

**BOARD OF
SELECTMEN
MEETING
MINUTES**

November 14, 2012

Fire & EMS Headquarters, 20 Church Street , Training Room
Chairman Kenneth Picard, Selectman Robert J. Fleming,
Selectman James Brochu, Town Manager, Blythe C. Robinson,
Department Coordinator, Sandra Hakala

1 The meeting was called to order at 5:00pm by Chairman Picard he then asked the invited guests
2 to introduce themselves.

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4 **INVITED GUESTS**

5 Attorney Robert D. Cox, Bowditch & Dewey, Ron Roux, UDG, Stan Gordon, GURR,
6 Representative George Peterson, Al Holman, BOH, Richard Desjardins, BOH, Sherry Berger,
7 BOH, Diane Tiernan, BOH, Senator Michael Moore, Mark Reich, Kopelman & Paige and
8 Lauren Goldberg, Kopelman & Paige.

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10 Chairman Picard asked Attorney Cox to discuss the recent developments regarding the landfill
11 closure with DEP. Attorney Cox stated he was here make everyone aware and to seek assistance
12 in respect to resolving the recent changes in the closure process. He then proceeded to review the
13 document he had prepared illustrating the chronology of events in respect to the landfill closure.

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15 The guests then discussed the issues at hand. Attorneys Cox and Reich discussed some of the
16 particulars about the history of the landfill and the site today. Selectman Fleming asked Cox if
17 he was asking the Town to become involved in the lawsuit UDG may file against the DEP as a
18 result of the final permit for the site that DEP has issued. Cox responded by saying he doesn't
19 want to bring the Town litigation, and that UDG will need to file the suit in order to preserve
20 their rights. Mr. Roux stated that from UDG's standpoint, the permit issued by the DEP makes it
21 difficult to obtain a clear and marketable title and if they can't obtain one, it makes the land
22 unable to be financed.

23
24 Mr. Desjardin asked what does this mean to the Town. Mr. Roux responded that UDG took on
25 the job of closing the landfill, and that they would be looking to be reimbursed for those costs.
26 Mr. Roux believes the Town will have a role in that. Stan Gordon of the GURR explained that
27 UDG is looking at the Town to support them by trying to convince the DEP to agree to a post
28 closure monitoring program for the landfill of 5 years instead of the typical 30-year period
29 required by the DEP Solid Waste Division. He echoed Mr. Roux in saying they expect the Town
30 to assist in and support UDG the cleanup costs, and that fewer years of monitoring would result
31 in less total closure costs. Representative Peterson suggested that they mediate this out and
32 together with Senator Moore they will help facilitate scheduling meetings with the DEP so all
33 can have a better understanding of the conditions of the site.

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35 **Motion #1:** At 5:55pm Selectman Fleming motioned to recess the regular meeting and move it to
36 Nipmuc High School.

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38 Second: Selectman Brochu, Unanimous: Chairman Picard

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40 **Motion #2:** At 6:30pm Selectman Fleming motioned to reconvene the regular meeting.

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42 Second: Selectman Brochu, Unanimous: Chairman Picard

43 **Motion #3:** At 6:30pm Selectman Fleming motioned to execute and approve National Grid
44 Service License – West River Street.

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46 Second: Selectman Brochu, Unanimous: Chairman Picard

47
48 **ADJOURN MEETING**

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50 **Motion #4:** At 6:35pm Selectman Fleming motioned to recess the regular meeting.

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52 Second: Selectman Brochu, Unanimous: Chairman Picard

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54 **Motion #5:** At 7:00m Selectman Fleming motioned to reconvene the regular meeting.

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56 Second: Selectman Brochu, Unanimous: Chairman Picard

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58 **Motion #6:** At 9:35pm Motion was made by Chairman Picard to adjourn the regular meeting.

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60 Second: Selectman Brochu, Unanimous: Selectman Fleming.

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63 Respectfully submitted,

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67 Sandra Hakala, Department Coordinator

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