

Approved 9/20/05

**TOWN OF HAMPDEN, MASSACHUSETTS**  
**BOARD OF SELECTMEN/BOARD OF HEALTH**

**September 6, 2006**  
**6:30 pm**

**625 Main Street**  
**Town House**

Present: James D. Smith, Duane E. Mosier and John D. Flynn. The hearing was called to order by James Smith at 6:30 pm.

Guest: Doug Farmer, Wilbraham-Hampden Times

6:30 pm      Cable Commission Public Hearing - Ascertainment Hearing

The following legal notice was published in the Reminder the weeks of 8/22 and 8/29:

**LEGAL NOTICE OF PUBLIC HEARING**

The Board of Selectmen will hold a public hearing at the Town House, 625 Main Street, Hampden, MA 01036 on Tuesday, September 6, 2005 at 6:30 pm to ascertain future cable related needs for the Town of Hampden.

Bob Spain, Government Relations Director from Charter Communications was available for a question/answer session for residents attending the Ascertainment Hearing, which was scheduled for anyone interested in learning more about their cable services. Arthur and Audrey Burger and Bill Olmstead were in attendance. Also present was Phil Grant, a member of the Town's Cable Committee. In response to specific questions, the following points were made by Bob Spain:

- In 2006, there will be a major realignment of basic tier channels, so the same types of programs with similar contents will be grouped together for easier accessibility
- The Senior rate has been discontinued, although it does continue for those previously signed up
- The cable company does receive revenue from advertising as well as subscribers
- A la carte charges for programming would be more costly than the broad grouping currently available
- There is free cable access for town offices as well as schools
- In 2006, Charter will be providing phone service as well as cable and internet access

The hearing was adjourned at 7:00 pm and the Board continued their Selectmen's meeting in their office at 7:05 pm.

7:00 pm Walk-Ins - Laurie Sullivan, 55 Circle View: Laurie Sullivan and George Flanagan came before the Board seeking a variance on the distance between their septic system and their abutter's well. The situation was explained by Lorri McCool, Board of Health Agent as follows:

The current septic system is failing and must be repaired. The property cannot accommodate any other location for the system and therefore it must be located in the existing footprint. The property owner is selling the property on the 9<sup>th</sup> and the abutter's were good enough to be present at this meeting to fully understand and support the replacement of the system. The current system is in the front of the house and has been there for 40 years. Since the system is currently failing, there is an impact on the environment. Approval may be granted locally through the BOH since it is a distance of over 50 feet, if it were less than 50 feet, DEP approval would be required. The distance is 58' from their own well and 77' from the abutter's. The question was asked if a water test is required? It is not according to Lorri McCool, Board of Health Agent. The question was asked by the abutter of 55 Circle View, if an addition would be allowed at this location. Lorri McCool responded by saying no additional increase in flow would be allowed. No other variance would have to be granted for future sales, but a Title V would have to be approved at the time of the sale.

Those present for the variance discussion are:

Laurie Sullivan  
George Flanagan  
Serenity Greenwood  
Donald Nardi  
Kathy Nardi  
Cynthia Bailey  
Doug Farmer

A motion was made by James Smith for a variance for a septic installation/repair to allow a separation of 77 feet to the abutter's well and 58 feet to the homeowner's well. Second by John Flynn. VOTE: All in favor and so voted.

7:45 pm Chief Scott Trombly: The Chief came before the Board for a general discussion about goals and objectives for the job. The discussion hit on the following topics:

- Spending within budget
- Performance reviews: the Board wants them done on an annual basis. It is important to the Board to have a formal review process so the officers know where they stand. The Sgts. may perform them on the people who report directly to them, or the chief could also do them if he so wanted.
- Attendance control plan to be in effect.

- Sergeant's forum could be held by Chief Trombly and then the information could be disseminated to the rest of the ranks.
- Report on community policing, The Board would like to ensure that this remains a focus of the department and that there is good department participation.
- Give department updates to the Board to maintain good communications.
- Reserve officers; ensure we still have a good program of reserves. There is an active hiring process ongoing now. The last few hired have been doing very well.
- There was concern from a dispatcher that all reserve officers are not being appointed as dispatchers as well as reserve officers.
- The point was made that the Chief is in charge of training and the quality of new hires, etc. and that he may appoint as he sees the need.
- What future needs does the Chief see now?
- Cars: the Tahoe should have been replaced this year, but will not be done.
- Any radio systems needed? A grant is in process for some funding.
- Laptops are out of the cruisers, and need to have software update done, which the department does not have money for right now. The Chief is looking to use community policing grant money for that.
- Chief Trombly is also looking to expand the space of the reception area so visitors to the station can have a private spot to enter the department.
- ATV complaints; the Chief is looking for grant money to monitor this problem as well.

James asked that the Chief work with a different attorney outside of the firm we currently work with so the Board may continue to work with Stan Weinberg, our attorney from the same firm.

Emergency Management designee was discussed and Chief Trombly will hold the position as prior Chiefs have in the past. The Board would like to ask residents if they would be willing to serve on a committee to help disseminate the large volume of information the Board receives.

Chief Trombly would like to focus on the following items:

- Stabilizing the department, and maintaining goals.
- Replacement of cruisers
- Pursue more training

Officer Cooney may be leaving within 4-5 months. He is now the court liaison, having replaced Scott in that position. Cooney had worked with Scott in this capacity in the past, and has a good knowledge of the system.

Cheri Tanguay will continue as a reserve dispatcher and police matron, but will not continue in the full time position she previously held.

The Board asked that the Chief have a budget update for the Board's next meeting on September 20<sup>th</sup>. The Department is currently where it should be, but there is not a lot of money left for training purposes. Any areas of concerns in the budget? The Chief is still

using 6 hour day shifts, which is a juggling act for him at times, taking away from his administration work.

The Chief has been asked to bring forward contract language so he and the Board can start work on his contract.

Items for Discussion:

1. Minutes of August 22: The minutes were reviewed and a motion was made by Duane Mosier to approve as corrected. The motion was seconded by John Flynn. VOTE: All in favor and so voted.
2. Pam Courtney's Vacation: Administrative Assistant requested additional time in which to take accrued vacation time. With the departure of the Board of Health Coordinator and the recent hire in that position, timing does not seem to be the best to be out of the office. The Board agreed that the time in which to take vacation may be extended until December 31, 2005.
3. Trombly Invitation: The Board reviewed and discussed the preparations for the Swearing-In Ceremony to be held on September 14, 2005.
4. Appointment to Board of Appeals: The Board of Appeals requested that Mark Barba be appointed as an Alternate Member. The Board of Selectmen is awaiting the signing of an agreement between Mark and Sharon Barba and a neighbor over a land use dispute. The Board will seek a letter from Mark Barba stating that all issues have been resolved and at that time the Board will consider with the appointment.
5. Department of Revenue, Division of Local Services Meeting Recap: Gerald Perry and an associate met with James Smith, Cliff Bombard, Kathy Pessolano and Mike Crowley to offer the assistance of a review process. They offered to perform a Financial Management Review which could be started in February with an anticipated completion by the end of the fiscal year. (This timeframe is contingent upon our letter asking for the process to begin.) James welcomes a review of what is currently in place, and James and John agree that our management style is not the issue. Perry may be looking at a town administrator, or a town manager to run the town rather than the current system. The issue of a lack of state support for transportation was discussed and Mr. Perry said they would look at whether or not we are treated unfairly in comparison to other communities. James thinks it would be beneficial to have the review done and John does not see any downside to the process going forward.. He does feel that it will come with a recommendation and perhaps there are efficiencies we could learn. This is a process that taxpayers pay for and an opportunity for us to get something back from the State. The Department of Local Services (Gerald Perry) is seeking a letter from the Board requesting to have the financial review done and outlining any specifics that we might want them to focus on. The others in attendance were in favor of the review as well. Mike Crowley requested that the letter come from Advisory Committee as well. The Board has asked that a meeting be scheduled with advisory, assessors, town treasurer, town accountant and town clerk to explain the process to them prior to sending the letter to proceed

to DLS. Letter to be sent to Perry saying that we will bring these other departments in for our next meeting to discuss the process.

6. MA Electric Lighting: The Board received a letter in response to a request from this office from MA Electric outlining specific prices to purchase the street lights in town.
7. Financial Discussion: The Board discussed a number of items relative to a special town meeting, and our negative free cash position. Duane presented the Board with a calendar outlining dates to strive for the budget process and offered agenda items for a special town meeting. They are:
  - No money in reserve account
  - TWB pipe repairs - \$20,000
  - CPA – zoning grant approval in the amount of \$650
  - Zone change for North Monson Road
  - Capital planning

Other items discussed:

- The Board set the date of November 7, 2005 for a Special Town Meeting.
  - The Board discussed the rise of fuel costs and has asked that we get a figure from Lower Pioneer Valley Collaborative with whom we work to bulk buy with area communities.
  - Memo to go out alerting departments of our Special Town Meeting date and requesting warrant articles be returned to this office by September 20.
  - A memo will also go out requesting budget information now, rather than later to get a head start on the process
  - James will draft a letter to be sent to departments requesting a budget be prepared for restored services as well as one providing minimum service.
  - Also request a letter go to advisory to do revenue projections as soon as possible.
8. Reschedule of 9/19 Board meeting: The Board was scheduled to meet on the 19<sup>th</sup>, but James has been invited to a meeting of residents concerned about the Minnechaug rebuild and would like to attend. The Board agreed to move the next Selectmen's meeting to Tuesday, September 20<sup>th</sup>. Subject discussed, but not changed.
  9. TWB repair: The boiler work at TWB had to be re-bid due to the language in the bid request not being correct.
  10. Scantic River Maintenance: John brought up the maintenance of the river, particularly at the Chapin Road bridge. The river has silted in so much that you can walk across the river. He suggested that we need a permit to do some work and that the permitting process alone can take a year or more. Perhaps CPA money could be used. He asked that we put a call out for volunteers, get ConCom involved so we may perform typical river maintenance. He mentioned that the fire department usually get water at this location and may not be able to in the

future. John would like to speak with ConCom to head the permitting process now.

The subject of minutes from the meeting of August 17, 2005 was brought up. A motion was made by Duane Mosier to include the following paragraph in those minutes. Second by John Flynn. VOTE: All in favor and so voted.

Mark Feeney, Building Inspector: After the interviews were conducted, Mark Feeney stopped in to discuss an issue that had been brought to his attention as a violation of town bylaws. There is a resident on Howlett Hill Road, who is doing some logging on his property and has set up a trailer on the property as well. Other residents have noted that trailers are not allowed in town as living space and M. Feeney stopped by to address the situation with the property owner. He told Mr. Markham, the owner, that he was not allowed to live in the trailer. He is allowed to park the trailer on his property, but not allowed to live in it. M. Feeney was assured that Mr. Markham was not living in the trailer, but that it was there for general use while the logging was being done.

A motion was made by John Flynn to correct minutes relative to a variance request made for 308 Glendale Road on August 17, 2005 to delete the words, "with a pump". Second by James Smith. VOTE: All in favor and so voted.

A motion was made by John Flynn to adjourn at 10:15 pm, second by Duane Mosier. VOTE: James Smith yes, Duane Mosier yes, John Flynn yes.

Respectfully submitted:

Pamela B. Courtney  
Administrative Assistant

/pbc