

Approved 11/3/14

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

October 6, 2014
6:30 pm

625 Main Street
Hampden, MA 01036

Board Members: John D. Flynn, Norman Charest, Vincent J. Villamaino

Guests: Theresa Bechard, resident of Wilbraham Road and Tyler Witkop, Reporter for The Wilbraham-Hampden Times.

Ms. Bechard was asked if she had a tape recorder with her; she confirmed that she did and John Flynn acknowledged the fact.

Water Service and Release Agreement: The board reviewed the agreement in final form as drafted by Town Counsel, Dave Martel. On his recommendation, a motion was made by Vinnie Villamaino that the board vote to approve the Agreement and to authorize two members of the board to execute two copies of the Agreement, seconded by Norm Charest. VOTE: All in favor and so voted.

The documents will be delivered to the McNaughton's, executed, and one original will be sent to Town Counsel for recording in the Hampden County Registry of Deeds. The agreement allows for the town to pay the sum of \$12,000 to remedy the fixtures in their home.

Building Inspector: Lance Trevallion came before the board to discuss the soon to be open position for Building Inspector for the town. Lance suggested that the position mandates that the inspector be certified as a building commission, which requires 2 exams and can take 18 months to accomplish. Lance would be happy to stay on as an Alternate. He also stated that the position requires approximately 20 to 24 hours per week and should come with benefits. The inspector should also be required to oversee the town owned buildings as part of his job.

Lance did mention that the MMA website has postings for many municipalities and that is an avenue to pursue.

The board is curious as to how this position is funded in other towns, and Lance believes that the fees go to the general fund, and the inspector gets paid salary out of that. The inspector would handle all of the clerical work as well.

The board asked about ongoing projects and how Lance will be compensated for those not completed when he leaves the job. He responded that he will prorate his fees for those projects. Lance asked about the proposed location of our police station and whether the bylaws allow it. John explained that municipalities are exempt from zoning regulations.

Board of Health Agent: Lorri McCool came before the board to discuss the septic system at the Mini-Mall owned by Mike Cimmino. A variance was requested of the DEP, due to the location

BOS 141006

of the system which is behind the Dunkin Donuts location. The law requires a secondary system since it is located in a public water supply area, and the initial cost of the system came in at \$400,000. Given the financial hardship, the DEP may not require the installation of the secondary system. The DEP would eliminate the requirement for the secondary treatment unit, if the town would allow it. The well is in front of the dry cleaner and serves the businesses in the strip only, and not the Hampden House. The proposed system is substantially bigger than what currently exists and outside grease traps are required for all restaurants.

The well on site was tested as was Mt. View's and the results showed that both wells are fine and well within the limits mandated by the state. The cost will be greatly reduced without by omitting the need for the secondary filtration system while still protecting the public water supply.

The DEP stated that as long as the water is properly treated, that the well is tested quarterly and the Town Board of Health approves, then the variance could stand.

The size of the system is determined by the existing businesses in the plaza. The highest amount of use is with food service. The system is designed for 7190 gallons a day, and the actual water usage is 3,000. The system does not even use half of the amount for which it is designed.

The board asked what the cost estimate is for the system without the secondary cleansing unit? Lorri's response that the price is reduced by approximately \$100,000 less.

The board asked what guarantee the town has; is there an agreement in place; that testing will have to be required on a quarterly basis and what will be the penalty if testing is not done in a timely basis?

The decision was that the plaza would be shut down if the testing is not done to the town's specifications.

A motion was made by Vinnie Villamaino to approve the DEP approved variance for the minimal septic system, owned by Mike Cimmino, based on the condition that quarterly testing as required by the DEP and/or the Town of Hampden is performed and meets guidelines established by the DEP, seconded by John Flynn. VOTE: All in favor and so voted..

Contract Discussion: Discussion with Chief Farnsworth postponed until next month.

Police Department Recommendations: Rick Green from the PDBC came before the board to discuss the group's progress. The Police Department Building Committee wishes to form a subcommittee of five members to allow easier accessibility for day to day questions or issues that will come up during the building process. Packages submitted by people interested in becoming the Owner's Project Manager were reviewed by the committee and a ranking order was determined for those most qualified.

DA Sullivan included a price, so they were immediately disqualified. Strategic Building Solutions from Agawam submitted a proposal as did three others. Chief Farnsworth talked with Town Counsel, Dave Martel and based on statute, once a party is identified, negotiations should begin.

At the next stage, it will be the role of the OPM to run the job, and he will also be the clerk of the works. There are certain things the OPM cannot do; they can't shut the job down; only the building committee or the Board of Selectmen would have the power to do so.

The assessor's department requested deed references for the property and John explained that the town is exempt from zoning restrictions, but not from conservation restrictions. The plan will show the necessary setbacks for conservation.

The files can be reviewed for 1997 or so when the Senior Center was built; as there was a town meeting vote for the use of the property. It was noted that Brian Garbecki is a direct abutter and the committee should check with a landscaper to ensure the proper barrier is used for privacy.

Rick explained that the Building Committee understood that the group would be reduced during the building stage, as the number of members would make meetings somewhat cumbersome.

Minutes: The minutes of September 22 were reviewed and a motion was made by Vinnie Villamaino to approve as presented, seconded by Norm Charest. VOTE: All in favor and so voted. The Executive Session minutes of September 22 were reviewed and a motion was made by Vinnie Villamaino to approve as presented, seconded by Norm Charest. VOTE: All in favor and so voted.

Fall Town Meeting Warrant: The board reviewed the warrant and asked to strike Article 4, requesting additional money for the Dog Officer. They also asked that an article asking for a transfer from the Assessor's stabilization be transferred to pay for computer upgrades. The board also requested that the Stabilization Article be revised to state "General" Stabilization. At that time, a motion was made by Norm Charest to close the warrant, seconded by Vinnie Villamaino. VOTE: All in favor and so voted.

Water Agreement: The final agreement between Paul and Deborah McNaughton, 613 Main Street has been drafted and a motion was made by Norm Charest to approve this final form of Agreement and to authorize two members of the Board of Selectmen to sign, seconded by Vinnie Villamaino. VOTE: All in favor and so voted.

It was agreed by the board that inspector's fees would be paid out of the account established to remedy the water issues.

Hampden Owner's Agent Technical Assistance Grant: The board reviewed the information forwarded by Rose Crowley from Doherty, Wallace, Pillsbury and Murphy for assistance with a grant which will help the town with the solar installation process. A motion was made by Vinnie Villamaino to approve John Flynn to sign the application, seconded by Norm Charest. VOTE: All in favor and so voted.

Senior Tax Work off Abatement Program: The Cemetery Commissioners submitted an application for a resident, Ben Bump to help them in their field work. The board will review at a future meeting.

MEMA Contract Signing: Bruce Augusti from MEMA dropped a grant application for the board to sign for emergency management funds. John signed the application which will be forwarded to Bruce Augusti.

Change of Hours Request: A request was submitted by Hampden Discount Liquors to change their hours of operations, as allowed by the ABCC on Sundays from 12:00 pm to 10:00 am. So noted by the board. The information will be forwarded to the ABCC.

Federated Church: John will contact Bruce Libby from the church to see what the status is with the well.

Seeing no further business, a motion was made by Vinnie Villamaino to adjourn the meeting at 7:25 pm, seconded by Norm Charest. VOTE: All in favor and so voted.

Respectfully submitted,

Pamela B. Courtney
Administrative Assistant

/pbc