

TOWN OF HAMPDEN

MASSACHUSETTS

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Stormwater Committee
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Gary Weiner, Chair
Mark Langone
John Matthews
John Plaster
Andrew Netherwood
Dena Grochmal
Karl Sternberg

Stormwater Committee Regular Meeting Minutes March 7, 2019

Approved on 10/17/19

Board Members Present: Gary Weiner, Chair; Mark Langone, John Plaster, Andrew Netherwood

Others Present: Dena Grochmal

Gary Weiner called the meeting to order at 5:09 PM and announced that the meeting is being recorded.

The first item of discussion was about the Committee minutes and if there was a person assigned to assist the Stormwater Committee with transcribing minutes. Gary spoke with Mary about this, but in the meantime, the meetings are still being recorded.

John Matthews arrived at 5:10.

Dena is interested in becoming a committee member. Gary informed the board that he had spoken to Pam and he would write a letter to the Selectmen expressing Dena's interest in being on the committee at which time they would vote for her appointment.

The first order on the agenda is the discussion of the Stormwater Committee and the Highway Departments' role in data collection and work effort that will be needed in fiscal year 19-20. Mark has concerns about the Highway Departments role as it has expanded to a point that is untenable for the Highway Department to keep up. It is now beyond their abilities to collect data for the Stormwater Committee and as such they would like to discuss hiring someone to collect the data to update Tighe and Bond and the EPA. They must make a recommendation to the Board of Selectmen about how they will meet the requirements for data collection for the EPA.

It was initially discussed that there would be an intern hired however, the committee is leaning toward recommending the town hire a consulting company. Mark had some information to share about how the town of Monson has approached collecting data as Monson has permitted zone sizes that are about the size of Hampden's. They have hired a private engineering consulting firm, AEcom to handle MS4 issues. Monson has a budget of \$30,000 for the first 4 years for AECom's assistance. For the 5th year they will renegotiate the cost. Mark also talked to East Longmeadow as they have 380 outfalls to collect data from. They have an engineering department and IT staff and they're still using Tighe and Bond for

the technical portions of permitting. Mark says that things need to be reconfigured so that the Highway Department is not responsible for all of stormwater.

Dena shared Wilbraham's approach as they hire two interns every summer. These individuals are typically high school, college aged students. The intern goes into the field, conducts highway inspections, outfall inspections, and documents catch basin cleaning. The data collection is done April through October. She then added that Tighe and Bond makes logging information incredibly accessible through apps on the cell phone. Gary expressed his concern with hiring interns because of liability and the possibility of them getting hurt. Wilbraham sends them out in a town vehicle, and with two interns they would go out and inspect it together.

Hiring an intern would need to be a line item on the town budget however, the Stormwater Committee is now under the selectmen's budget. \$61,000 is budgeted for 2020. John and Gary think that the committee needs to employ a contractor going forward. Yet other concerns were presented about this possible decision: the consultant may not want to go to Hampden to do fiscal as well as data input. Would they supplant Tighe and Bond? Will they do work and pass it to Tighe and Bond if they have their own system? This also brought up the need that someone would need to oversee the work completed by the contractor and at this point it would most likely be Mark. Gary said that there will be a need to appoint an enforcement officer to make certain that businesses and homeowners are supplying info on a designated time frame that is required by the permits.

Dena then had a few questions for the committee. Did they fill out an NO1 in October? Yes, they did. Are there any stormwater bylaws now? Yes. Who oversees them? Its in the town bylaw. The stormwater rules and regulations are listed and there is also a section about erosion and sediment control. Is there a stormwater application that a fee based? There is from the building department, but the committee isn't sure as this would need to be discussed with Wendell. Currently there is no formal application. Dena then shared that Wilbraham has a minor and major projects application and they're fee based. In Hampden there isn't anyone who can review and oversee this process. This issue leads to the need to revisit the bylaw as this highlights the discussion about having a stormwater enforcement person. In a larger town the responsibility is given to highway/engineering division.

There is major concern as to how the Stormwater Committee will be able to keep up with the work and data collection that is required. It is worth looking to hire an engineer. Funding for hiring an engineer could be derived from taxes and other monetary involvement on part of town. Could you charge the cost of the permit in order to offset hiring a town engineer?

Another major concern is that the bylaw needs to be cleaned up as it has not been maintained and needs to be updated. Look at other towns to see how they manage stormwater and what other departments are involved with this department as additional work can't fall on highway.

It was decided that the committee needs to go to selectman and discuss whether it would be best to hire an intern, contractor, or an engineer. In addition to this, a letter will be sent to the Board of Selectmen to let them know the committee's job as it relates to helping Tighe and Bond in data collection and stormwater education. The committee needs to hear from the selectman in order to proceed with writing the bylaw as well as help to implement this program. So many towns are developing storm water jobs, such a Wilbraham, Monson and East Longmeadow and this needs to be a topic of discussion with the BOS. Mark has invited the selectmen to meetings in the past.

It was decided that Gary will compose a letter to the selectman outlining the selectmen's responsibilities and hiring someone to be a "Stormwater Manager". The Committee must get the town in compliance with the bylaws in addition to who is responsible for enforcement. The

Committee would also like Wendell to come to the meetings to report what he's finding and if there are any trends.

Is the town required to have a committee? Yes, by law but there is still the question of who will make up the committee and its capacity. Right now, the Committee is focusing on catch-up and updating the bylaws. Eventually the committee meetings will be eliminated however, a firm foundation of maintaining stormwater issues needs to be in place first.

Mark spoke to Jennifer from AECom as the committee has gotten approval from selectmen to investigate getting an outside consultant. Mark had talked to her a few weeks ago to learn about the company and Jennifer was receptive to helping and meeting with the committee but was hesitant about overstepping Tighe and Bond. Mark said that they just wanted to discuss the possibility of consulting. Tighe and Bond isn't cheap and therefore hiring outside companies would have to be assessed from a financial perspective on a yearly basis.

It was established that Gary would compose the letter to the Board of Selectmen, which will also go to Mary and that the Committee will schedule another meeting for March 21. Mark will let Jennifer from AE know about the next committee meeting. The committee would also be sure to let the Board of Selectmen know of Dena's interest in joining the Committee so that they could vote on her appointment.

Also, the Advisory Committee had met with the Selectmen who had asked Mark for a breakdown of requested funds to give to Advisory. Mark gave them original break down that had been discussed with the Stormwater Committee however that doesn't seem to be the direction they are taking now. The committee had asked for \$61,000 to be put on the warrant and now they want to put the money that would have been for an intern towards hiring a consultant company. Tighe and Bond is \$38,600. Consultant services alone are \$30,000 and now the committee needs to add another \$12,500 which would push the warrant request to \$73,500. Mark needs exact numbers to present to the Advisory Committee ASAP.

The new bylaws will also be voted in at town meeting.

Gary made a motion to approve the next meeting to be on March 21st at 5:00pm contingent on Jennifer's availability to attend. All in favor 5-0.

Motion to adjourn. All in favor 5-0.

Submitted by Kristen Gumlaw.