

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

MINUTES

June 8, 2015
5:30 pm

625 Main Street
Hampden, MA 01036

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

The meeting was called to order by Vinnie Villamaino at 5:30 pm.

Guest: Tyler Witkop, The Wilbraham-Hampden Times

Zoning Board of Appeals Case: Attorney James Donahue came before the board to discuss his final bill for representing the ZBA in the lawsuit against them relative to the Hampden Country Club. Attorney Donahue had originally quoted the board a figure “in the ballpark area of \$5,000” for his representation in the case. When the final bill came in, the total was \$16,608.38. Vinnie welcomed Atty. Donahue to the meeting and stated that the board was shocked at the amount of his final bill given his estimate that the \$5,000 would be the limit for the case. Atty. Donahue argued that the suit had taken on a life of its own; that there were so many changes and motions and additional arguments and depositions, that he worked all of the hours he included in his invoice. The question the board had was why he had not informed them of the additional work? They argued that as business men, if there was a substantial increase in a proposal that they had quoted, that they would have called to discuss the increase with their client. Atty. Donahue responded that he thought his secretary was sending periodic updates and then suggested that he thought our town counsel was keeping us updated. He seemed to miss the point; but did ask how he might make this more palatable for the board. He asked if a reduction by \$2,500 would be more along the lines of what the board would like. The board responded that they would be most appreciative of his offer. With that being said, Attorney Donahue took his leave with the promise to send a revised invoice to the office for payment.

Fire Department: Chief Gorski came before the board to discuss allowing the SUV from the Police Department to be transferred to the Fire Department fleet. This was discussed back at the time of budget preparation, but no arrangements had been made for funding the transfer. The Police Department did not include the loss of the value of a trade in, so it was not funded anywhere. Vinnie was curious as to what this meant to the department in the future and asked what Mike expected for the following year; did he want to purchase a new SUV? Mike responded that he is very happy with using a used vehicle and has no intention of seeking funds for something new in the future. The only vehicle purchases will be for Fire Trucks at this time. When asked what he would do with the additional SUV he responded that he wants the car for the Emergency Medical Team. Having an additional vehicle will split the mileage with the other SUV and allow them to have an SUV to be used strictly by the EMT’s. Norman concurred with Mike and thought the vehicle would be put to good use in this manner. Mike suggested that there is money in the Fire Training account that could be transferred to pay for the money left out of the cost of the new police cruiser. A motion was made by Norman Charest to approve a transfer

of \$6,000 from Fire Department Training account to the New Cruiser account in the Police Department budget, seconded by John Flynn. VOTE: All in favor and so voted.

PVTA: John spoke with our current representative to the Pioneer Valley Transportation Association, Jeanne Liddy who told John that due to the timing of these meetings during the day that she is unable to attend them. John had discussed Sr. Center Director taking the position and she was agreeable to that. Given that, a motion was made by John Flynn to appoint Becky Moriarty as PVTA Representative, effective June 8, 2015, seconded by Norm Charest. VOTE: All in favor and so voted.

Southern Sky Solar Company: Three principals from the company came in and stated that GZA will do the engineering work, and Syncergy Solar will do the construction. They submitted a very aggressive plan, and have built one in Warren that is the largest in the state. Their proposal for Hampden is for 11 Kw and this would be the second biggest in the state.

Their philosophy is to be aggressive, maximize the return and give the financial benefit to the town. The size of the site allows them to be aggressive while allowing for a decent buffer from the homes.

Beth asked if they had investigated wetlands and Natural Heritage, and they have done an overall search and found a few endangered species that have to be addressed which will be done by civil engineers.

They explained that decommissioning will not be a problem as they will hold the money in escrow, either with a line of credit, bond, however the town prefers.

Interconnection issues would be handled with a new feeder, there is 3.75 system scheduled to come on line soon.

Two interconnections are anticipated and they noted that NGrid has been flexible and they would treat the two lots separately, with two different interconnections.

The panels would be ballasted on the landfill and post driven off of the landfill.

When asked about DEP, they responded that DEP goes back and forth, but their preference now is to use a geotech fabric with three inches of crushed stone on top.

They would install them 39 inches off of the ground at the leading edge.

The project would have a 20 million dollar construction value, if the tax goes up, the lease goes down. Beth suggested that 150k could work if the net metering increases. She would also like to hear what other options might be available.

Fire House Improvements: The board briefly discussed the insurance money received to pay for winter damage that occurred at the Fire House. Dave Markham will be doing the improvements.

Kearsarge Solar Company: The board met with the company that was started by two brothers about five years ago. There were four representatives at the meeting, one of whom would do the site engineering from Tighe and Bond. They would like to optimize the size of the build and the challenges are topography of the site, specifically the slope on the western side of the property. The maximum slope they would use is 10 degrees. The plan would be to ground mount and use ballasts on the landfill with three or more central converters. They anticipate 8-10 feet of space around the existing venting pipes with fencing around the entire installation.

A question was asked about the rights of the cell tower provided in the lease and this will have to be researched.

There was discussion about the Natural Heritage, and it was determined that the area is mapped, and it is suspected that there are turtles, box turtle, construction issues, and precautions that will have to be considered.

They were asked about using gravel or grass area and responded that DEP has been good to work with; that grass would be best for the box turtles. Using a ballasted system on the landfill, they would then plant a low grow mix of grass. Off of the landfill, the arrays will be pole driven, and anchored.

Beth asked about financing and long term ownership. Kearsarge has their financing and will be the long term owners. They have 200 million committed now and will probably borrow another 50 million or so.

They will have to hire an owner's project manager, as that is required by the banks.

They will have one facility with back up converters for interconnection.

John asked about the likelihood of net metering credits being increased. The legislature wants to do it, but as far as timing, it's too hard to predict.

How quickly could the process be started? They would start immediately regardless of an increase in net metering.

There will be room left between the system, snow covered during this winter, and once the top of the panels start to melt, the snow slides off. They have crews who handle the maintenance of the site. They also have a training program with fire personnel and any other group who might want safety training.

Beth asked about a breakup clause in the agreements in the event we can't come to terms.

She has negotiated with 2 of the companies who have bid, Southern Sky and Kearsarge. If investors won't come to the table, there can be a break-up fee.

Beth suggested that we have Tighe and Bond review any plan and pay our consultant to look at landfill plan prior to submitting to DEP.

Beth will get updated information from the two companies tonight and redo the spreadsheet which she will then send to the board.

MassDOT Contract Signing: Dana Pixley left a State Contract to be signed for projects on Raymond Drive, North Monson and Mill Roads. Signed and returned to Highway Department

Federated Church: The board received a request to close a portion of Riverside Drive for the first annual Blessing of the Bat's Block Party that is being held by the Federated Church. A motion was made by John Flynn to allow the closure of Riverside Drive from Main Street on Monday, June 22, 7:00 – 9:30 pm, seconded by Vinnie Villamaino. VOTE: All in favor and so voted.

COA Director: Becky Moriarty submitted a request for vacation from August 17-21 and stated that the Senior Center will be fully staffed in her absence. The board reviewed and approved.

Kibbe Solar Array: Planning Board Conditions of Approval: Vinnie asked about whether more shrubs will be planted down the left side of the property. That will checked with Planning.

Hampden Country Club: Sgt. Joy, Traffic Safety Officer did a check of sight lines along Wilbraham Road, as they wish to cut back some of the road to improve sight lines. Sgt. Joy

concurrent with the improvement. John asked that the Country Club submit a sketch before approving the work.

Liquor License Approvals: Board members needed to sign a change to the Hampden Country Club license to add dba/GreatHorse and sign the new license for new owners of Mountain View Drive-In Restaurant, Matthew and Heather Bean.

Solar Proposal: The board spoke of a proposal for a solar installation by Helios on Stony Brook Road. The proposal has been reviewed by Planning and were advised they had to come before the Board of Selectmen before proceeding any further. John asked that the Building Inspector be notified of this to ensure no permits are issued for this location.

Premium Explanation from Berry Insurance: Berry Insurance provided back up documentation to explain their rate increase. The board agreed and a motion was made by John Flynn to approve the premium presented for FY2016, seconded by Norm Charest. VOTE: All in favor and so voted.

Minutes: The minutes of May 18, 2015 and Executive Session minutes of June 1, 2015 were reviewed and a motion was made by John Flynn to approve as presented, seconded by Norm Charest. VOTE: All in favor and so voted.

Dump Truck Bid Opening: A recommendation was made by Dana Pixley to purchase the dump truck from Ballard Mack Truck, with equipment from HP Fairfield for a total cost of \$188,000, after a trade reduction of \$5,000, with options of a spare front and spare rear tire at a total cost of \$1,500. The board reviewed and will hold their bid award until speaking with Dana further. They would also like to speak with him about his construction schedule.

Bennett Road: The board received a follow up from Dave Martel regarding the proposed taking of property on Bennett Road to allow the town to repair the drainage issue near 139 Bennett. This will require a taking by eminent domain and will require a town meeting vote. Given that, the board needs to vote to start the process.

A motion was made by John Flynn to vote to take by eminent domain an easement for the public purpose of improved drainage along Bennett Road a public way, over approximately 1,134 square feet of land owned by John M. O'Brien, III and Claudia M. O'Brien and being part of the premises described in a deed dated April 22, 1982 and recorded in the Hampden Country Registry of Deeds in Book 5246, Page 49 and as more particularly described in the legal description set forth on Exhibit A and incorporated into this vote; and further that the Board ratify its obtaining of an appraisal of the easement rights by James B. Mitchell of Race Appraisal Services, LLC; and further that the Board place the proposed taking by eminent domain on the warrant for the next special town meeting of the Town, seconded by Norman Charest. VOTE: All in favor and so voted.

Other:

- 601 Main Street: Status update, no real progress.
- Fernwood Drive: Need to get title work done before accepting property.

- Genevieve Drive: Complaint about the wood business operation at the Morton home. Residents have complained and the building inspector has sent letters to cease and desist to no avail.
- Bethlehem Baptist: The board responded to Brian MacLeod's request that the town purchase the church with a thank you, but no.
- Riverside Drive: The town will install a new well and septic at Academy Hall. The new well will service the Federated Church and parsonage as well as a resident on Riverside Drive.
- Town House Public Water Supply Inspection: The DEP requires a new inspection of the well head for the town house. Mike Framarin, Certified Water Inspector proposed doing the work for \$1500. A motion was made by Norm Charest to approve the proposal, seconded by John Flynn. VOTE: All in favor and so voted.
- Melville Room: There are some plumbing issues in the Melville Room which need to be addressed. The board suggested that Fletcher Drain be contacted to do the work here and at Academy Hall.
- Follow up letter: The board reviewed the follow up letter from Chief Farnsworth regarding the cited holding cell violations.
- Officer's Contract Status: A motion was made by Norman Charest to go into Executive Session at 7:35 without return to Open Session for the purposes of discussing the Police Officer's contract status, seconded by John Flynn. VOTE: Norm Charest yes, John Flynn, Vinnie Villamaino yes.

With no further business, the board moved into Executive Session.

Respectfully submitted,

Pamela B. Courtney
Administrative Assistant

/pbc