

Approved 4/14/14

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

March 31, 2014  
6:00 pm

625 Main Street  
Hampden, MA 01036

Board Members: John D. Flynn, Norman Charest, Vincent J. Villamaino  
Guests: Town Counsel, Dave Martel, Town Engineer, Tom Couture, from Tighe and Bond  
The meeting was called to order at 6:00 pm.

Main Street Residents: Paul McNaughton, Jeanne Broderick, Paul Huijing, Mark Ogoley and Attorney Louie Moore came to the meeting to discuss the water issue on Main Street. John stated that the town had started remediation, but more money is needed for a final resolution. It is important that the entire group meet to determine what the final remediation will cost. The warrant for the Annual Town Meeting will be closed tonight and the board will need an estimated number to take to the Advisory Committee at the hearing on April 7<sup>th</sup>. It is hoped that Advisory will support the recommendation and bring it forward for town meeting on April 28<sup>th</sup>.

Jeanne stated that her boiler water has been contaminated by the well water and that water is at 1/3 the content level of salt concentration of the well water. They had thought that the system was a closed one, but that is not the case. It is baseboard heat, not a closed system, and new water is introduced to the system. Paul Huijing cannot find a spec for salt in the boiler, and what that might mean. John mentioned that money has been voted for fixtures, but there is no open ended check book for future work.

Jeanne is concerned that the walls will have problems, that there is already mold in a ceiling and that the trees have died in her back yard.

John impressed upon all residents that the time to act is now, since the town will have to vote on this at Town Meeting.

John does not think the town will have a big appetite for continuing to fund future renovations. Attorney Moore said it is impossible to determine a number for his client, Mark Ogoley at this point; there is not enough information to make that determination and that they are in the process of getting numbers for plumbing, wall repair, etc.

Paul McNaughton presented two estimates he got for some plumbing and replacement of sinks and shower units, some fixtures. He has not seen evidence of pipes leaking. But sinks and showers are stained and fixtures are corroded. He did replace parts to his well a number of times which seems to be an extraordinary occurrence. Paul replaced foot valves and jets in his system eight years ago, then in July and then again on New Year's Eve.

Paul Huijing talked about mold in a ceiling; that there was a leak in 2010. He has gotten a quote for the ceiling repair and is concerned that there will not be enough money allocated to remedy all perceived failures.

There was discussion about a public water supply for the three homes and Tom Couture pointed out that 12 bedrooms is the tipping point at which a PWS would have to be designed. Given that these three homes have less than that allowed the town to drill a well to supply the affected homes.

The concern of the residents is the testing of their water to determine if the newly supplied water stays "clean". Attorney Martel asked that once the well is operating, who would monitor and maintain the system. John responded that language could be added to the agreement to allow for periodic testing of the water. Tom Couture will be asked to do so.

John added that the generator will be installed to allow for uninterrupted service of the wells should the power fail.

The whole debate with the neighbors has been a fear of clean water being introduced into the corroded pipes, which they fear will wash out the corrosion and result in leaks.

Mark Ogoley remarked that his concerns are for his septic, his foundation, his trees as well as other issues in the basement.

He is looking for replacement of washing machines, fixtures, plumbing throughout the entire house, including two boilers. (It is a two family home.)

John mentioned that this could be resolved at this year's town meeting or wait until next year's.

Paul McNaughton asked about possible future contamination, and was told that a catch basin has been installed, to catch any potential salt runoff.

As to the condition of the trees on the resident's property, Tom Couture noted that there are salt tolerant trees and bushes that could be planted.

Will there be a deed restriction on the properties in the future? Jeanne has talked with lenders and has a concern about selling with a shared well.

John stated that we reviewed the situation with our insurance provider, MIA who claim no liability and then had the homeowners check their policies which will not cover the damage either.

Homeowners need to understand that with the money voted, the town will get a release of liability at that time.

Jeanne needs to get the cost of a boiler, and determine what if any damage to the baseboard has occurred.

Attorney Moore acknowledges that it is fair and reasonable for the town to say they need a finite timeframe.

The question was asked if the town can appropriate a maximum amount, and we can vote on an amount not to exceed.

Mark Ogoley will get some numbers to the board prior to Monday evening.

It was determined that the residents will come to the next board meeting at 6:00 pm in an effort to come to some terms.

Police Study Committee: Rick Green and others from the group came in briefly to tell the board that the price of the building has been reduced; that they will ask the architect to redraw the building, take some extra square footage designated for storage out (and use an outdoor shed for those items not requiring temperature controlled conditions). The architect will handle the bidding process and Rick has asked that Eastern Bank to do another financial schedule with these new numbers.

John asked if there was money in the cost for rehabbing the existing space they would be leaving and was told that there was not. Given that there are no definitive plans for the space, there has been no money allocated.

The group will still have to determine who will speak at the advisory hearing.

Soltas Solar Agreement Review: Kirt Mayland and Eric Weiss, from Hampshire Council who works on solar energy came before the board to discuss the deal that the board has been reviewing for the past month or so. Dave Martel sat in the meeting and has concerns that since it is a 20 year deal he wants to ensure the town gets the right financial deal.

Kirt stated that the average pilot agreement is around 12k to 13k, and Vinnie pressed him to raise our amount to first 17k and then 18k. There are different methodologies as to how to determine value and Kirt has worked a number of them. Their equipment is depreciated pretty quickly (usually in five years or so).

Kirt will work on new spreadsheets and send them to Norm. Dave and Kirt will correspond about the deal itself until Dave is satisfied with the agreement.

Police Station Article: The board discussed the Police Station warrant article. A motion was made by Norman Charest to place an article for a new Police Station on the warrant, seconded by Vinnie Villamaino. VOTE: All in favor and so voted.

CPA Article: The board reviewed the request made by Lynne Wallace to have a warrant article placed on the warrant for Annual Town Meeting. The petition submitted requested a vote to revoke the Community Preservation Act. A motion was made by Norman Charest to include the requested article in the warrant, seconded by Vinnie Villamaino. VOTE: All in favor and so voted.

Ballot Questions: The board must vote the two ballot questions to submit to Eva Wiseman, Town Clerk. They are for the CPA and the relocation of the Police Station.

A motion was made by Norman Charest to request that the Town Clerk include a ballot question to read, "Shall the Town of Hampden vote to revoke its acceptance of General Laws Chapter 44B, Sections 3 to 7, (The Community Preservation Act) as adopted pursuant to Article 18 at the Annual Town Meeting on April 30, 2001?", seconded by Vinnie Villamaino. VOTE: All in favor and so voted.

A motion was made by Norman Charest to request that the Town Clerk include a ballot question for the Town as follows: "Shall the Town of Hampden be allowed to exempt from provisions of Proposition Two and One Half, so called the amounts required to pay for the bonds to be issued in order to design, construct, furnish and landscape a new police station to be located on Allen Street in Hampden, Massachusetts?", seconded by Vinnie Villamaino. VOTE: All in favor and so voted.

Special Town Meeting: John talked about the possibility of having a Special Town Meeting to spend some money now to receive grant funding for the defibrillators in the future. This will be determined over the next week or so. We could ask Advisory for a transfer to fund the new equipment.

Vote on Warrant: A motion was made by Norman Charest to close the warrant, seconded by Vinnie Villamaino. VOTE: All in favor and so voted.

Hampshire Council Agreement: Filing documents were reviewed.

Police Holding Cell Requirements: The Chief submitted a memo regarding some repairs that need to be made to the cell due to suicide concerns. Jeff got a quote for \$5800 for repairs and the board would like him to get another quote on the work.

Norm will speak with Jeff about these findings and determine how frequently the holding cell is used and if those in the cell are transported elsewhere.

Policy Request from Highway: The board reviewed the policy for unaccepted streets in town relative to their maintenance. A motion was made by Vinnie Villamaino to approve the policy, seconded by Norman Charest. VOTE: All in favor and so voted.

Fairfield Manor: John Flynn mentioned that someone complained to him about property on Fairfield Manor being used as a multiple housing again, after it has been recently sold. He asked that Lance Trevallion and Lorri McCool be made aware of the situation.

Street Sweeping Bid Award: The board reviewed the bid recommendation made by Dana Pixley for the street sweeping work. Vinnie checked on the reliability of the bidder and was told they were a good company. A motion was made by Vinnie Villamaino to award the work to Hi-Way Safety, seconded by Norman Charest. VOTE: All in favor and so voted.

Highway Furnace Replacement: Dana sent a note to the board to inform them that the furnace in the garage will need to be replaced. It is 27 years old and he has gotten two quotes for the replacement. John has talked to the Advisory Committee about how to pay for this and they are fine with having the work done and paying out of the Reserve Account. Vinnie will speak with Dana about it tomorrow.

2014 Construction Projects: The Board reviewed the Highway Superintendent's list of proposed construction projects for the coming season and approved the work noted. The work listed is as follows: Memorial Park Improvements, Fire Department Lot, Wilbraham Road Paving, East Longmeadow Road Paving, Allen Street paving, Somers Road paving, Commercial Drive paving, Evergreen Terrace paving, Glendale Road paving, Fox Run paving, Grist Mill Lane paving.

CPC Meeting: John talked about his meeting with Community Preservation last week and concerns raised by Connie Witt. Connie wants to ensure that any work done meets any historical and or state requirements for this building. There will be meeting on Wednesday, April 2 at 6:30 pm and John will ask Connie to bring forward any information she has available relative to the renovation.

Minutes of March 17, 2014: The minutes were reviewed and a motion was made by Vinnie Villamaino to approve as presented, seconded by Norman Charest. VOTE: All in favor and so voted.

Memorial Day Parade: The Police Department received news from Friendly's that they can no longer donate the ice cream for Memorial Day as they have done in the past. Vinnie and John agreed to split the cost and will inform the Chief.

Volunteers Needed: The Personnel Committee is down two members and would like interested parties to contact the Board of Selectmen's office with a letter of interest. There is also a need for a volunteer to work as our Americans with Disabilities advocate. Tyler Witkop will put this in the Times.

Sick Days: Norm Charest asked for number of sick days used by the Administrative Assistant as well as the Board of Health Coordinator in an effort to track these.

Federated Church Status: The board talked about appropriating 30k for well drilling and assorted equipment. This will be an article on the Annual Warrant as well.

Personnel Committee: John asked that Personnel work to determine an anniversary date for all employees, as of January 1<sup>st</sup> and to work on prorating vacations etc. after doing so. John will contact East Longmeadow regarding sharing a Human Resource Manager.

NOTE: Schedule meeting to start at 6:00 pm on April 7<sup>th</sup>.

With no further business, a motion was made by Vinnie Villamaino to adjourn the meeting at 8:15 pm, seconded by Norman Charest. VOTE: All in favor and so voted.

Respectfully submitted,

Pamela B. Courtney  
Administrative Assistant

/pbc