

Town of Hawley, Massachusetts
Minutes of a
Selectboard / Board of Health / Zoning Board of Appeals Meeting
In Person & via Conference Call
June 20, 2023

Present: Will Cosby, Hussain Hamdan - Selectboard
Tinky Weisblat, Gal Friday
Virginia Gabert, Treasurer and Financial Administrator
Gary Mitchell, Chris Tirone, Georgette deFriesse

The meeting was called to order at 7 p.m.. Hussain moved to go into executive session for the purpose of talking about highway-department personnel with a mediator, Che Tarah. Will seconded the motion, and the two voted by roll call to join the session. At 7:30 the Board returned to open session.

Warrants and minutes from a previous meeting were signed. Then:

1. **The group opened fuel bids for FY 2024.** (See attached sheet for details.). Hussain moved to accept Suburban Propane's bid for propane. Will seconded the motion. Virginia said she wanted to make sure that the Suburban bid for propane wasn't going to be subject to buying more fuel than the town could afford. The group added up last year's propane number (377 gallons for the garage, 120 for the town office, and 675 for the fire station) and found that it could easily work with Suburban's requirements. Both Selectmen voted in favor. Hussain also moved to accept Lyme Green Heat's wood-pellet bid. Will seconded, and all voted in favor. Finally, Hussain moved to award the diesel contract to Suburban contingent on making sure that the price listed covered both summer and winter blends. (Tinky's note: it did.) Will seconded the motion, and all voted in favor.
2. **Tinky presented a letter from Franklin County Technical School** inviting the town to join its school district. She noted (and the board agreed) that the letter was extremely vague. The letter invited the board to send a representative to a meeting two days later, on Thursday, June 22. Both Selectmen said they had other engagements that day. Tinky reported that John Sears had volunteered to go and the board accepted his offer. The board asked her to ask John to ask the tech school whether it needed a buy-in for entry into the district; this had apparently been a problem in the past. Will also suggested that John ask the school when it would start training students to do fiber splicing, a growing field.
3. **The group talked about roads in the State Forest.** Will expressed his thanks to the fire department for clearing the roads of trees. Hussain said the department would return to deal with one more tree on Hunt Road.

Tinky reported that she had talked to the DCR's district director. (Will reminded her that his name was Mark Jester.) She said that she had told Mark that the road crew needed gravel to repair the roads in the forest and that Mark had put Gary in touch with his engineer. Gary said that he and the engineer had decided that the state would deliver 500 tons of material to the DCR parking lot near the fire station; this was all the road crew could handle in the coming months.

Tinky said that Mark had promised to bring her keys to the gates into the forest. Hussain cautioned her to make sure that they worked. Chris volunteered that he had a working key to the gates. Hussain asked Tinky to tell Mark that the bridge on Hallockville Road west of King Corner needed to be replaced or repaired; it was covered by an insufficient wood pallet and looked unsafe to use, particularly for equestrians.

4. **The group turned to the easement agreement with Tedd White about letting vehicles onto his property while construction was taking place at the corner of Sears Road and West Hawley Road.** Tinky printed out the agreement so that it could be signed and given to Gary to bring to Tedd. Hussain said that he had concerns about asking for a permanent easement without compensation; he said that would need town counsel Donna MacNicol's opinion. He asked whether the group should wait until its next meeting to act; if a permanent easement was coming, he reasoned, the temporary one might not be necessary. Will said that the temporary easement was necessary to make sure construction could commence. Hussain moved to allow the chair to ratify the temporary agreement on behalf of the town. Will seconded the motion, and both voted in favor.
5. **The group discussed what to do about its next meeting, scheduled for Independence Day.** Hussain suggested that since the most important thing to do at that meeting was to pay the bills, the board could try what it had done during the pandemic lockdown: assent to the warrant articles by email and sign them at a future meeting. He moved to allow the treasurer to disperse checks to the Selectboard to sign later. Will seconded the motion, and both voted in favor. The next meeting would be July 18, everyone agreed.
6. **The group decided on coordinators for ADA compliance and the opioid settlements.** After some discussion about whether the Town Office was ADA compliant, Will volunteered to be the ADA coordinator and Husain said he would handle opioid questions.
7. **The board turned to the question of the trees behind the Town Office.** Tinky said that she had found out that they were just on the property line so they belonged half to the town and half to Peter Beck and Ken Bertsch, who were supportive of removal. Will asked whether the highway department could take down the trees and if so (1) how it would dispose of them and (2) what would be done about the stumps. Gary said the highway department could indeed take down the trees and recommended taking them all the way down to the stumps. Hussain worried aloud about people who were fond of the trees. The issue was tabled for the moment.

In other business, Will noted that the ZBA had received a permit application from Berkshire East. It involved a request for a common driveway. The neighbors who might be affected were named Spooner and Griswold. He said that some water changes might be involved, including a new culvert. The group settled on a hearing date of July 25 for this issue. Virginia showed Tinky where to find paperwork to use as a model for notifications, etc.

Will reminded the group that in the winter James Heroux of Labelle Road had asked whether the snow-plow route near his home could be altered. In bad storms, his house was stranded, and he had children to take to (and pick up from) daycare. Will said that he was willing to try changing the route for a year. Gary said he would need to put in a snow fence at Meadowsweet Farm for the new route. The board authorized him to explore this possibility.

Tinky noted that she had just found a letter from Representative Natalie Blais about a state hearing on a law to reform the Payment in Lieu of Taxes program for state-owned land like the state forest. She and Will agreed to work the following day on a letter from the town to serve as testimony. Tinky also brought up the fact that she had been notified that all winter road money from the state was being sent to the town but that reports would need to be filed about its spending; Virginia said that she had this issue in hand.

Tinky asked whether it was okay for the moment to leave the website static; the new designer was starting to clone it and didn't want to do this more than once. The board agreed that this would be acceptable if webmaster Rick Kean put something on the website making it clear that no changes would be made as of a certain date and telling interested parties to email or telephone the Town Office. Virginia noted that the taxpaying link was a little misleading as it would not list taxes due on August 1 until after July 1. Tinky said she would relay this information to anyone who asked.

Tinky said that Christine Hicks had written to say that she could clean the Town Office once more but was unable to bring hot water from home. After some discussion of whether hot water was needed for cleaning, Hussain said that he knew someone who could look at the Town Office water heater to diagnose it. He said that he thought this person would look at the heater for free but charge if asked to do actual repairs. Tinky was instructed to ask Christine to wait until this issue was resolved.

Tinky reported that she had received a complaint from a resident on Forget Road saying that a neighbor on Grout Road let one of his dogs run free; the dog was scaring her children, said the resident. Chris said that he had talked to the dog owner (Richard Oliveira) and had been unable to get any results. Hussain observed that this dog owner had been the subject of numerous complaints; he also had goats that were a nuisance. Tinky was asked to write a letter of warning to the dog owner and to make sure Hussain looked at the wording before she sent it off. She was reminded that people would be within their rights to shoot the dog if it trespassed on their property and posed a threat or damaged property. Georgette **shared her feeling that the problem wasn't with the dog but the owner.**

Finally, Gary asked what the town wanted to do in the future for the Juneteenth holiday. The road crew had worked through the day that year but had asked about the future. Virginia and Will offered to investigate the question.

There being no other business, the meeting was adjourned at 9:25 p.m.

Respectfully submitted, Tinky Weisblat, Gal Friday

Williams Cosby

Hussain Hamdan