

Approved 12/11/06

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

November 27, 2006
6:30 pm

625 Main Street
Town House

Present: Duane E. Mosier, John D. Flynn, Richard R. Green
Board of Assessors: Diane Hildreth, Stan Witkop, Norm Charest

Tax Classification Hearing: The hearing was opened at 6:35 pm by Duane Mosier. The Board of Selectmen and the Board of Assessors are holding a joint hearing on 2007 tax classification with the Board of Assessors.

Diane Hildreth explained the options available for the tax classification. If the town sets a rate of a residential factor of one, this status allows for one tax rate. The Board of Assessors recommends this classification. If we went with a different rate, commercial property would be taxed at a higher rate. There are also two exemptions to be voted on: one is a residential exemption which is typically set in a community with an abundance of rental properties, (such as the Cape). This exemption is not recommended by the assessors. There is also the possibility of a small commercial exemption, based on any business of 10 employees or less. This is also not recommended by the assessors. Historically, the town has always maintained a residential factor of one.

A motion was made by John Flynn to set the tax classification based on the recommendations of the Board of Assessors at a residential factor of one, and to not accept either exemption option, seconded by Rick Green. VOTE: All in favor and so voted.

The hearing was closed at 6:40 pm.

7:00 pm Howlett Hill Road Hearing: The Board discussed the information received from the Town of Monson regarding the status of their section of the road. Monson discontinued maintenance on November 9, 2004 and then abandoned that section of the road at a Special Town Meeting on November 24, 2004.

The Board then reviewed the traffic study done by Jeff Pechulis Land Development Services, Inc., 181 Notre Dame Street, Westfield, MA 01085 (see attached). Traffic counts were conducted on 11/16, 11/17 and 11/18. On 11/16 from 3:30 pm to 6:00 pm, no traffic was noted. On 11/17 from 7:30 am to 10:00 am, no traffic was noted. On 11/18, from 9:00 am to 12:00 pm, 3 vehicles were noted, all carrying hunters. Based on

the sampling of traffic counts, it was concluded that Howlett Hill Road is not used for vehicular passage from Stafford, CT to Hampden, MA.

Bob Sagan is the only resident in attendance for the hearing decision. Rick Green stated again that he views this road as a driveway serving one home. Duane Mosier stated that a mistake was made by the Board three years ago by not discontinuing maintenance of the road at that time. John Flynn stated that legally, it is a dead end road, as a result of Monson having abandoned their section years ago and thinks it is a prudent course of action now.

A motion was made by John Flynn that the Board of Selectmen find that the section of Howlett Hill Road starting at a point 280' south of the intersection of Stafford Road and Howlett Hill Road continuing until the Town of Hampden boundary line with Monson, MA, based on the report of traffic consultant, J.S. Pechulis/Land Development Service, Inc. has become abandoned and unused for ordinary travel and that the common convenience and necessity no longer require this portion of Howlett Hill Road to be maintained in a condition reasonably safe and convenient for travel and that signs be posted in accordance with General Laws, Chapter 82, Section 32A by the Highway Superintendent. Motion was seconded by Rick Green. VOTE: John Flynn yes, Rick Green yes, Duane Mosier yes.

7:15 pm Verizon/National Grid Pole Petition: The petitioners came before the Board to request installation of one jointly owned pole to be placed on Ames Road. After a review of the plans, a motion was made by Rick Green to approve the pole petition and pole installation for pole numbered T.25 ½ E. & ½ on the westerly side of Ames Road, and was seconded by John Flynn. VOTE: All in favor and so voted.

Minutes of November 13, 2006: The Board reviewed the minutes and a motion was made by Rick Green to approve as corrected, seconded by John Flynn. VOTE: All in favor and so voted.

Tabor Salary Numbers: In response to a request to the Tabor Group from the Board, increases for salaries have been provided and will be discussed at a later date by the Board and then distributed to Department Heads for budget preparation.

Barba Easement Agreement: A pole easement has been presented by Town Counsel, Dave Martel for the installation of a telephone pole for installation of a radio transmitter for the Police Department. A motion was made by Rick Green to sign the easement as presented, subject to Barba approval, and was seconded by John Flynn. VOTE: All in favor and voted.

Green Meadows Septic: The test results of the Title 5 sand were found to meet minimum specifications.

Somers Road Dog Officer's Report: Dog Officer, Octavia Mackey submitted a report of her findings to the Board on the recent dog hearing. Ms. Childs and Mr. Puzzo have been

amenable to those recommendations and have completed all requirements made by Ms. Mackey and the Town. The Board is satisfied that the issue has been resolved and considers the matter closed.

Fisher Letter: A letter was written to the Board asking what had been done by the Town in response to the flood of October 2005. The letter was given to Dana Pixley for review while he was in attendance. The residents, Arlene and George Fisher asked if the beaver dams were a factor in the flooding. The Highway Superintendent's response was that some of the flooding probably was a result of the release of some dams created by the beavers, but in that beavers are a regulated animal, and can only be trapped through beaver abatement, it would be a difficult situation to manage. They may be trapped only if they are causing a problem for a septic system or impacting the road. Given the fact that the day of the flood, we received five inches of rain, and it was classified as a 100 year storm, there would have been flooding nonetheless. There is very little that can be done to prevent the consequences of a storm that size. Further, permits for trapping beavers would not be issued based on a "what if" situation. The Board will respond to the Fisher's letter.

Police Cruiser: There was been some debate as to which 4-wheel drive will be ordered for the Police Department, but it appears that because of timing and production, the Ford Explorer will be the vehicle purchased to replace the Tahoe.

Liquor Licenses: The Board had liquor license renewals to review. The Board had requested that the Police Chief review all licenses and any calls that might have been received in response to those locations prior to the vote to renew. The Chief provided the Board with sufficient information stating that no problems exist with any of the establishments.

A motion was then made by Rick Green to approve the liquor license renewals for the VFW, and the Hampden Country Club, (Hampden Realty Partners, LLC) and was seconded by John Flynn. VOTE: All in favor and so voted.

Liquor Store Holiday Hours: Rick Green noted that the extended hours requested by the liquor stores in town for the 24th of December and 31st of December prohibit opening before 12:00 noon or staying open later than 11:00 pm.

Town House Roof Bid: A motion was made by Rick Green that based on a recommendation by the architect, Carlson & Schmitt Architects, Inc. stating that the bid meets the architectural specifications, to award the bid to Morris Roofing & Sheet Metal Corporation, to include Alternate 1 (includes demolishing existing chimney, cap and infill roof opening) and Alternate 2 (includes providing and installing new step flashing and associated roof shingle repair) and to schedule the work as soon as possible, seconded by John Flynn. VOTE: All in favor and so voted.

Town House Chimney Repair: The Board then discussed the larger chimney repair needed and a motion was made by Rick Green to award the repair work to Joe Grant and was seconded by John Flynn. VOTE: All in favor and so voted.

Office Hours: The Board discussed whether additional hours were needed by the Administrative Assistant and BOH Coordinator. The Board will conduct a review of other departments to determine if additional hours are needed.

Town House Generator: The Board reviewed information received from the Police Chief regarding damages to department computers as a result of the generator transferring power to and from street power properly. There is a repair bill in the amount of \$2,000 that must be paid as a result of those damages.

Budget Process: This office will work on budget sheets, warrant articles and town report. Rick suggested forming a capital account, and suggested possibly starting with some money from stabilization account.

Outdoor Furnaces: The Board asked that Doug Farmer include an article in the Wilbraham-Hampden Times stating that the Board of Health is looking into zoning prohibitions or outright banning of these furnaces so any residents contemplating the installation of one of these will do so at their own risk. Currently no fire inspection or building permit is required for these furnaces. The Board would like to review the issue and a motion was made by Rick Green, that the Board of Health imposes a moratorium on the installation of any outdoor furnaces, and was seconded by Duane Mosier. VOTE: All in favor and so voted.

The Board will ask that further information be sought from the Massachusetts Office of Health and Human Services to help determine any proposed restrictions by the Town. We may restrict months of usage, require that they adhere to restrictions for wood burning stoves, etc. The location of such furnace will also be studied and as it may interfere with surrounding resident's air quality.

A motion was made by Rick Green to adjourn at 8:30 pm and was seconded by John Flynn. VOTE: All in favor and so voted.

Respectfully submitted:

Pamela B. Courtney
Administrative Assistant

/pbc