

**Town of Hawley, Massachusetts**  
**Minutes of a**  
**Selectboard / Board of Health / Zoning Board of Appeals Meeting**  
**In Person & via Conference Call**

**April 11, 2023**

Present: Will Cosby, Bob MacLean, Hussain Hamdan - Selectboard  
Tinky Weisblat, Gal Friday  
Virginia Gabert, Treasurer and Financial Administrator  
Randy Crochier, Kurt Schellenberg, Donna Lemoine, Wayne Lemoine, Lloyd Crawford, Gary Mitchell, Chris Tirone, Christine Hicks, Daniel Vaughn, Georgette deFriesse

**The meeting was called to order at 7 p.m. Warrants and minutes from a previous meeting were signed. Then:**

- 1. The board spoke with Randy Crochier and Kurt Schellenberg of FRCOG.** Randy explained that the two were in town to talk about MAPHCO (the Mohawk Area Public Health Coalition), which was being reorganized in light of what had been learned in recent years. He noted that the group had brought in a group of former military officers known as Ardent Decisions to help create an after-action report at the end of the COVID lockdown. Among other recommendations, Ardent Decisions suggested creating a new Emergency Dispensing Site plan for Franklin County. (Previously the county had had a number of diverse EDSs, which had been hard to coordinate.) This plan, which would be developed along with boards of health in the towns, would come up with one single emergency plan for everybody. The manual for emergency personnel, which had been huge, would be scaled back so that people could actually consult it in an emergency and get the information they wanted. (Randy made a distinction between emergency planners and people who implemented public-health policy.) MAPHCO would be named something easier to understand. The Franklin Regional Council of Governments had voted unanimously to make these changes, he reported. He was asking all Boards of Health in participating towns to vote on the suggested changes and also to send a representative to MAPHCO's annual meeting in June to ratify the changes. Hussain spoke positively about the recommendations. His view, to which Randy agreed, was that there needed to be less siloing of information. Public health, dispatch, and emergency services should be on the same page. Hussain, as chair of the Hawley Board of Health, agreed to go to the meeting and read aloud the suggested language, and Bob made the following motion: "I move that the Hawley Board of Health vote to support the proposed changes to the Public Health Emergency Preparedness Coalition now known as MAPHCO, to commit a Hawley Board of Health member or designee to attend the MAPHCO annual meeting, and to authorize any Hawley Board of Health member or designee who attends the MAPHCO annual meeting to vote in favor of this change at said meeting." Will seconded the motion, and all voted in favor. Randy and Kurt thanked the board and left.
- 2. Discussion moved to the JAM charity bike ride scheduled for Sunday, July 23.** Daniel Vaughn attended to represent the ride's organizers. He explained that the ride was in its 13th year overall and in its second year going through Hawley and that there were three possible routes, all of which would cross through Hawley.

He noted that the town would be entered from Plainfield on Middle Road. Riders would turn left on Hallockville Road, then cross Route 8A and go by and around Hallockville Pond. He said that the same route had been followed the previous year.

Hussain expressed concern that this route, particularly toward the end, went through boggy spots of road. He reminded Daniel that there was little to no cell service on much of the route and that radios didn't always work there either. He suggested that the ride could be done on this route if it were physically checked a few days beforehand (with no bad weather between the checking date and the ride) and that people would need to be stationed along the route. He said he would like a map of the route and wanted to make sure that town emergency personnel were alerted. Daniel asked Tinky to share the map via email with the board.

Will asked about the size of the ride. Daniel said there would be around 200 people in Hawley for about 30 minutes. He informed the board that the race organizers had vehicles that followed the cyclists and had a rider at the back of the group to make sure everybody was accounted for. He recalled that the previous year the organizers had checked the course several times, including on the day before. Lloyd observed that the risk should be minimal; if riders had problems with their bikes, they could always hike out of the woods.

Hussain gave his approval as long as emergency personnel (in particular Greg Cox and Hussain) were kept informed. He also suggested that the town might have an ambulance in the area on standby and that emergency services might try to conduct a training exercise the same day, to have personnel available in the area. Daniel thanked the group and left.

- 3. The board moved on to grant possibilities for road work.** Lloyd said that he had met with Will and representatives from the firm GZA. The group had decided to try for a MassWorks grant to repair Ashfield Road. The grant wasn't certain, he noted, but the town had a good chance of getting it. He noted that the work would be limited at first. There wasn't time to design new culverts in time to apply for the current grant cycle so the road rebuilding would be done first, with the culvert work coming later. He asked whether funds from winter road repair and Chapter 90 were used up for the year. Gary said that they were, more or less, but said that the town could spare \$3000 in Chapter 90 funds to pay GZA for the initial mapping and design work. Hussain moved that the town allow a sum not to exceed \$3000 from Chapter 90 to pay GZA. Bob seconded the motion, and all voted in favor. Will signed the paperwork for GZA.

Will noted that the town was also engaging GZA to continue with engineering support for the Sears Road culvert work. He suggested signing a change order that would make GZA clerk of the works for Sears Road, noting that there might be some minor changes going forward. The current amendment would extend GZA's work into oversight and would authorize paying it \$17,300 over the next six months in STRAP-grant funds. Hussain moved to sign the change order, Bob seconded the motion, and all voted in favor.

- 4. Discussion moved to the opioid settlement agreement.** Hussain said that he saw no harm in signing the agreement as it was unlikely that Hawley would want to sue the drug companies in question. He moved to have the authorized party (Tinky was asked to figure out who this was) sign the agreement. Will seconded the motion, and all voted in favor.

5. **The group briefly discussed private well regulations.** According to Hussain, the state was providing a template for changing well regulations to test for PFAS (“forever”) chemicals. Hussain noted these chemicals were widespread, but there was also little to be done about them. Will suggested that if a well were deep enough and ran into a contaminated aquifer, the chemicals could appear, but Hussain said this was unlikely since Hawley was nowhere near any industrial sources. He mentioned the overall question of what would be done were the chemicals found since they were so pervasive. Georgette noted that since there wasn’t really anything one could do if the chemicals were in the water, maybe not testing made sense. Hussain reminded the group that the town didn’t have to adopt new well regulations every time the DEP issued a new recommendation. Wayne asked how many people the chemicals had killed; no one knew. The discussion was tabled indefinitely.
6. **The tax collector’s IT situation was discussed.** Wayne recommended Bloo Solutions, a company that might help Betty Nichols with her connectivity issues. Hussain moved to employ the company to look into Betty’s situation. Bob seconded the motion, and all voted in favor.
7. **The group talked about the property at 339 West Hawley Road,** the residence and barn of the late Bob Stone. Virginia said the property was in tax title and the town was working on obtaining ownership. The barn was apparently in a state of collapse. She said she had gotten an estimate from a demolition company; the company had offered to dismantle the property for \$13,472, much more money that the town had in the tax-title account. Hussain observed that the fire department could not burn the structure down without approval from the state Department of Environmental Protection, which was unlikely to approve. Virginia wondered aloud whether the town could rent a demolition dumpster and ask people (maybe the road crew?) to dispose of the building’s contents. She said she was perplexed about what the town could do if the contents included valuables.

The property was complicated, she noted, by the fact that there was a grandfathered water line running through it that provided water for neighbors, who were unlikely to want to pay for a new well. The group pondered fencing in the property, but this was (according to Virginia) also perhaps a problem since the town didn’t own the property. Hussain pointed out that the town did have some decision-making abilities with respect to the property, and possibly some liability. The town had put up “no trespassing” signs, he said, but although the signs removed liability for any adults injuring themselves on the property, children constituted a different issue under the attractive-nuisance doctrine.

Christine volunteered her friend Jeff Sparda to throw out the contents of the property. Hussain worried about liability for that. He said that if the town had full control of the property, the most economical procedure would be to sell it and let the buyer deal with any issues. The group briefly discussed taking the property by eminent domain. Hussain agreed to talk to the attorney involved to see what could be done.

8. **Virginia brought up financial issues relevant to the upcoming Annual Town Meeting.** She explained that two “placeholder” warrant articles could be taken off the warrant as they were unnecessary. She said that she wanted to make a few numerical changes to article four and promised to give Tinky the changes. She then proposed adding one more article to take care of cost overages for the current fiscal year. She explained that these overages would use up most of the remaining free cash but noted that ARPA money would be going into free cash, making that account much healthier.

While the warrant was under discussion, Tinky brought up the contract changes requested by the Mohawk Trail School Committee. She said that those changes would take up about 20 pages, which would make the warrant difficult to post on bulletin boards in town. She asked whether she could summarize the changes and say that copies of the full text were available on the website and by request. Hussain said that this had been done before. The group agreed to meet briefly the following week (on Tuesday, April 18, at 7 p.m.) to sign the warrant for posting.

9. **Tinky reported on the Communications Committee**, which wanted to schedule interviews of the two web-design candidates with the Selectboard and the Communications Committee. Hussain explained that the committee had come up with a template design, that of the town of Becket. The group agreed to interview one candidate, Paul Stallman of Alias Solutions, when it met the following Tuesday. It asked Tinky to schedule an interview with the other candidate, Bill Tuman, the evening before (the 17th).
10. **The group talked about office furniture.** Will said that he liked the new furniture (mostly file cabinets) obtained by Donna, the town clerk, and her husband Wayne, but that changes had been made abruptly at a very busy time of the year and without much consultation with committee chairs and other staff. He suggested that the group take a break from getting new furnishings until it could figure out how to dispose of the older furnishings. Hussain looked up the town's policy for getting rid of items, noting that items that were considered scrap could be disposed of by department heads but that more valuable items had to be advertised in some way. Donna said she was just hoping to sell the old file cabinets to bring in money to pay for the new ones. She said she hadn't wanted to be repaid for the cost of the new cabinets. Virginia stated that Donna was being reimbursed. Will noted that various committees used the cabinets and would have to move their files into the new cabinets. Hussain read from the policy he had mentioned, saying that sales had to be advertised at the town office, the highway garage, the fire station, and the website – and that they had to be sold to the first person who offered the asking price. There was some discussion about where to put the emergency communications and first-aid equipment; Hussain insisted that this had to be accessible.

Will reminded everyone that the Town Office was used for a variety of purposes and needed to be furnished accordingly. He suggested that all committee chairs be asked to come in and deal with their files. Tinky said she would do this ... but AFTER Annual Town Meeting as she was very busy until then.

**In other business, Christine reported that she was still waiting to hear from her doctor but would be happy to come back to clean the Town Office when she was cleared to work.** In the meantime, Tinky said, Wayne Lemoine had offered to work cleaning the office. Christine said she would be happy to clean the windows for an extra fee.

There being no other business, the meeting was adjourned at 9:30 p.m.  
Respectfully submitted, Tinky Weisblat, Gal Friday

---

Williams Cosby

---

Hussain Hamdan

---

Robert MacLean