanted to point out that there is room for it. Mr. Ey concluded by stating that the ORC does not feel there is a need to increase the sand beds at this point; but if this does become necessary in the future, it would be done away from wetlands.

In response to inquiry by Selectman Drobinski, Mr. Guernsey pointed out that the downgradient monitoring well is located on the site of the old Wayland Landfill, across from the Plant on Route 20. The Selectmen were shown particular locations on a map supplied with the Anderson-Nichols report.

Health Director Robert Leupold stated that the Board of Health checks the quality upstream, and the facility checks downstream. As far as leachate is concerned, Mr. Leupold stated that he does not believe it is a very serious problem at this time.

Mr. Leupold stated that he believes it is important to keep the health issues in perspective, as also the impact on the aquifer. Mr. Leupold stated that the original draft report says that, at an effluent discharge of 50,000 gallons per day, the treatment plant represents .3% of volume of water in the aquifer.

Dr. William Cooper of the Wastewater Advisory Committee expressed his opinion that it is important for people to talk to each other, and commented that Mr. Guernsey's comments have been pretty much "on the money". Dr. Cooper stated that much of the concern was caused because the ENF filed was very sketchy and seemed to gloss over things that should be considered. Dr. Cooper went on to say that he believes the general sketch given by Mr. Guernsey this evening is quite accurate; and he stated that the Plant was designed for 25,000 gallons per day a day on average, and that the hydraulics can deal with 50,000 gallons per day. Whether the ground leach beds can handle over 50,000 gallons per day over a long haul is a question natural to ask and be considered. Dr. Cooper recalled that there were wells put in prior to the Plant being built, presumably to prepare for the day the facility needs to increase discharge with minimum impact.

Dr. Cooper stated that he believes the question for the Town is the impact from the added volume and what the policy is that Sudbury and Wayland want to follow with respect to bringing in septage from outside. Another question, Dr. Cooper stated, is the processing of the Landfill leachate, which he does not believe is addressed in the WESTON report; and which the ENF did not address. Dr. Cooper expressed his personal opinion that at this point the Town needs to decide upon its policy for bringing in additional septage. Dr. Cooper recalled that the original ORC originally thought that with an average 25,000 gallon per day design capacity, if the Town needed to bring in septage from other towns, for economic operation, the Town would bring it in. Dr. Cooper does not recall any discussion regarding pushing the Plant beyond that capacity as a money-maker for the Town by bringing in septage from the outside; and suggested that William Gagnebin of the Wayland ORC at the same time Dr. Cooper was a member of the Sudbury ORC, might be able to provide additional information on this.

Dr. Cooper raised the question that if other towns are allowed use of the Plant, what would happen to the sludge generated by them. There had been mention of reciprocity, and Dr. Cooper believes this is an area that should be explored. In conclusion, Dr. Cooper commented that on the issues of the general question of environmental impact, he believes the data exists, and does not believe it necessary for the Town to be engaged in some kind of legal proceeding about this whole thing. Dr. Cooper believes the facility was reasonably well designed, which is not to say it is perfectly designed. But examination of the records by a reputable firm, such as Roy F. Weston, would be the best thing to do.

Conservation Commission representative Frances Clark stated her general sense is to concur with Dr. Cooper about his concerns with the ENF. Although the information may be located in many places, it is the Commission's opinion that all data should be in one location. Mrs. Clark stated that due to scheduling and availability conflicts with personnel, she recognizes that there has been difficulty in communications on all sides. However, Mrs. Clark continued, she is glad to see so many questions have been answered this

evening. Mrs. Clark stated her personal belief that the Town needs to be more aware of regional facilities, as it appears that this is the way such facilities are going, since no one community can afford the kinds of sanitary landfills and treatment plants that are needed. Mrs. Clark concluded by stating that she believes the Town should be going forward with a sense of reciprocity and make alliances now rather than in the future, when the Town may be desperate. It is Mrs. Clark's belief that the Town should proceed with good information in place so that the Town will know what it is doing.

Mr. Guernsey stated that the facility is in the next phase of the WESTON design for the Plant, and they will be submitted the draft to DEQE. Also, Mr. Guernsey reiterated the willingness of the ORC and Bruce Strong to obtain answers to any questions and sit down and talk. What upsets him, he concluded, is when questions are made not for answers, but merely to throw up roadblocks.

With regard to the sludge issue, Mr. Guernsey stated that Bruce Strong has determined that for every 1,000 gallons of septage that comes into the Plant, .17 tons of wet sludge is produced, and contains anywhere from 24-30% solids. For Fiscal 1988, the Sudbury Plant took in 2,226,537 of septage, which computed to 395.5113 tons of sludge that went into the Sudbury Landfill. This means, Mr. Guernsey explained, 439.457 cubic yards, or approximately twenty-two ten-wheeler loads of sludge in a year. Mr. Guernsey went on to explain that the sludge goes into the Landfill, some of the water continues to go out of it, and it reduces down by about 50%. Thus, what was put into the Sudbury Landfill last year from the Plant was about eleven ten-wheeler loads of dry sludge.

In response to inquiry from Selectman Drobinski, Mr. Guernsey stated that the ORC is working on not putting any sludge into the Landfill; but that present DEQE guidelines require it. Also, Mr. Guernsey stated that the total contribution of sludge from outside towns is five percent. There was a recommendation to limit outside towns to residential sludge only, so that it may alleviate the fears of those who fear hazardous waste and/or damage to the Plant.

Selectman Drobinski opined that the facility has been running successfully, and that people today are more sensitive to what goes on in the environment. Thus, a lot of the concerns voiced are valid.

Mr. Guernsey agreed, but said that he believes all of this should be kept within the boundaries of the Town, and not brought to the Commonwealth.

Mr. Thompson stated that he believes the composting is the most important project being undertaken right now, since it will save on space at the Landfill. If the Town can add the sludge, Mr. Thompson concluded, that would be another big "plus". Mr. Guernsey concurred, adding that the sludge speeds up the composting operation. Mr. Thompson informed that DEQE wishes to get the composting project going and then evaluate it after one year for possible inclusion of sludge.

Chairman Wallace commented that this evening's discussion has been highly educational, and Selectman Drobinski stated that it was good to sit down and have this dialogue back and forth.

Mr. Thompson confirmed that the consensus of those present is to follow the recommendations as outlined by Health Director Robert C. Leupold in his memorandum dated February 27, 1989, "...that issues concerning the ENF be addressed at the town level and not the state administrative level as the MEPA unit has already made its decision."

Mr. Guernsey stated that DEQE is amenable to granting the increased discharge permit; and reiterated that the ENF submitted was not more detailed because it was considered to be merely a procedural matter. Mr. Guernsey stressed the availability of his office and especially Bruce Strong to discuss any concerns; and added that if anyone is interested in a tour or other informational project, he would be happy to arrange same.

Dr. Cooper made a conclusionary remark that even if DEQE does not ask for something, it would be well to supply the information to the town departments. Mr. Guernsey agreed, and stated the ORC and Bruce Strong have always made it known of their willingness to sit down and supply such information.

The Chairman thanked all for their attendance and input and expressed his pleasure in those present having reached a reasonable and prudent consensus as to how to proceed.

The discussion meeting adjourned; and there being no further business to come before the Board, the Selectmen's meeting adjourned at 10:00 p.m.

Attest:

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Richard E. Thompson  
Executive Secretary-Clerk