

Town of Hawley, Massachusetts
Minutes of a
Selectboard / Board of Health / Zoning Board of Appeals Meeting
In Person & via Zoom
November 21, 2023

Present: Will Cosby, Hussain Hamdan, Robert MacLean – Selectboard
Tinky Weisblat, Gal Friday

Virginia Gabert, Treasurer and Financial Administrator

Gary Mitchell, Chris Tirone, Brian Foucher, Lloyd Crawford, Georgette deFriesse,
Wayne Lemoine, and (via Zoom) John Maher, Paul St. Pierre, and Lark Thwing

The meeting was called to order at 7:02 p.m. Warrants and minutes from previous meetings were signed. Then:

1. **The Selectboard talked to Brian Foucher of WiValley.** Brian explained that the company was about to be affiliated with a new company, Ring Squared, which was also acquiring Access Plus. The combined companies saw the four towns in the FHMS system as useful to their presence in the Berkshires. He said that he was excited; WiValley would still be there, but it would have access to more than 130 employees instead of just a handful. GoNetSpeed would no longer be in the picture. He noted that the Access Plus arm of the company would be working in Massachusetts. He explained that WiValley currently used Access Plus's microwave network as one source of backhaul to the greater internet in the four-town network. This backhaul had been so robust that, at times, WiValley had taken measures to reroute the data over the other fiberoptic connections that were intended to be the normal pathway, because the data was "preferring" the Access Plus connection. He said that the acquisition should be finalized by the end of December.

Hussain expressed curiosity about leveraging existing wireless capability to create redundancy as fiber to the home came along. Brian said that Ring Squared had drafted a letter of support for the town to sign. He noted that the town could send as many letters of support to the state as it chose. He said that the proposal did including leveraging the existing wireless network. He observed that the prices for broadband under the group's plan would vary with different speeds but would be competitive with those in neighboring towns and would not involve any bond or investment from the town; Ring Squared would cover the costs not picked up by the state.

Lloyd asked whether the town could see the detailed information on the application. Brian asked whether the information would be needed before the application was submitted. Will said that it would; it would help Hawleyites make sure that the plan covered absolutely everyone and everything. Brian agreed to share the information. Tinky asked whether Brian could produce references about Ring Squared/Access plus. Brian said that Access Plus had a great local reputation. He told the group that he was aware that there had been problems with ViValley in the past but promised that it would do better.

The combined companies planned to maintain the wireless system for six and a half more years and to keep the good sites on after that for redundancy. He noted that voice traffic would have a priority over internet.

Will said that Charter was also interested in talking about a letter of support and asked Tinky to put drafting letters of support on the agenda for December 5. He thanked Brian for coming.

Before Will could talk to the person from Charter Communications, Lark Thwing chimed in to say that the FHMS group planned to meet on Thursday, November 30, to vote on a resolution to recommend that the town go with the WiValley plan.

Next, Will called on John Maher of Charter Communications, who was present via Zoom. John said that Charter was extremely interested in the four communities in the FHMS group and already had funds from the FCC to work in Florida and Savoy; he expected to hook up those towns rapidly. He noted that Charter, too, was looking for a letter of support from Hawley and had identified 219 places in Hawley to work on. He explained that Charter offered four products: internet, landlines, video, and wireless telephones. Will asked about prices; John said that Charter had a national pricing system but offered no specifics. Will told John that letters would be worked on at the December 5 meeting. Hussain observed that Charter was the third vendor interested in Hawley and asked him to send along further materials before December 5. He also asked Tinky to email John the questions that had been submitted to Whip City. The group thanked John for coming.

2. **Paul St. Pierre, the western Massachusetts director of the director state's Office of Business Development, joined the group.** He said that he was interested in the discussion of broadband as he lived in Easthampton, which had discussed handling its own broadband before deciding in the end to use GoNetSpeed.

Paul informed the board that the state had quite a few resources for small businesses and economic development, including tax incentives for businesses that wanted to expand or wanted to improve their land.

Will noted that Hawley was extremely rural, with businesses that often had only one or two people. Paul that that his office could put people in touch with organizations that would help them craft business plans and find small-business grants. He suggested that the board refer people to him. Will suggested that perhaps Paul could submit some information for Hawley's website or could let the town website link to information on the state website. He also asked Tinky to put Ashley Harrison in touch with Paul as she and her husband were expanding their business.

Paul said he had just wanted to contact the board and asked the town to share his information with people. Even if he couldn't help with everything, he might be able to refer small businesses to someone who could. The board thanked him for coming.

3. **Discussion turned to road and culverts.** Will said that the town had applied for a federal grant for the Chickley River Watershed but had unfortunately not received it.

He said that work on Sears Road was finally underway. The last two sections of the new culvert were on site, and three had been installed. The detour would be removed within the next week or so. Traffic would still proceed in one lane, but the scary curve through Tedd White's driveway would be gone. He hoped that the road would be surfaced soon thereafter but said that everything depended on the weather. Meanwhile, he and everyone else rejoiced that the sign detouring trucks had arrived. Will added that there was no news about King Corner or Ashfield Road at present; the latter might have to wait until spring.

4. **The group asked Lloyd Crawford to report on possible plans for sharing a conservation agent with nearby towns.** Lloyd said that he had gone to two meetings on the topic. All would depend on who was hired and what that person could handle. He noted that Ashfield was applying for a grant to get funding for at least a couple of years. Ashfield would probably run the program, with Hawley as a member. It was unclear at the moment whether the person hired would work for hourly wages or would be on retainer; he personally liked the idea of a retainer. All would depend on the fee structure. There had also been shifts in focus, he explained. It seemed some of the towns wanted an administrative staff member while others wanted someone with actual wetlands-law expertise. Lloyd said that the town could always get advice from Mark Stinson of the DEP, but Mark was a State official so his priorities might be different from those of the towns. Lloyd suggested that the process continue to play out. Will thanked him.
5. **Discussion turned to a possible Special Town Meeting** to fund broadband in Hawley should the town decide to go with its own system. Will said that he, Hussain, and Lloyd had recently attended a meeting with the Massachusetts Broadband Institute. He said that he frankly wasn't sure whether the town wanted, or was ready, to schedule a Special Town Meeting. The town didn't want to affect its tax base too much, he opined. Surrounding towns had funded their share of the costs by charging subscribers more. He and Hussain had just spoken with Whip City. Its plan entailed an eventual revenue stream for the town. Will noted that Hawley did have its own municipal lighting plant and could perhaps enter into agreements with Charlemont and/or Plainfield to reduce costs; Hawley was positioned between the two towns and having it wired similarly would give those towns redundancy.

Will also noted that the town had asked MBI to waive the 20 percent co-payment considering Hawley's small size and resources but had not yet heard back.

Hussain said that assuming that 180 people subscribed and that the town was in debt for \$600,000, each subscriber would pay an extra \$55.55 per month. Will said that a bond could be paid off over 10 years and that he hoped for a \$99 fee to cover both the subscription and the bond payment. Hussain said that there would have to be subscription options for lower-income families. Lloyd expressed doubt that the town or even Whip City could fill out the application in time.

Will said he hoped to hear back from the MBI by December 1. He said that Whip City was working on filling out the application but added that the house list needed to come from the town. Hussain said that the Communications Committee was working on such a list. Lloyd observed that the whole situation still seemed very complicated. Will suggested that if by December 5 there was no progress with Whip City, the town could go with WiValley or Charter.

Hussain offered the possibility of not writing any letters of support until April. Lloyd said that he and others had asked MBI to hold back some of the funding until April. Wayne expressed the opinion that MBI wanted to give away as much money as possible in December. Will noted that BEAD funding would come in from the Federal Infrastructure Act in the summer or fall of the following year.

Hussain cautioned the group that throwing together an application quickly could be a problem. The town needed to obtain good information and not wed itself to a plan that would lead to cost overruns. He said he believed that the town needed to examine all the details before acting and that there wasn't enough time for due diligence before the December 11 deadline. Lloyd added that the subscriber base was by no means sure.

Hussain noted that there were merits to the town's owning its own system but said he didn't believe there was enough time before December 11 to figure out how to do this. He suggested the town talk to MBI and to its legislators. Wayne expressed concern that Whip City couldn't cover all the points in town, and Hussain said that improved cell-phone service or some other technology might cut into a possible subscriber base. He suggested that the town write to the MBI and cc its legislators explaining that there wasn't enough time. Hussain moved that the Board write such a letter and offered to write a draft. Bob seconded the motion, and all voted in favor.

6. **The ambulance situation was next on the agenda.** Hussain said that a lot had happened on that front. Adams Ambulance had gotten into a financial pickle of which its staff had known nothing and was about \$250,000 in debt. An in-house meeting had revealed that it was possible that the service would have to close its doors at the end of the current year. Adams Ambulance initially blamed its member towns for not supporting the service financially; they blamed Adams Ambulance for not sharing enough information. However, there was a possibility that the service might survive; insurance companies owed it over \$800,000. He stated frankly that not all this money would necessarily be recovered, but he had hopes. A shareholders meeting was to be held the following Tuesday. Meanwhile, Hussain said, he had been talking to Dennis Annear, the fire chief in Charlemont and Rowe. Dennis had expressed the opinion that the current Charlemont Selectboard and the Rowe Selectboard might be interested in creating a paramedic-level regional ambulance service. Lloyd speculated that grant funding might be available for creating such a service. Hussain noted that local mutual aid was still in place if anything sudden happened with Adams. He asked whether he could report to Dennis that Hawley's Selectmen were open to creating a joint service. Will and Bob said that they were supportive of this idea. Hussain stated that Adams Ambulance might still survive. Even if it did, however, there were proximity related benefits to a full-time regional service covering Hawley Charlemont and Rowe.

In any event, he said, he hoped to stay on good terms with Adams. Will noted that many parties were interested in this issue, and Hussain promised to report back after the Adams meeting the following week.

7. Hussain said that he had obtained a quote for a new hot-water heater. His contact said he wouldn't charge for labor and that the heater should cost about \$500 to \$600 at Home Depot. Lloyd said that that price seemed high. Hussain said he would ask again and report back.

In other business, Will reported that he and Lloyd had attended a meeting at the Mohawk Trail Regional School about the proposed rural-school bill. The session had included presentations from eloquent students who had explained some of the issues facing the school, including school choice, which seemed to compound problems like the dearth of electives, AP classes, and athletic teams. Will noted that Representative Denise Garlick had seemed particularly impressed; Lloyd concurred, saying that meeting students and teachers was a more effective tool than reading facts and figures. Will explained that school-committee chair Martha Thurber had asked the Selectboard to send a letter of support to Boston. Tinky noted that she had distributed copies of Martha's letter to the board but suggested that it might be better for the Selectmen to find their own wording. Will offered to draft a letter, and Tinky offered to edit and distribute it. Hussain noted he had not known that this topic would be discussed that evening in advance and had not had a chance to read the current version of the legislation.

Virginia asked about scheduling a tax-classification hearing in conjunction with the next Selectboard meeting. The board agreed to hold the hearing on Tuesday, December 5, at 7 p.m. Virginia said she would take care of the legal notice.

Bob asked whether anyone had driven on Hallockville Road lately. He observed that beaver activity had left quite a bit of water in the road and noted that the state was supposed to take care of the road. Hussain confirmed that the land there belonged to the Massachusetts Department of Conservation and Recreation. He noted, however, that since they town hadn't yet managed to put gravel on Hunt and Middle Roads it might be a little awkward to push the issue of Hallockville Road with the State. He said he felt that an informal phone call with Nick Anzuoni might be the best way to go.

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

Respectfully submitted, Tinky Weisblat, Gal Friday

Williams Cosby

Hussain Hamdan

Robert MacLean