

Town of Hawley
8 Pudding Hollow Road
Hawley, MA 01339
(413) 339-5518

Town of Hawley, Massachusetts
Minutes of Selectmen's Meeting – August 23, 2016

Present: John Sears, Bob MacLean, Hussain Hamdan– Selectboard
Cass Nawrocki – Administrative Assistant
Virginia Gabert, Pam Shrimpton, Chris Tirone, Rick Kean, Courtney Hoyt, Paul Hoyt, Bob Root, Pete Mitchell (Headwater Cider Farm)

The meeting was called to order at 7:32 p.m.

- 1. Review and signing of treasury warrant.**
- 2. Review and acceptance of prior meeting minutes.** None.
- 3. Franklin County Cider Farms open house.** Pete Mitchell of Headwater Cider Farm has been exploring ways to broaden his sales. He is requesting a letter from the Board, pursuant to Massachusetts Chapter 138 Section 19, allowing him to offer cider tastings and to sell his product in sealed containers at his farm on certain days. These activities might include his business taking part in Cider Days and perhaps a new event, a Franklin County Cider Trail. Cider Days is an annual Franklin County event held in November with tours, cider making, tastings, and workshops. The Board expressed support and requested that Pete draft a letter to the Selectboard requesting permission to invite visitors to his farm for cider tastings and to sell his product in sealed containers during Cider Days and as a participant in the Franklin County Cider Trail. Donna MacNicol, the town counsel, will then be asked to review the letter before the Selectboard signs it.
- 4. Wired West (WW) withdrawal.** Rick, from the Communications Committee (CC), reviewed that the Wired West Cooperative had asked towns to withdraw from the organization due to the difficulty of obtaining quorums at recent meetings. Hawley is proceeding toward a hybrid/wireless system and cannot entertain further interest in WW's fiber optic approach. WW has not been encouraging of the prospect of offering an Internet Service Provider function in the future. Thus, Rick recommends that the town withdraw from WW. Many efforts have been made to inform Hawley residents of this possibility without any objections having been received. Hussain moved to withdraw, Bob seconded, all voted in favor. Cass will draft a letter to Wired West, to be reviewed by the CC, and bring to the next meeting for the Board's signature.
- 5. MIT Cycling Team race.** Cass stated that she had been approached by the MIT Cycling Team regarding a race scheduled to be held on September 10 & 11th at the Thunder Mountain Bike Park at Berkshire East. The trail to be used crosses East Road in Hawley in two places. Cass presented the Board with a packet of information which the Team had provided. The organization will be supplying a highly visible race marshal at each road crossing to stop traffic when riders are crossing and will also provide a medical team to serve as first responders to incidents if they occur. The Board

agreed this sounded fine and requested that Cass notify the race staff of the town's support.

- 6. Police Chief position.** Cass stated that Steve Dean had left a letter recently that September 10th is his last day of service and that he will not be doing any firearms issue on that day because there would not be enough time to process this correctly. Hussain has spoken with the Buckland/Shelburne police force and they are asking all their officers if anyone would be interested in police work in Hawley. Ashfield's idea of regionalization is worthy of further consideration and investigation but is more of a long term solution. Hawley needs all three police functions covered very soon – firearms registration and carry cards, road details, legal service, and police presence. Bob stated that he has spoken with the Sheriff and has been given the contact information for two officers who are willing to do document service, meetings, and road details. All that needs to be done is to call them and arrange as the need arises: Ken Hubbard (413-212-9035) for 4 hour slots for meetings and details; and Scott Waldron (413-475-0073) for legal service. Hussain will continue to investigate filling the chief and firearm functions.
- 7. Highway Department computerization update.** Passed over to next meeting, due to the Highway Superintendent's absence.
- 8. Tick Testing revisited.** Cass stated that despite the town's recent decision to continue the subsidization of the tick testing program done through FRCOG and University of Massachusetts, there are new parameters to the program for this year. A finite number (as many as 25 tests) will need to be paid for up front in this year, although tests may be used in subsequent years. We had had 14 tests done in FY 2015 and 2016 with 48% testing positive for Lyme. If we need to pay up front for 25 tests, at \$15 per test, it would be \$375 which is more than in the FY2017 budget (\$195 remaining from \$250). Since not all towns will have to pay for 25 tests in the end (since bigger towns will certainly use more than 25), do we still need to pay for 25 up front? – Cass will inquire further and get back to the Board.
- 9. Town Cemetery Management.** The Selectboard oversees the cemetery management in the absence of a Cemetery Commission. Virginia explained that since there is minimal use of the cemeteries, no formal procedures have ever been set down. John will ask Gerard McCarthy, who is experienced with cemeteries and used to be the contact for the West Hill private cemetery, if he is interested in the issue. He has been reluctant to take on more in the past, but he might be interested now. Connie Emmett, who oversees the Pudding Hollow private cemetery, might be interested in taking on more. The state believes it owns South Hawley cemetery, but we believe it to be our responsibility. For now, Cass will contact the resident who had expressed an interest in a plot in the East Hawley Cemetery and sell it to him.
- 10. Letter to Charlemont Selectboard re Vocational Education Advisory Committee (VEAC).** The VEAC is an important committee comprised of representatives of the towns of Hawley, Charlemont, Ashfield, and Plainfield; all of these towns are not members of a vocational school district. The VEAC Committee oversees vocational school issues, the largest and most expensive of which is the management of vocational transportation. Managing the transportation well can result in considerable savings to the towns. John explained that the Charlemont Selectboard has been uncertain about VEAC's role and expressed concern that the town may be giving its autonomy away. John summarized the letter, drafted by John as VEAC Chair, and David Newell, the

VEAC clerk, which attempts to reassure the Charlemont Selectboard and also delineates for the first time in a document the organization's functions and procedures. VEAC is an advisory committee. The Selectboards of each town are responsible for the education and transportation of their students who attend vocational schools and are the final decision makers.

11. Postponement of Hawley Garage Bank Stabilization Project until 2017 (with bidding in February/ March 2017 and construction beginning July 1 or soon after).

John stated that the permit has finally come for the Garage Bank Stabilization Project with many conditions. Hawley can finally proceed but has now decided to postpone the start of the project until next spring due to weather conditions - it cannot be assured that the weather will remain warm enough, long enough. The work needs to be performed between July and October and we are already almost into September. The plan is to bid the project in February or March of 2017, with construction to start the beginning of July. The engineers have graciously agreed to hold the design fees at the same level as in the proposal.

12. How could town obtain title to land on which no taxes have been paid for many years? Proposed consultation with town counsel.

John stated that an inquiry has been received from a new abutter regarding a 27 acre steep, wooded, landlocked piece of property in West Hawley which has been off the tax rolls since 1951. The last deed is dated 1894 and no assessments have been completed since 1951. When researching this issue, Virginia found that the last note in the assessor's book was for a different person than the initial owner. Town counsel indicates that this person (who is now deceased) would be considered to have been the last owner. Since the land has minimal value, counsel recommends that the town contact the abutter who is interested in purchasing the land and if he/she is still interested in it, they can do the research on their own and return to the Selectboard with their findings. The Selectboard approved of this path and Virginia will relay this to the party.

13. Any other business not reasonably anticipated prior to posting this agenda.

- a. **Conference – “What’s new in Municipal Law?”.** Virginia requested to attend this September 29th conference. Hussain moved that she go, Bob seconded, all stated aye.
- b. **Highway Superintendent Ill.** Hussain reported that Brendan Dekoschak is in the hospital, expecting to return to work early next week. Gary Mitchell, the highway employee, is seeking guidance on what he should be working on and also would like to have Ted Palmer's help with some things which require two people. The Board indicated approval and Bob will speak with Gary about what needs to be done and Ted's role in it. There was general discussion about the highway department budget and a suggestion that Brendan, as a new employee who has not been through a full year's budget yet, should work more with the Board prior to purchases. All are very appreciative of Brendan's enthusiasm and the Board felt that he has been very good about sharing the highway activities and his plans for the future. Hussain stated that the Board should get a monthly breakdown of highway expenditures over the last 5 years and figure out what is sustainable.
- c. **Acquisition of ‘surplus’ highway and emergency equipment.** Bob expressed concern that Hussain and Bob Root had acquired emergency equipment (Case

580L Back Hoe & M929 A2 5 ton Dump Truck) without the courtesy of letting the Selectboard know in advance. Hussain stated that these items were very sought after and came available very last minute. Virginia asked whose budget covers the transport of these items, because she had recently received a bill for transport. Bob and John stated that even though the equipment itself may be 'free', other expenses include registration, insurance, etc. need to be taken into account. The Selectboard and Greg Cox, the head of emergency services, need to have a wider conversation about this and have involvement when a proposed acquisition comes up. Hussain and Bob Root have now located a multipurpose truck for free which has compartments, a welder, air compressor, and plow. Hussain stated that, because of Hawley's unique geography, with more equipment that can be utilized by the highway and fire departments and emergency personnel, there will be less friction between the departments and tasks will go more smoothly. Ideally, the truck would be kept in West Hawley. Greg is away at the moment and yet the multipurpose truck needs to be picked up by early next week. Hussain suggested that it could be obtained and if it were decided that it was not a good idea for Hawley, it could be returned with no penalty. There is no transport cost, other than two peoples' time and gas to travel up with one vehicle and back with two. John will email Greg in the hopes he gets his email on vacation and can respond to this idea. Hussain and Bob Root will go next week to pick the truck up if Greg responds in favor.

There being no further business, the meeting was adjourned at 9:27 pm.

Respectfully submitted,
Cass Nawrocki, Administrative Assistant

Minutes accepted by Board of Selectmen:

John Sears

Hussain Hamdan

Robert MacLean

Appendix A - Relevant documents:

- Packet of information from the MIT Cycling Team
- Letter from John Sears and David Newell (Vocational Education Advisory Committee) to the Town of Charlemont Select Board
- Letter dated August 20, 2016 from Stephen J. Deane.

