

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

January 12, 2010
6:30 pm

625 Main Street
Town House

Board Members: Vincent J. Villamaino, John D. Flynn, Richard R. Green

Executive Session with Highway Department Members

A motion was made by Vinnie Villamaino to go into Executive Session for the purposes of contract discussion with the Highway Department with return to Open Session, second by Rick Green. VOTE: Rick Green yes, John Flynn yes, Vinnie Villamaino yes.

A motion was made by Rick Green to leave Executive Session with return to Open Session at 6:50 pm, seconded by John Flynn. VOTE: Rick Green yes, John Flynn yes, Vinnie Villamaino yes.

Board of Health: Lorri McCool, BOH Agent came before the board to give them an update on the application of a pizza shop as a tenant for the plaza owned by Ed Kennedy, et al near the Blackhorse Tavern. Lorri has talked with Ed Kennedy about a new tenant and the water issue. Lorri has checked with DEP and they are fine with existing conditions on the property. A change of use however requires that a Title V inspection be done to ensure the system is functioning in the manner in which it was designed. As a matter of practicality, Lorri has asked if the testing of the system can wait until weather allows (as the parking lot needs to be dug for testing purposes). If the testing can wait, the tenants could get into the space and be open for business prior to Ed Kennedy's having the Title V done. Lorri recommends that he be given a deadline of April 15th for his Title V approval.

It was discussed that there are two systems at the plaza, (Blackhorse has a system in the field behind the parking lot) and the other system is in the parking lot and handles the rest of the tenants. Should the Title V not be approved, Kennedy would be required to come into compliance by May 31st and do whatever repairs or remediation necessary to keep his tenants up and operational in the meantime (with daily pumping, etc.). Billy Pope has been hired to do the work for Ed Kennedy and is well known for doing things the right way always.

A further point to be discussed is the process through which Title V is required or brought to the attention of the Board of Health. It is typically required when a bank is

involved with holding the mortgage on a property and they demand that a system be tested. But should a bank not be involved, the BOH might not be aware of a property changing ownership. To that end, Lorri has suggested that a policy be written to define when Title V inspections are required.

The Board concurs that a letter should be sent to Michael Cimmino regarding the transfer of property to his name when he purchased the old Hampden Nurseries building and property. Lorri McCool will send a letter stating the necessity of having a Title V inspection done.

Police Issues:

- Property Damage Policy: The attached policy will be distributed to the Police Department as a departmental policy.
- Charles Street Complaint: To be reviewed with Police Chief at next meeting.
- Parking Ban Discussion: Vinnie will start the conversation with Jeff tomorrow and if Jeff needs further clarification, he will be at next week's meeting.
- Road Hazards in ROW: The Board will review the locations that are in question separately, and let Jeff know that letters should go out to those residents in violation.
- Grievance letter and response.
- Budget Review
- School Resource Officer
- Storm Events Letter

PVTA Representation: Meeting will be held on Wednesday 1/13 and the board will invite Ms. Fadus in to discuss her meeting attendance and communication between her and the board.

Transfer Request: The Highway Superintendent requested a transfer into the Road Machinery Maintenance account in the amount of \$4,500. A motion was made by John Flynn to approve the request, seconded by Rick Green. VOTE: All in favor and so voted.

Minutes of January 5, 2010: A motion was made by John Flynn to approve the Open Session Minutes and two sets of Executive Session Minutes for January 5, 2010 as presented, seconded by Rick Green. VOTE: All in favor and so voted.

Correspondence: All reviewed.

- Martel letter
- Letter of complaint
- School Committee Minutes
- MSBA letter RE: Project Funding Agreement
- Academy Hall Painting

With no further discussion, a motion was made by John Flynn to adjourn the meeting at 8:15 pm, seconded by Rick Green. VOTE: John Flynn yes, Rick Green yes, Vinnie Villamaino yes.

Respectfully submitted,

Pamela B. Courtney
Administrative Assistant

/pbc