

Minutes of Selectmen's Meeting – January 14, 2014

Present: Philip Keenan, John Sears, Bob MacLean – Board  
Virginia Gabert – Administrative Assistant  
Stephen Deane, Pamela Shrimpton, Rick Kean, MJ Adams, Peter Wingate,  
Margaret Fitzpatrick, Lloyd Crawford, Henry Eggert, Suzanne Crawford, Alain  
Peteroy, Bob Taylor

The meeting was called to order at 7:30pm.

1. Review and signing of treasury warrants – warrants were reviewed and approved unanimously.

2. Minutes from December 17 and 30 were not ready yet.

3. Public Hearing for Community Development Block Grant (7:45)

John Sears called the hearing to order and read the notice.

MJ Adams explained the CDBG application and the public hearing requirement. She provided information sheets on the Housing Rehabilitation Program and Keeping West County Warm Program.

Public comment: Suzanne expressed her thanks as there is certainly a need for these programs.

There being no further public comment, the hearing was closed at 8:00pm.

Phil made a motion that the Board vote to participate in the grant application. John seconded; vote was unanimous.

4. Alain Peteroy (FLT) to discuss proposed Conservation Restrictions with BOS and Conservation Commission

Alain explained that FLT is working with Singing Brook Farm Trust, Richard Ohmann, and Richard and John Sears to obtain conservation restrictions, which would be co-held by the Town, on properties that they own that are all currently under Chapter 61. She presented first drafts of agreements with SBFT and Ohmann. (John Sears considered recusing himself as he is an interested party in the other proposed CRs, but as those will not be discussed, he announced he is a party in the other agreements, as public disclosure.)

Some concerns were discussed:

- a) Tax impact: The parcels are all currently under Chapter 61 with Forest Management Plans, and there is a requirement in the CR that forest management plans be continued. As Chapter 61 forestry land is currently valued at less than CR land, there will be no tax impact. The SBFT parcel does allow for one subdivision, but if/when that happens, the CR will remain on both resultant parcels.
- b) Inspection and enforcement: FLT will inform the Town in advance of any inspection, and an MOU is currently being drafted. Rick Kean requested that the Board of Assessors also be notified.
- c) Blocked access to developable parcel: Any pre-existing rights-of-way would still exist, but the parcels in question do not suggest this situation arising.

Alain asked that the Board review the agreements and raise any questions. The agreements still need to be reviewed by a few organizations, then they will be reviewed by Town Counsel (at

FLT expense). Alain explained that the goal is to have the closings at the end of February or early March. The State deadline is June.

5. Update on green burial considerations – John looked at a few websites, and suggested waiting and getting copies of regulations from other towns as it is not a pressing issue in Hawley at the moment. One issue that he was not sure of was why some cemeteries do not permit it.

6. Update on municipal accounting software – There is no new information at the moment.

7. Update on status of FEMA approval for Forge Hill Road and East Road repairs – Virginia has not received a response yet. But Lloyd reported that the Conservation Commission did get a notice from the engineer that they are getting ready to file a NOI.

8. New business

a. MMA workshop on FEMA and Flood Insurance changes. John had considered going, but decided it is not crucial at this point. However, we should look at getting FEMA to update our flood insurance maps.

b. The Board requested that Virginia notify FRCOG to add interest in DLTA (District Local Technical Assistance) consideration for Hazard Mitigation Plan Implementation. Virginia will contact Linda to have this added.

c. A brief discussion ensued about the Treasurer leaving for 3 months without discussing it with the Selectboard. A question was raised about whether or not this discussion needed to be held in executive session. Virginia will look at the OML regulations.

d. Henry Eggert offered to bring the Board up to speed on the NEFF (New England Forestry Foundation) vs Hawley Assessors appeals case. He explained that in 2010, NEFF applied for a property tax exemption, which was denied by the Assessors. NEFF took the Assessors to the ATB (Appellate Tax Board) and the case was heard in 2011. ATB found in favor of the Assessors. NEFF then appealed to the SJC (Supreme Judicial Court). The SJC hearing was held last Monday in Boston, and the court now has 130 days to make their decision. The attorney representing the Assessors (Rosemary Crowley) indicated that she thought the hearing went well. Documentation and a video of the hearing can be found online at the SJC webpage for case SJC-11432. Since then, Hank and Virginia have been interviewed by NPR and Hank was interviewed by The Independent and the Wall Street Journal. The latter two were unable to reach Virginia as she had been on vacation.

e. Bob Taylor voiced concern about an ice jam below his house on Middle Road. He said that it looks like it was possibly caused by someone plowing out the dry hydrant and pushing the snow into the brook. Greg Cox will be notified to request that the plow operator for the Fire Department not push snow into the brook. Ritchie is apparently aware of the ice jam, but unable to do anything about it at the moment.

There being no further new business, the meeting was adjourned at 9:34 pm.

Respectfully submitted,  
Virginia Gabert, Administrative Assistant  
Minutes accepted by Board of Selectmen:

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Philip Keenan

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John Sears

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Robert MacLean