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TOWN OF CHARLTON
Minutes of Regular Selectmen's Meeting
Tuesday – February 21, 2012

Submitted by MCD
Date 3/8/12
Received by KL
Date 3-8-12

Present: Chairman – David M. Singer, Vice-Chairperson – Kathleen W. Walker, Clerk – Brent Sellew and members – Peter J. Boria and Frederick C. Swensen. Also present: Town Administrator - Robin L. Craver.

NOTE: Some matters may have been taken out of agenda order but were typed up in agenda order for ease of locating information when necessary.

I. Call to Order:

Chairman Singer called the meeting to order at 6:30pm with the pledge to the flag.

II. Consent Agenda: Minutes of February 7, 2012. **Motion by Mr. Swensen to approve the minutes of the regular session of February 7, 2012, seconded by Mr. Boria, motion carries unanimously.**

III. Community Relations, Announcements and Open Forum:

- Chairman Singer read the announcements.

IV. Appointments/Resignations:

(see scheduled appointments)

V. Scheduled Appointments:

6:35pm – Appointment of Water/Sewer Commissioner. Mrs. Craver stated that at the Board's last meeting, discussion was held regarding the appointment of a Water/Sewer Commissioner. As discussed, a meeting will be held at 5:30pm on February 21, 2012 prior to the Board's regular meeting to interview the candidates that have applied. Should a decision be made and brought forth to you for appointment, a joint appointment of both boards should be made by roll call vote. The following are the candidates: Alex MacKenzie, Joe Spiewak and Joe Belanger. Ms. Walker explained that both boards met with the candidates prior to this meeting. **Motion by Ms. Walker to appoint Joe Spiewak to the Water/Sewer Commission, seconded by Mr. Sellew.** Mr. Lemansky called for a point of order. He stated that the Water/Sewer Commission was in recess and he would call their meeting to order. **So moved by Mr. Elliott, seconded by Mr. Haebler.** Mr. Haebler feels that Mr. Spiewak has a lot of knowledge but feels that we need someone that has more knowledge with contracts and long term procedures to help us operate with better efficiency. Mr. Lemansky stated that he was delighted with the number of candidates that came forward and with the amount of qualifications of these candidates. Chairman Singer asked that we stay with the motion that was made by Ms. Walker. **Vote by Board of Selectmen on Ms. Walker's motion: Ms. Walker – aye, Mr. Swensen – abstain, Mr. Sellew – nay, Mr. Boria – nay and Chairman Singer – aye. Chairman Lemansky took the vote of the Water/Sewer Commission: Mr. Haebler – aye, Mr. Gagner – nay, Mr. Elliott – nay and Chairman Lemansky – nay.** Chairman Singer stated that the motion fails five to three. Chairman Singer and Mr. Boria feel that all three candidates are very qualified and feel that any of them would be an asset to the Board. **Motion by Mr. Boria to appoint Joe Belanger to the Water/Sewer Commission opening, seconded by Mr. Gagner. Roll call of the Board of Selectmen: Ms. Walker – aye, Mr. Swensen – abstain, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – nay. Chairman Lemansky called for a vote of the Water/Sewer Commissioners: Mr. Haebler – nay, Mr.**

Gagner – aye, Mr. Elliott – aye and Chairman Lemansky – aye. Motion by Mr. Elliott to close the water/sewer meeting, seconded by Mr. Gagner, motion carries.

6:45pm – Appointment to Planning Board – Alternate. Mrs. Craver stated that the Planning Board is recommending the appointment of Peter Starkus to fill the Vacant Alternate Seat. This appointment should be a joint appointment by both boards by roll call vote. It should be noted that this opening has been running on cable and the Town's website. **Planning Board Chairman John McGrath brought the Planning Board meeting to order, seconded by Mr. Cloutier.** Chairman McGrath stated that they are very fortunate that Mr. Starkus is willing to fill this vacancy. **Motion by Ms. Walker to appoint Peter Starkus to the Planning Board as an alternate, seconded by Mr. Sellew. Roll call vote taken: Ms. Walker – aye, Mr. Swensen – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye. Chairman McGrath asked for a roll call vote from the Planning Board: Ms. Vincent – aye, Ms. Rydlak – aye, Ms. Gill – aye, Mr. Cloutier – aye and Chairman McGrath – aye. Motion by Mr. Cloutier to adjourn the Planning Board, seconded by Ms. Gill, motion carries.**

6:50pm – Appointment – Assistant Treasurer. Mrs. Craver stated that Kathy Burlingame's last day as Assistant Treasurer is March 1st and we wish her well on her retirement. She will be missed. Treasurer Keith Arsenault and I have completed interviews for the Assistant Treasurer position and would like to recommend Robin Richard to the position. She has been the Assistant Treasurer in Southampton for almost 5 years. We are happy to find someone already trained as an Assistant Treasurer from another town. Ms. Richard is originally from Charlton and is looking forward to returning to town. I spoke to Kristie Slattery, her supervisor of 4 years, and she gave a glowing reference. I've attached her resume for your review. The regular schedule will be 28 hours per week (same as Kathy) with as-needed additional hours when the Tax Collector's office requires additional staffing. Presently, the Tax Collector has on-call funds to assist her when her office is busy, mostly when taxes are due. We are proposing Ms. Richard receive the same rate as the previous Assistant Treasurer which is \$18.64 per hour. As we are anxious for her to start as soon as possible in order to have a transition time with Kathy; her start date may vary as she will be giving her notice and may be able to split between both towns for a couple weeks. Treasurer Arsenault and Ms. Richard were present for discussion. Ms. Walker asked if she was going to commute. Ms. Richard said she would but was hoping to move out here. Mr. Swensen asked if she was familiar with the software used and she is. **Motion by Ms. Walker to appoint Robin Richard as Assistant Treasurer as highly recommended from our Town Administrator and Town Treasurer, seconded by Mr. Boria, motion carries unanimously.**

7:00pm – Charlton Beagle Club – Change of Manager. Mrs. Craver stated that attached is a request from the Charlton Beagle Club seeking to change the manager from Tammy Jones to Michael J. Brown. All required paperwork has been completed. At this time we are waiting for the CORI results to come back. With that said, the recommendation is to approve the Change of Manager as requested pending a positive CORI result. Once approved by the Board, the paperwork will be forwarded to the ABCC who will make the final decision. Mr. Boria asked how the license works if the manager is no longer there. Mrs. Craver stated that the license is still valid until this process is done. Mr. Swensen asked if Mr. Brown is TIP certified and he stated he is in the process. **Motion by Mr. Boria that we approve the change in manager for Charlton Beagle Club from Tammy Jones to Michael J. Brown pending he becomes TIP certified and a positive CORI result, seconded by Mr. Swensen, motion carries unanimously.**

VI. New Business:

1. Grant Awards – Fire Chief Cloutier came forward and stated that with the hard work of two firefighters, Captain Ed Knopf and Call Firefighter Doug Robertson, the Charlton Fire Department has received a FEMA Grant for Firefighting Equipment and Protective Equipment in the amount of \$268,361.00. There are 2 parts to the grant itself; a new filling station and new air packs. The filling station is a breathing air system that fills the air bottles in the air packs that the firefighters use when they enter a hazardous atmosphere. It will be

replacing a unit that was built in 1982. The new air packs will be replacing 1197 vintage air packs that are no longer compliant with National Fire Protection Association Standards. The grant provides for 40 new air pack and air bottles along with the proper face pieces and voice emitters. This grant will allow for approximately \$150,000 in reductions in the fire departments request for capital items that is sitting on the 5 year capital plan already. There is a 5% match that the town needs to apply to receive the grant. That amount is \$13,418.05. Chief Cloutier commended the officers for working so hard on this grant. Each of them spent over 100 hours researching and writing the grant. Chief Cloutier would like to see these men receive a letter of recognition. **Mr. Boria would agree and he would ask that we ask Mrs. Craver and Dr. Hartwig from the Finance Committee to try and find a way for us to come up with the \$13,418.05 for our 5% match, seconded by Mr. Sellew.** Ms. Walker asked when the money is needed by. Chief Cloutier stated that we would have to send it in within one year from when it was awarded and we received it in February. **Vote on motion: motion carries unanimously.** Dr. Hartwig was present and stated that he would just like to add that he is confident we can find a way.

2. Municipal Buildings:
 1. Highway Operations Building
 2. Town Hall – Vacant Office space
 3. Quonset Hut/Fire Department

Mrs. Craver stated that she is happy to report that the Highway Department moved into its new building last week and the Highway Building Committee will be meeting with the Architect and Contractor to finalize the punch list and outstanding change orders. She asked Mr. Foskett when he might like to have an open house and he'd like to wait until he's settled and the grounds have a chance to be cleaned up. The new Highway Operations Building will meet the Highway Department's needs. Now that the Highway Department has moved, there is vacant office space in the Town Hall. The Municipal Building Committee met and reviewed the space and there was consensus that additional conference rooms are needed. They discussed tearing down one wall and making half of the room the Cemetery Office and the other half a larger conference area. In the end, they think the present meeting room could suffice (this would be the meeting room highway and cemetery used for meetings). There was a question about the use of the other room and what it's best uses would be. It was suggested to bring the subject here for you to discuss tonight and ask for further direction. Also, in the planning stages of the new highway operations building there were conversations between myself and both Highway and Cemetery Superintendents about the Cemetery Superintendent having an office at the new building, so in the plans, there is an office there for him. It is my understanding that the Cemetery Commission wishes to stay in the Town Hall and I have offered to meet with them to try to address their concerns if they wish. Both departments run efficiently independently and no changes are needed at this time. Lastly, the Municipal Building Committee discussed the vacated Quonset hut. As you know, the fire department uses the front part of the building for vehicle storage. There are two separate heating systems- one for the Quonset hut and one for the fire bays. The one for the hut has stopped working and, since the highway department was vacating, it was not fixed. The bathroom is part of the hut and all water has been shut off so the pipes don't freeze. Right now, there is no bathroom for the fire department staff to use when returning from an event. Another question regarding the site is how to best plan for remediation. As you know there was a petro spill many years ago and the town has made efforts to clean the site in the accessible areas. We still provide bottled water to residents because of contamination. We are hoping that the North Main Street waterline will be operable in the spring. Once public water is available and the building is removed, we will be able to close out the Administrative order from the Department of Environmental Protection. This will save the Town monies spent in testing and environmental reporting. We are looking for direction on how you wish to proceed regarding this property. Mrs. Craver stated that one of the questions is regarding the vacant piece. Mr. Boria stated that the Municipal Building Committee has had discussions and talked about removing the wall between the rooms

and felt it better not to spend the money on it and bring it to the Board for your recommendation. Mr. Swensen asked if Recreation had an office downstairs because he knows they have been sharing a room with Conservation. Mrs. Craver stated that they do share a room with Conservation and she was told it has been working well. **Motion by Ms. Walker to reserve the space for a conference room, seconded by Mr. Boria.** Mr. Swensen asked if the room would be booked through the Selectmen's office and the answer was yes. Mr. Sellew is looking into getting a table and chairs for that room. **Vote on motion: motion carries unanimously.** Mr. Boria stated that the Municipal Building Committee discussed the Quonset Hut as well and would bring that to the Board for discussion to see what should be done with it. He feels that if we do a little research now to see what the cost is to take it down and maybe have CMG check for contamination under the building, get a true cost and put it on the May Town Meeting for the voters to decide if it should come down. **Motion by Mr. Boria to get a proposal from CMG to review the building and come up with an estimated cost of what it would take to demolish it, seconded by Ms. Walker for discussion.** Chief Cloutier asked if it was just for the Quonset Hut or for the Fire Department as well. He also stated that there will be a need for bathrooms down there for now until the water can be turned back on. Mr. Boria said we could ask them what they think. **Vote on motion: motion carries unanimously. Motion by Mr. Sellew that we supply portajohn's down there for the time being, seconded by Mr. Swensen, motion carries unanimously.** Mr. Swensen stated that what started a lot of this conversation is that the Highway Department has moved into their new facility. He would invite everyone to take a ride down and take a look at it.

3. Eagle Scout Court of Honor invitation. Mrs. Craver stated that attached is a letter from Scott L'Ecuyer who will be receiving the Boy Scouts of America's highest honor, the Eagle Scout Award on Sunday, March 18, 2012 at St. Joseph's Church at 1:00pm. He would be honored if a member of this Board would attend. A certificate has been prepared for your signatures. We would be happy to notify him which member will attend if you so choose to do so. **Chairman Singer would recommend Mr. Boria.** Mr. Boria would be honored to attend on behalf of the Board. **So moved by Mr. Sellew, seconded by Ms. Walker, motion carries unanimously.**

4. Knights of Columbus – St. Joseph Council No. 11379 – request for tootsie roll drive. Mrs. Craver stated that the Knights of Columbus – Charlton Council #11379 is seeking to conduct a "Tootsie Roll Drive" to benefit the Special Needs Children of the town, state and nation. They would like to set up a "Voluntary Toll Road" on Saturday, October 6, 2012 from 8am – 2pm at the corner of Main St. and Masonic Home Road. Any monies gained from this drive go directly to the State Council for these children. This request has been forwarded to Chief Pervier for his recommendation and approval. Chief Pervier is in support of this request contingent upon the following safety precautions:

- All volunteers must wear bright colored vests (yellow, orange, green or red) while soliciting donations;
- Orange traffic cones must be set out on Main St. and Masonic Home Rd. for a distance of not less than 50 ft on each respective way prior to reaching the toll station. A minimum of 5 traffic cones on each roadway should be put in place at a distance no greater than 10 ft. apart;
- Signs warning "Voluntary Toll Ahead" must be erected on both Masonic Home Rd. and Main St. not less than 75 ft. from the toll collection area.

Should the Board approve this request, I would ask that you consider including Chief Pervier's recommendations into the motion. **So moved by Mr. Boria, seconded by Mr. Swensen, motion carries unanimously.**

5. Charlton Lions Chili Fest – request for one day special license. Mrs. Craver stated that attached you will find a request from the Charlton Lions Club seeking a one day wine/malt special license for it's Fourth Annual Chili Fest, to be used on April 14, 2012 from 6:00pm – 10:00pm at Joslin Camp located at 150 Richardson Corner Road. The number of persons expected to attend is 200. They have been notified that if the license is approved by the Board, they will need to purchase the alcohol from an outside vendor as well as have TIP certified persons serving the alcohol.

This request has been forwarded to the Fire and Police Chiefs and also the Building Commissioner.

- Approval has been given by the Fire Chief with no restrictions.
- Approval has been given by the Police Chief contingent with the stipulation that no one under 21 years of age be served alcohol and that all persons serving alcohol be TIP certified.
- The Building Commissioner has given his approval.

Motion by Mr. Boria to allow the Charlton Lions Club a one day wine/malt special license to be used on April 14, 2012 from 6:00pm – 10:00pm at Joslin Camp located at 150 Richardson Corner Road. All alcohol must be purchased from an outside vendor and TIP certified persons must be serving the alcohol. No alcohol to be served to persons under 21, seconded by Mr. Sellev, motion carries unanimously.

6. Policy review – Appointment of Elected Board Members. Mrs. Craver stated that Vice-Chairperson Walker asked for this item to be placed on the agenda. Ms. Walker stated that when this policy was put together, there wasn't anything put in here on how the applicant would be chosen. She would like to add in #3 after the words will be held, "interviews should be held for any and all applicants" and that there should be a time frame to accept applications. Mr. Boria agrees that this policy should be worked over. He agrees that there should be a time frame to accept applications. He also feels this policy should differentiate between elected and appointed as they are done differently. Mrs. Craver to work on combing Ms. Walker's comments and Mr. Boria's and bring back to the board for review.

7. Audit Services. Mrs. Craver stated that at your last meeting the Board voted to reappoint Bill Fraher, CPA to perform this year's audit services. As you know, we bid out the services three years ago and the Board awarded Mr. Fraher a contract for three years with two one-year contract extensions if mutually agreed. He has agreed to an amount which I emailed you pending a decision tonight. At your last meeting one selectman requested that I provide two other quotes. The Town Accountant and I have considered how to get those quotes and I need further direction from the Board on this matter. Do you wish to rescind your vote to award the renewal of Mr. Fraher's services for FY12 and rebid the contract services to get the additional quotes? If so, how long –one year or another three year contract? If multiple years, do you wish to include additional optional years? The correct way to get viable quotes would be to advertise a Request for Proposals. Mr. Boria asked what the previous vote was for. Mrs. Craver stated that the previous vote was for one year and that Mr. Fraher's contract expired in FY11. **Motion by Mr. Boria that we approve Mr. Fraher for a one year contract extension and ask the Town Administrator to go out for auditing services for a future three year contract, seconded by Ms. Walker, motion carries unanimously.**

VII. Old Business:

1. ATM – FY13 Budget requests – Department reviews. Mrs. Craver stated that Department budgets for FY13 have been submitted and the Finance Committee asked to set up meetings for departments with changes to review their requests. Attached is the schedule for your consideration. In the past, the Board of Selectmen and the Finance Committee have met jointly, or the Board of Selectmen has posted in order to attend these meetings. This allowed both Boards to hear departments' presentations. She would ask if the Board would like to post for the presentations. She spoke to Finance Committee Chairman Bob Hartwig and he is in favor of the two boards meeting together to hear the departments' request. He noted that the FinCom generally only listens and ask questions at this meeting and do not take votes on the requests so the two Boards would deliberate independently at a subsequent meeting. Mr. Boria thinks this is a great idea and it would save time for the departments instead of having to meet two separate times. Ms. Walker agrees and feels deliberating separately is very important. **Motion by Mr. Boria that we meet with the Finance Committee on Wednesday, February 29th, Wednesday, March 7th and Wednesday, March 14th, seconded by Mr. Swensen, motion carries unanimously.**

VIII. Student Selectperson Report:

IX. Town Administrator Report: Mrs. Craver reviewed her report.

X. Other Business:

Ms. Walker announced her candidacy for the 6th District Worcester Representative. She has been very happy with this board. She would appreciate the Board's support and encouragement.

X. Adjourn/Executive Session:

Motion by Mr. Sellew that the Board enter into executive session at 7:42pm under M.G.L. c.30A, Sec. 21, : #2 – To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel; and #3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; and # 6 – To consider the purchase, exchange, lease, or value of real estate, if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body, seconded by Mr. Boria. Roll call vote taken: Ms. Walker – aye, Mr. Swensen – aye, Mr. Sellew – aye, Mr. Boria – aye and Chairman Singer – aye.

Chairman Singer declared the need for executive session and stated that the Board would come out of executive session for the sole purpose of adjourning.

Motion by Mr. Boria to adjourn, seconded by Mr. Swensen, motion carries unanimously.

XI. Next Meeting Announcement:

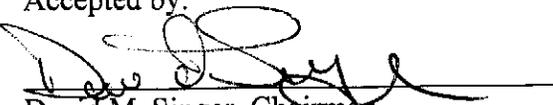
- March 6, 2012

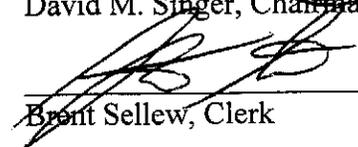
Submitted by:

Mary C. Devlin

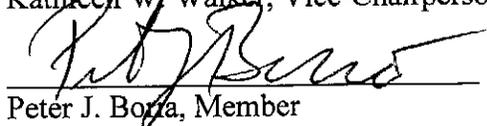
Administrative Assistant

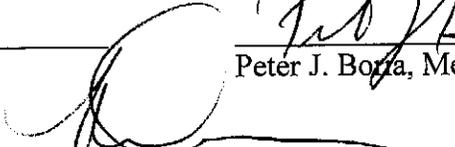
Accepted by:


David M. Singer, Chairman


Brent Sellew, Clerk


Kathleen W. Walker, Vice-Chairperson


Peter J. Boria, Member


Frederick C. Swensen, Member



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MEMORANDUM

TO: Board of Selectmen

FROM: Robin L. Craver, Town Administrator 

DATE: February 16, 2012

SUBJECT: Town Administrator's Report – for Selectmen's meeting of 2/21/12

Casella: Previously, we asked Bob Cox to send a letter to DEP on the Town's behalf based on some of the requests we had regarding the Southbridge Landfill Minor Modifications for Waste Volume Increase and Waste Ban Compliance Plan, Final Permits and Section 61 Findings. The DEP has made some changes based on the Town of Charlton's recommendation. You will see those changes in the attached letter from DEP to Casella.

Interviews for Assistant Treasurer: The Treasurer and I are in the process of conducting interviews for a new Assistant Treasurer.

Prindle Lake Dam Repair: We held a site walk last for the potential designers of the Prindle Lake Dam Repairs. We are pleased that there was so much interest in the project by some very good engineering firms. Quotes will be due Monday, February 27th.



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

PAR 605
Rippon

Department of Environmental Protection

Central Regional Office • 627 Main Street, Worcester MA 01608 • 508-792-7650

DEVAL L. PATRICK
Governor

RICHARD K. SULLIVAN JR.
Secretary

TIMOTHY P. MURRAY
Lieutenant Governor

KENNETH L. KIMMELL
Commissioner

FEB 10 2012

February 8, 2012

Richard Spieler, P.E.
Southbridge Recycling and Disposal Park, Inc.
165 Barefoot Road
Southbridge, MA 01550

Re: CERO - SWM - Southbridge Landfill Minor Modifications for Waste Volume Increase
(Transmittal Number: X239694) and Waste Ban Compliance Plan (Transmittal Number:
X238160), Final Permits and Section 61 Findings

Dear Mr. Spieler:

The Department of Environmental Protection (the "Department" or "MassDEP") has completed its technical review of the permit applications listed above, and has determined that the applications are technically complete.

The Department issued Provisional Permits for these applications on December 9, 2011. Pursuant to 310 CMR 19.037(4)(a), MassDEP deferred the effective date of the Provisional Permits for the purpose of obtaining comments prior to issuing final permit decisions. Written comments on the Provisional Permits were accepted for a period of at least twenty-one (21) days from the date of issuance. The Department received comments from the Town of Southbridge, the Town of Sturbridge and its Board of Health, the Town of Charlton and its Board of Health, two citizens, and one state legislator, and it has considered those comments in the issuance of the Final Permits for this Facility.

An issue raised in comments is whether certain sections of the Department's Provisional Permits modify the Southbridge 2008 Site Assignment Modification Decision. The Department cannot modify a town's Site Assignment conditions, and no conditions of either Provisional Permit are intended to modify, or have the effect of modifying, the Southbridge 2008 Site Assignment Modification Decision. Southbridge Recycling and Disposal Park, Inc. ("SRDP") must fully comply with all conditions of the Southbridge 2008 Site Assignment Modification Decision. By emphasizing in the issued Permits certain conditions set forth in the Southbridge 2008 Site Assignment Modification Decision, the Department has not, in any way, modified those conditions.

In response to comments received, MassDEP has made certain modifications to the Provisional Permits that are reflected in the Final Permits issued today, as discussed below:

Several comments from the towns of Sturbridge and Charlton requested that they be copied on annual and monthly reports required to be submitted to the Department under the Waste Volume Increase Permit (Transmittal No. X239694). The Department has included this requirement as a condition of the Final Waste Volume Increase Permit and the Waste Ban Compliance Plan Permit. Additionally, the Town of Charlton requested that copies of hotline complaint responses be given to the complaining party and the town where the complaining party resides. In the Waste Volume Increase Final Permit the Department has required for all three towns, that copies of the complaint responses be provided to the complainant and the town the complainant resides.

Many comments about traffic impacts were received. The November 15, 2007 MEPA Supplemental EIR Certificate # 10955 states that the project change will not result in an increase in traffic associated with the Southbridge Landfill, a conclusion that was based on a maximum combined waste volume acceptance limit for the Landfill and SRDP's processing facility of 499,200 tons per day. As part of the Southbridge Board of Health's decision-making process for its 2008 Site Assignment Modification Decision, a traffic evaluation, including updated traffic counts, was performed to assess potential traffic impacts relating to both the Landfill and the processing facility. The 2008 Site Assignment Modification Decision included conditions for specific truck haul routes based on the status of the access road to the Southbridge Environmental Industrial Park off of Route 169. The access road is complete, and truck traffic is required to access the Landfill via the access road. In its Waste Volume Increase Final Permit (Transmittal No. X239694), the Department is requiring SRDP to address complaints related to odors, nuisances, operational issues, and now also traffic through the 24-hour complaint hotline.

MassDEP received comments regarding the need for additional approvals from the Federal Aviation Administration (FAA) given the proximity of the Landfill to the Southbridge Airport. As a condition of the Minor Modification of an Existing Landfill Permit (Transmittal No. X239694) issued by the Department on February 8, 2012, SRDP was required to demonstrate to MassDEP its compliance with FAA regulatory requirements related to this Landfill Facility.

If you have any further questions or comments regarding this matter, please contact me at 508-849-4007.

Very truly yours,



D. Lynne Welsh
Acting Section Chief
Solid Waste Management Program