



**TOWN OF CHARLTON  
BOARD OF SELECTMEN**

**37 Main Street**

**Charlton, MA 01507**

[WWW.TOWNOFCHARLTON.NET](http://WWW.TOWNOFCHARLTON.NET)

Phone (508) 248-2206

Fax (508) 248-2374

Peter J. Boria, Chairperson  
Scott D. Brown, Vice Chairperson  
Frederick C. Swensen, Clerk  
John R. Bacon, Member  
Kathleen W. Walker, Member

Robin L. Craver, Town Administrator

March 6, 2007

Southbridge Town Council  
Town of Southbridge  
41 Elm Street  
Southbridge, MA 01550

Dear Honorable Town Council Members,

The Town of Charlton understands that at the public hearing being held this evening the Southbridge Town Council will be considering a possible contract with Southbridge Recycling and Disposal Park, Inc. ("SRD"), a wholly owned subsidiary of Casella Waste Systems, Inc. ("Casella"), for the operation of its landfill and related facilities as set forth in a document made public last week and entitled "Extension of Agreement for the Operation of the Barefoot Road Sanitary Landfill, and Refuse and Recyclables Collection, Southbridge, Massachusetts". We further understand that the Council has invited comments, information and questions as to the proposed contract and welcome the opportunity to participate in such.

To that end, we are writing to note that by virtue of votes both by the Southbridge Town Council and by Charlton Town Meeting, taken after lengthy and detailed negotiations between the two, neighboring towns which led to the realignment of the boundary line between them effectuated by Chapter 210 of the Acts of 1993, before the land which had been part of Charlton and by virtue of the statute became part of Southbridge may be used for landfill purposes duly authorized representatives of the two towns must sit down, negotiate and work out an agreement as to such use to include use by the Town of Charlton. The votes included that taken by the Council under its agenda item no. 11 at its December 18, 1989 meeting and under warrant Article 1 of the Charlton special town meeting held December 14, 1992. A copy of the minutes of the Charlton vote is attached to this letter, as are copies of then Southbridge Town Manager Florence Chandler's December 27, 1989 letter and the aforementioned agenda item which had accompanied same and of Manager Chandler's January 12, 1990 letter confirming that once the boundary survey had been

completed and was ready to submit to the Legislature, the parties would sit down and draft an agreement for the landfill, upon which letter the Manager had copied the Council. We suspect that the Council more likely than not also took a later vote, around the time of the Charlton December 1992 special town meeting, since the General Court usually will not act on a petition for special legislation absent a fairly recent, local vote, though we do not yet have a copy of the letter.

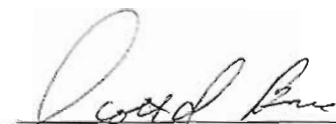
While the negotiation by the two towns of an agreement concerning landfill use of the portion of the land which used to be part of Charlton has not proceeded to date, likely because no such use had been made or planned until the contract now being considered by the Council and SRD arose, now would be the time for us to sit down together for that purpose. (In the meantime, the Town of Charlton expressly reserves all of its rights with respect to these matters.) In this way, our mutual interests, and the two town's respective, legal rights will be protected. A successful, and we trust speedy and amicable, conclusion of such an agreement would also enable the Council to make certain representations and warranties set forth in Section 14.1 of the proposed contract which it presently is unable to make for reasons evident from this letter. We look forward to meeting with you and ask that you please advise us of some alternate dates and times which would be convenient for that purpose.

Sincerely,

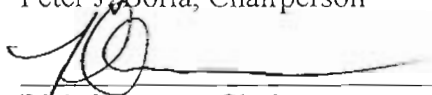
BOARD OF SELECTMEN



Peter J. Boria, Chairperson



Scott D. Brown, Vice-Chairman



Rick Swensen, Clerk



John R. Bacon, Member



Kathleen W. Walker, Member

Cc: John W. Giorgio, Esq.  
Kopleman and Paige, P.C.  
101 Arch Street  
Boston, MA 02110

508 752 3420 p. 2  
[MA Acts of 1893]

## CHARLTON AND SOUTHBRIDGE, TOWNS OF—BOUNDARY LINES

### CHAPTER 210

H.B. No. 5343

AN ACT relative to the boundary line between the towns of Charlton and Southbridge.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. The following described line shall hereinafter constitute a portion of the boundary line between the towns of Charlton and Southbridge:

Beginning at a granite monument standing at the corner of the towns of Charlton, Southbridge, and Sturbridge and being the same bound N 07° 40' 54" W, and nine hundred forty-two and fifty-five hundredths (942.55) feet distant from corner 1 (SS-1) of Sturbridge and Southbridge;

Thence N 08° 21' 59.5" W, for a distance of one thousand eight hundred twelve and fifty-eight hundredths (1812.58) feet to a corner 1 (CSS-1) of the towns of Charlton, Southbridge and Sturbridge, also located S 08° 21' 59.5" E, a distance of eight thousand five hundred seventy-three and eighty-four hundredths (8573.84) feet from the Charlton and Sturbridge corner 2 (CS-2);

Thence N 70° 45' 42.4" E, for a distance of six hundred ninety-two and eight hundredths (692.08) feet to a corner A (CS-a);

Thence S 06° 42' 02.3" E, for a distance of one thousand one hundred ninety-one and nineteen hundredths (1191.19) feet to corner B (CS-b);

Thence N 79° 09' 45.7" E, for a distance of seven hundred ninety-eight and forty-five hundredths (798.45) feet to corner C (CS-c);

Thence S 03° 25' 59.9" W, for a distance of four hundred eighty-five and seventy hundredths (485.70) feet to the existing Charlton and Southbridge corner 1 (CS-1), also located N 68° 34' 56.9" E, a distance of one thousand three hundred seventy-nine and three hundredths (1379.03) feet from the point of beginning, and so describing Area 1.

Thence N 68° 14' 36.2" E, for a distance of one thousand five hundred ninety-three and forty-eight hundredths (1593.48) feet to corner 1A (CS-1a);

Thence N 08° 05' 28.2" W, for a distance of one thousand six hundred ninety-one and fifty-five hundredths (1691.55) feet to corner 1B (CS-1b);

Thence N 70° 32' 37.3" E, for a distance of seven hundred eighty and eighty-nine hundredths (780.89) feet to corner 1C (CS-1c);

Thence S 07° 35' 48.7" E, for a distance of two thousand eight hundred thirty-six and thirty-four hundredths (2836.34) feet to corner 1D (CS-1d);

Thence N 71° 59' 06.4" E, for a distance of six hundred four and thirty-three hundredths (604.33) feet to corner 1E (CS-1e);

Thence S 25° 07' 45.0" W, for a distance of one thousand one hundred sixty-four and sixty-one hundredths (1164.61) feet to corner 1F (CS-1f), a point on the present boundary line, also located S 64° 28' 14.8" E, a distance of two thousand six hundred ninety-two and eighty-four hundredths (2692.84) feet from the point of beginning, and so describing Area 2.

## Ch. 210, § 1

1993 REGULAR SESSION

hundredths (2692.84) feet from corner 1 (CS-1), and so describing Area 2. Said last point 1E also being N 64° 38' 14.8" W, and seven thousand two hundred sixty-eight and eighty hundredths (7268.80) feet distant from corner 2 (CS-2).

SECTION 2. The following described land shall hereinafter constitute a portion of the boundary line between the towns of Charlton and Southbridge:

Beginning at the corner of Charlton and Southbridge known as corner 5 (CS-5) marked by a vertical granite stone, which is N 81° 56' 39" E, six hundred three and sixty-four hundredths (603.64) feet distant from corner 4 (CS-4), said corner 4 being at the junction of stone walls;

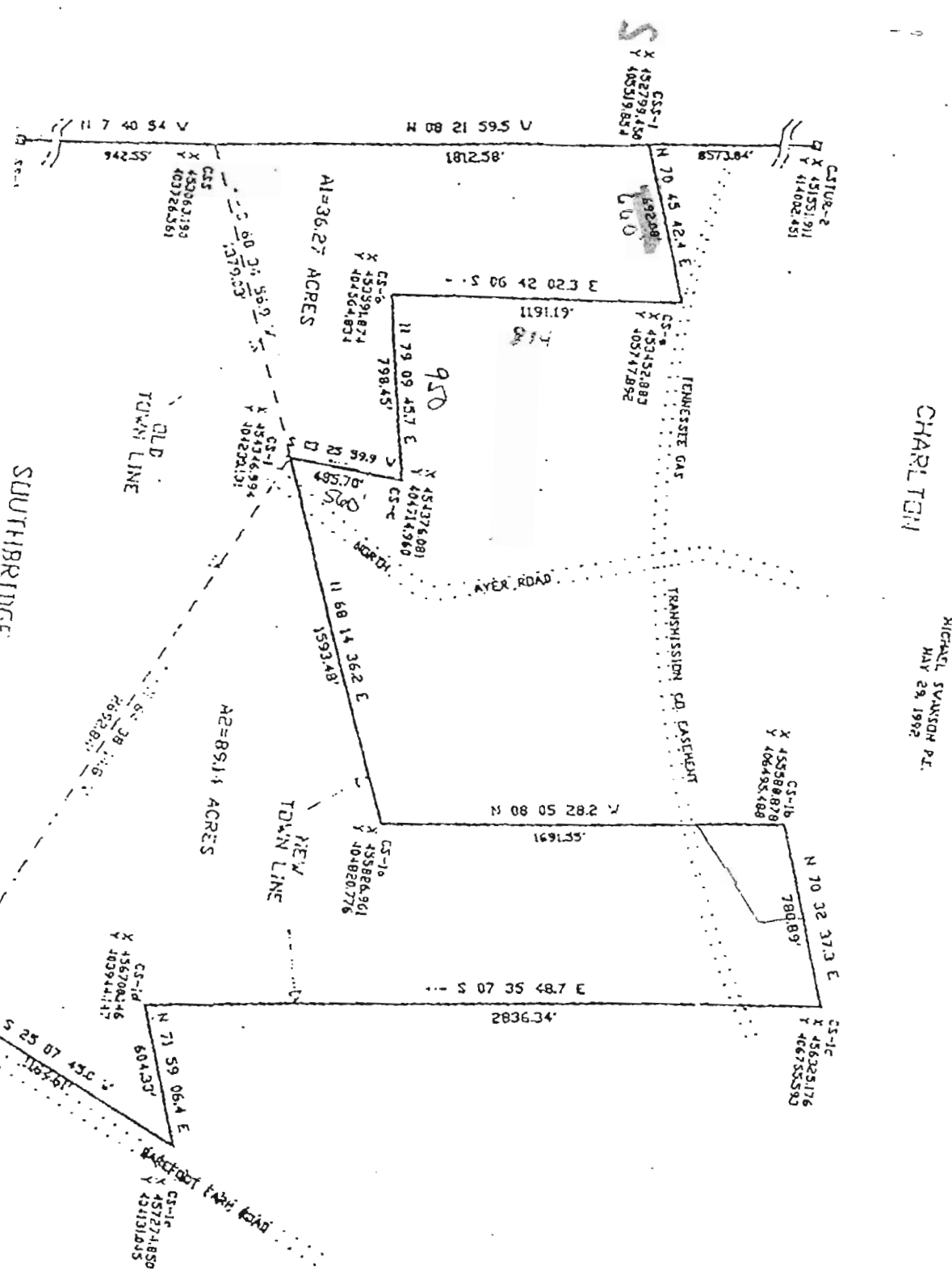
Thence southwesterly to a point and thence along a curve to the left along the easterly side of the proposed Prince Road to corner 5A (CS-5a) marked by a granite monument;

Thence N 73° 19' 22.0" E, for a distance of four hundred twenty-eight and sixty-five hundredths (428.65) feet to corner 5B (CS-5b), a point on the present boundary line, which is located S 11° 22' 20.0" E, and six hundred eighty and fifty-five hundredths (680.55) feet distant from the point of beginning, said last point also being N 11° 22' 20.0" W, and nine hundred forty-seven and fifty-six hundredths (947.56) feet distant from corner 6 (CS-6).

Approved October 29, 1993.

CHARLTON

MICHAEL SWANSON P.L.  
MAY 29, 1992





Chilton's Selectmen  
P.O. BOX  
CHARLTON, MA 01

BOARD OF SELECTMEN

WARRANT FOR SPECIAL TOWN MEETING

To either of the Constables of the Town of Charlton:

In the County of Worcester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Charlton, qualified to vote in elections to meet at Heritage Elementary School, Oxford Road, in said Charlton, on Monday, December 14, 1992, at 7:00 in the evening for the purpose of taking action on the following articles:

The amount of Free Cash in the Treasury, certified by the Director of Accounting, is

Article 1. To see if the Town will vote to approve the following changes in the boundary line between the Towns of Charlton and Southbridge, or take any action relative thereto or thereon:

(a) To transfer to the Town of Southbridge the realty bounded and described as follows:

Beginning at a granite monument standing at the corner of the towns of Charlton, Southbridge, and Sturbridge and being the same bound N 07° 40' 54" W and 942.55 feet from corner 1 (SS-1) of Sturbridge and Southbridge;

Thence N 08° 21' 59.5" W for a distance of one thousand eight hundred twelve and fifty eight hundredths (1812.58) feet to a corner 1 (CSS-1) of the towns of Charlton, Southbridge and Sturbridge, also locate S 08° 21' 59.5" E a distance of 8573.84 feet of the Charlton and Sturbridge corner 2 (CS-2);

Thence N 70° 45' 42.4" E for a distance of six hundred ninety two and eight hundredths (692.08) feet to corner A (CS-a);

Thence S 06° 42' 02.3" E for a distance of one thousand one hundred ninety one and nineteen hundredths (1191.19) feet to corner B (CS-b);

Thence N 70° 09' 45.7" E for a distance of seven hundred ninety eight and forty five hundredths (798.45) feet to corner C (CS-c);

Thence S 03° 25' 59.9" W for a distance of four hundred eighty five and seventy hundredths (485.70) feet to the Charlton - Southbridge corner 1 (CS-1) also located N 68° 34' 56.9" E a distance of 1379.03 feet from the point of beginning and so describing Area 1 (A1);

Thence N 68° 14' 36.2" E for a distance of one thousand five hundred ninety three and forty eight hundredths (1593.48) feet to corner 1a (CS-1a);

Thence N 08° 05' 28.2" W for a distance of one thousand six hundred ninety one and fifty five hundredths (1691.55) feet to corner 1b (CS-1b);

Thence N 70° 32' 37.3" E for a distance of seven hundred eighty and eighty nine hundredths (780.89) feet to corner 1c (CS-1c);

Thence S 07° 35' 48.7" E for a distance of two thousand eight hundred thirty six and thirty four hundredths (2836.34) feet to corner 1d (CS-1d);

Thence N 71° 59' 06.4" E for a distance of six hundred four and thirty three hundredths (604.33) feet to corner 1e (CS-1e);

Thence S 25° 07' 45.0" W for a distance of one thousand one hundred sixty four and sixty one hundredths (1164.61) feet to corner 1f (CS-1f) also located S 64° 38' 14.8" E a distance of 2692.84 feet from corner 1 (CS-1) and so describing Area 2 (A2);

Thence S 64° 38' 14.8" E along the present boundary for a distance of seven thousand two hundred sixty eight and eighty hundredths (7268.80) feet to corner 2 (CS-2);

The additional land to Southbridge consists of two areas, A1 and A2, having areas of 36.27 acres and 89.14 acres respectively.

(b) To transfer to the Town of Charlton the realty bounded and described as follows:

Beginning at the corner of Charlton and Southbridge known as corner 4 (CS-4) which is located at a junction of stone walls also being four hundred and sixty (460 ±) feet, more or less, southerly of Torrey Road;

Thence N 81° 56' 39.0" E for a distance of six hundred three and sixty-four hundredths (603.64) feet to corner 5 (CS-5) marked by a vertical granite stone;

Thence southwesterly to a point and thence along a curve to the left along the easterly side of the proposed Prince Road to corner 5a (CS-5a);

Thence N 73° 19' 22.0" E for a distance of four hundred twenty-eight and sixty-five hundredths (428.65) feet to corner 5b (CS-5b) also located S 11° 22' 20.0" E a distance of 680.55 feet from previously mentioned point 5 (CS-5);

Thence S 11° 22' 20.0" E for a distance of nine hundred forty seven and fifty six hundredths (947.56) feet to corner 6 (CS-6).

The additional land to Charlton contains an area of 3.33 acres.

(c) To authorize the Board of Selectmen to take any actions and make any expenditures necessary or advisable for which an appropriation has been made and is available to finalize this change and obtain any necessary authorizations or approvals required by Chapter 42, Section 7 of the Massachusetts General Laws, including submission thereof to the Department of Public Works of the Commonwealth of Massachusetts (now known as the Massachusetts Highway Department) and to the General Court.

(d) The Towns of Charlton and Southbridge reserve to the Town of Charlton the right to utilize any landfill operated by or on behalf of the Town of Southbridge on land transferred to it hereby, pursuant to an agreement and/or covenant to be negotiated by the Board of Selectmen on terms deemed satisfactory thereto, which agreement and/or covenant, however, is independent of the transfers voted hereunder, and shall not be a precondition thereof.

Motion was made, second and passed unanimously voice vote, to dispense with the reading of the boundaries and read only the header.

Motion was made, second and passed voice vote, that this article be accepted as printed.

Motion was made, second and passed unanimously voice vote, to adjourn this meeting.

And you are directed to serve this Warrant by posting attested copies thereof one at each of the Post Offices and one in Dexter Memorial Hall, in said Town, fourteen days at least before the time and place of holding meeting.

Hereof, fail not, and make due returns of the Warrant with your doings thereon to the Town Clerk at the time and place of holding meeting.

Given under our hands this 18th day of November in the Year of Our Lord One Thousand Nine Hundred and Ninety-two.

BOARD OF SELECTMEN

*M. Wayne Colby*

M. Wayne Colby, Chairman

*Richard T. Kwiatkowski*

Richard T. Kwiatkowski, Clerk

*Ronald E. Charette*

Ronald E. Charette, Member

A true copy *Mary S. Sullivan*

Attest: *Town Clerk*

Posted as Directed

*J. A. [Signature]* 11-27-92  
Constable/Police Officer of Charlton, Massachusetts



TOWN OF SOUTHBRIDGE  
SOUTHBRIDGE, MASSACHUSETTS 01550

January 12, 1990

RECEIVED JAN 13 1990

Brian A. O'Connell, Esq.  
Cosgrove, O'Connell and Blatt  
390 Main Street  
Worcester, MA 01608

Re: Charlton/Southbridge  
Boundary Changes

Dear Brian:

I have spoken to Steve Palmieri of the State Department of Public Works Office in Worcester. He is coming to Southbridge next week to view the proposed boundary changes and to estimate the amount of time needed to complete the survey work.

After he reviews the parcels and assessors maps, we will have a better idea of the amount of effort the State D.P.W. can expend on this project and what Southbridge and Charlton must do. When we have the boundary survey completed and ready to submit to the legislature, we will sit down and draft an agreement for the landfill. I do not envision any complications and feel we are proceeding (finally) to a solution.

Sincerely,

Florence C. Chandler  
Town Attorney  
41 Elm Street  
Southbridge, MA 01550  
(508) 765-0173

/T

CC: Scott S. Lazo, Chairman  
Southbridge Town Council  
Robert Beaudette, Chairman  
Charlton Board of Selectmen



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TOWN OF SOUTHBRIDGE  
SOUTHBRIDGE, MASSACHUSETTS 01550

December 27, 1989

Brian O'Connell, Esquire  
Cosgrove, O'Connell & Blatt  
390 Main Street  
Worcester, MA 01608

Dear Mr. O'Connell:

Enclosed is a copy of Agenda Item #11 from the Southbridge Town Council meeting of December 18, 1989 in which changes to the boundary line between the Towns of Charlton and Southbridge were voted on.

Sincerely,

Florence C. Chandler,  
Acting Town Manager  
41 Elm Street  
Tel. #508-765-0173

Agenda - December 18, 1989 Meeting  
Page Two

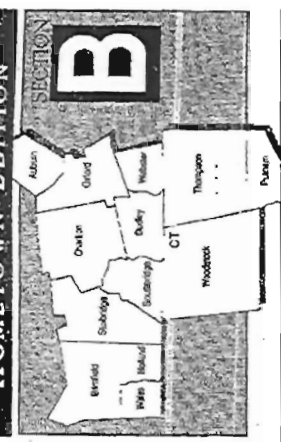
11. Vote to approve the following changes in the boundary line between the Towns of Charlton and Southbridge:
  - (a) To be included in the Town of Southbridge: The realty set forth on the Town of Charlton Board of Assessors Maps updated for FY89; Map 63, Block A, Parcel 4. More particularly described in a Plan of Land prepared for the Town of Southbridge by Bruce Chapman Wait, and recorded with the Worcester Registry of Deeds in Plan Book 489, Plan 105.
  - (b) To be included in the Town of Southbridge: The realty set forth on the Town of Charlton Board of Assessors Maps updated for FY89; Map 47, Block C, Parcels 3, 4 and 5.
  - (c) To be included in the Town of Southbridge: The realty set forth on the Town of Charlton Board of Assessors Maps updated for FY89; Map 47, Block B, Parcel 1.
  - d) To be included in the Town of Charlton: The realty set forth on the Town of Southbridge Board of Assessors Maps updated for FY89; Map 25, Lot 2. Said realty also being shown on the Town of Charlton Board of Assessors Maps updated for FY89; Map 77, Block E, Parcels 1, 2, 3, 3.1, and 4.
  - (e) To authorize the Town Manager to take any actions and make any expenditures necessary or advisable for which an appropriation has been made and is available to finalize this change and obtain any necessary authorizations or approvals required by Chapter 42, Section 7 of the Massachusetts General Laws, including submission thereof to the Department of Public Works of the Commonwealth of Massachusetts and the General Court.
  - (f) These changes are conditioned upon execution of an agreement and/or covenant by the Towns of Charlton and Southbridge reserving to the Town of Charlton the right to utilize any landfill operated by or on behalf of the Town of Southbridge on land transferred to it hereby, which agreement and/or covenant shall be negotiated by the Town Manager on terms deemed satisfactory thereto.
12. Vote to authorize the Town Manager to enter into negotiations with the Y.A.N.A. Club for a lease of the Dep building

LOCAL NEWS

**WORCESTER**  
Testimony continues  
in baby scalding trial  
Page B4

TUESDAY, DECEMBER 15, 1992

# SOUTH COUNTY



## Charlton to swap land with Southbridge

By Mark Melady  
Star Reporter

**CHARLTON** — Voters last night swapped about 120 acres of wooded land with Southbridge in exchange for a proboscis of about four acres, tidying up a town boundary dispute nearly a century old and keeping four families happily residents of Charlton.



Paul Della Valle

## WXLO was calm voice in storm

Harry, Vicki, Jim (Mr. Fiannel): You are all wonderful. I was stranded and cold and you got me to a warm fuzzy place. Thank you. Merry Christmas.

— Sheila from Paxton, message scrawled on a Dunkin' Donuts box

ny questions WXLO's Harry Jacobs had about whether the station's live weekend storm-a-thon was working were answered when a guy in a car phone called on a car phone and he was running out of gas.

"Literally within five seconds I heard honking in the phone,"

nose because the outline of the four acres resembles the cartoon detective's schmozzle.

### LANDFILL ISSUE

The voice vote was overwhelmingly in favor of the swap which gives Southbridge land adjacent to its landfill, an issue with several residents of the area who expressed concern Southbridge might use a portion of the 120 acres to expand the landfill.

But Southbridge Town Manager

Florence C. Chandler, who attended the meeting, said after the vote the town has no plans to enlarge the landfill.

"We have a good 15 years left in the landfill," she said, adding that Southbridge zoning bylaws would restrict such a move.

Even if a zoning change were effected, any expansion would have to be approved by the state Department of Environmental Protection, said Chandler.

"Besides, we're starting curbside

recycling so we can get more than 15 years life out of it," Chandler said.

The warrant article approved last night included a provision that would allow Charlton to use any landfill located on the land.

Zacek and his wife Roberta built a house on Prince Road 12 years ago. The boundary question was created by a state realignment of the town boundaries in 1900.

"We've always thought of ourselves as Charlton residents and

It's good to remain so officially," said Zacek.

The swap becomes effective Jan. 1.

In other business, Moderator Douglas Adler and Selectman M. Wayne Colby congratulated the town's public safety workers for their efforts during the weekend's storm.

Adler cited the police, fire, ambulance and Civil Defense workers, saying, "To these people who don't usually get thanked and often hear only complaints, we say, thanks."

## Blizzard cleanup



## State politicians visit Southbridge; plug for center

By Edward Patenaude  
Star Reporter

money," Kennedy said. He said Southbridge has a superb proposal. **STRONG BELIEVERS** The state's congressional delegation is pulling

The state's congressional delegation is pulling