

**Minutes of a
Selectboard / Board of Health / Zoning Board of Appeals Meeting
in person & via Zoom
May 7, 2024**

Present: Will Cosby, Hussain Hamdan, Robert MacLean – Selectboard
Tinky Weisblat, Gal Friday; Virginia Gabert, Treasurer and Financial Administrator
Anne Gobi, Gary Mitchell, Chris Tirone, Lloyd Crawford, Peggy Travers, Ken Bertsch,
Peter Beck, Martha Thurber, Georgette deFriesse,
and viz Zoom Donna and Wayne Lemoine

The meeting was called to order at 7:01 p.m. Warrants and minutes from a previous meeting were signed.

1. **The group welcomed Anne Gobi**, the governor's director of rural affairs. Will began the discussion by briefly summarizing the trip school-committee members and others (including him) had made to Beacon Hill the previous day to lobby for more funding. He brought up unfunded school mandates, particularly in reference to transportation, and said that although Hawley was proud of its schools, the per capita cost was so high that paying to send students to private schools might be less costly. He introduced school-committee members Ken Bertsch and Peggy Travers, as well as the Chair of the Mohawk School Committee Martha Thurber (not a Hawley rep). Anne jokingly apologized for not arriving with a check. She noted that she had served on the rural-school caucus while working in the state senate and that although the state had originally promised 100-percent reimbursement, that had never arrived, in part because the Department of Education had argued that with complete funding the schools wouldn't try to find ways to save money. She said that she was aware of the paucity of bus companies, which led to higher transportation costs, and argued that the entire funding formula needed to be overhauled. Unfortunately, she observed, that wasn't going to happen in the current legislative session, but she expressed hope that the senate would do a little better on rural-school funding than the house had, particularly since recent income to the state had improved a bit.

Will stated that Paul Mark was unable to do much because most of the population in the state resided in the more urban east. He asked whether waivers were possible, suggesting that bussing could be bypassed if parents were required to drive their children to school. Anne said this was unlikely. Will also brought up the problems posed by school choice. Anne said that schools could limit how many students they would accept but they could not control who went out. Martha noted that the high school had a pretty much even numbers of students going in and out. Anne and Will observed that sports could be a reason for transferring out. Ken noted that at Hawlemont performance was good but suggested that many parents didn't like the idea of having their children schooled in a relatively poor community and so tried to transfer those children out.

Martha said that the school committee had been lobbying for rural aid, only to have budgets gutted in the legislature. She wondered aloud what the towns could do. Could they perhaps sue? Anne reassured the group that the current year's bill would be refiled in the following session. However, she warned, a key person would not be in office the next year. She reiterated that the formula needed to be re-calculated. Martha said that the school district didn't have seven years to wait for answers. Anne reminded everyone that her job was to serve as an advocate.

Will asked whether the town could vote on something at Town Meeting that would pass responsibility for funding onto the state at a certain point. Anne said that this was unlikely. The situation was unsustainable, she noted. Hussain, citing his own prior experience as a school committee member, argued that school funding was fickle, subject to processes in the legislature (like earmarks) that made it vary and that treated long-term problems in a short-term way. The complex formula was then subject to appropriation, and the result looked nothing like it. Then there were unfunded mandates. He asserted that the formula needed complete rewriting.

Tinky asked what could be done to help at the town level. Anne suggested working through the Small Town Administrators of Massachusetts or the Rural Policy Advisory Commission; the latter was headed up by Linda Dunlavy of FRCOG. Virginia said that the administrators' group was worth looking into but that it tended to meet quite far away.

Peggy added her perspective to the school-funding situation. She said that when she and her husband had moved to Hawley from overseas, he had asked her why taxes were so high. She had told him that education was important in the state of Massachusetts, and that much of the money went to that. She had found the actual situation quite different, however, and she added that Massachusetts should be ashamed of the way it treated rural children. For the nine Hawley children at Hawlemont, the cost was about \$300,000. The library was meager, she said, and the principal was trying to make up for financial problems by applying for grants, one of which had just paid for repairing the fire-alarm panel. Martha chimed in that several towns were bumping up against their levy limits because of the costs of schooling.

Georgette asked about the idea of a class-action law suit, suggesting that it might at least gain the district recognition for the problems it faced. Will noted that, unfortunately, recognition didn't always achieve necessary goals. He reported that the previous day's rally had involved discussion of the long-term effects of the COVID shut down.

Ken asked whether transportation, which had just risen enormously, was being studied at the state level. Martha said that the district made frequent recommendations, which were ignored. Hussain chimed in that vocational transportation was a particularly thorny budget issue for a small town like Hawley, which needed budget certainty. A slight change in vocational enrollment could have massive budgetary consequences for a town like Hawley because State funding for this line item was vastly lower than its other transportation funding. Anne reassured him that many school districts were interested in this issue. Martha noted that bus drivers were hard to find and that special-education transportation was also an issue, one that was only beginning to be addressed. Peggy stated that despite all these worries the group appreciated Anne and her position.

Will moved to the discussion to broadband. He briefly filled Anne in on Hawley's wireless network, which wasn't available to all townspeople, explaining that the town was almost universally unserved according to federal guidelines. He expressed frustration that the town had not yet learned whether Charter's application to wire Hawley had been approved and that the town had to prove that it was underserved in order to be eligible for BEAD funding. Anne responded that this issue was timely; her briefing for rural administrators the following day would include people from the Massachusetts Broadband Institute. Will and Lloyd briefly discussed the frustrations of the GAP program, which had required co-payments too large for Hawley and had had a deadline too short for volunteers to observe.

Hussain and Tinky both explained that what would be ordinary work for city folk took a lot of work in Hawley because of the slow connectivity.

Lloyd also brought up the difficulty of maintaining Hawley's roads, explaining that the new culvert at Sears Road had cost \$680,000.

Hussain brought up the crucial issue of emergency services, including the high cost of equipment and the need for a regional service. He explained Hawley's situation with the currently closed Adams Ambulance Service. Anne noted that Highland Ambulance was an example of successful regionalization. Hussain told her that he had spoken to several local communities – including Charlemont, Colrain, Rowe, and Shelburne – about the possibility of forming a local paramedic-level service. All seem to be interested in principle. Anne said that she would need a list of interested communities. Hussain countered that commitment to a plan depended on what funds could be made available, that no one could commit without knowing how this costly service would be paid for. Anne suggested that perhaps FRCOG's local technical assistance funds could be used. She was told that Hawley had listed ambulance service as a priority many times when surveyed about those funds, and Anne promised to talk to Linda Dunlavy at FRCOG. Hussain expressed his frustration with the fact that Massachusetts did not consider ambulances an essential service, although it regulated that service greatly.

2. After Anne Gobi left with the group's thanks and a Hawley gift basket, **Will returned discussion to the Beacon Hill School event.** He noted that the legislature hadn't really offered a lot of solutions for rural schools, leaving him angry and disappointed. He briefly touched on the local school sustainability study and shared the thoughts of a small local group that perhaps a similar study needed to be undertaken to discuss what could be done to make local towns economically viable. Ken suggested that Tinky print out the one-page school-budget summaries for Town Meeting. Will said that he had read the materials from the school district and thought that they had done well in making the budget process intelligible.
3. **Virginia brought up good news.** She said she had made a mistake in her draft budget. The result was that the tax rate was going to go up less than had originally been thought, only about 1.7 percent. House values were still being finalized, but she expected that if they were similar to the current ones, the tax rate would go up from \$16.80 per \$1000 to \$17.04, (not \$18.34 as earlier projected) resulting in an approximate increase of \$74 per year. She said the payment for the 911 service at the Mohawk School was included in that figure.
4. **With Bob MacLean reelected, the board moved on to reorganization.** Will said he proposed continuing on as chair. Hussain said that he would be willing to support that request but had a few issues. He would like more lead time on some issues and would prefer that the full board be consulted in advance of discussions such as with landowners about issues on their property, or personnel issues. On the whole, he said, Will was doing a good job. He did not want to detract from that, but he would like more communication. Will said that those were good points and pledged to be more pro-active. Tinky reminded Selectmen that when Will had first become chair, he had said that he believed the chair needed to rotate. They said they would consider this the following year, with Hussain suggesting it might be beneficial to keep Will for the coming year, given his familiarity with several ongoing projects. Hussain nominated Will as chair, Bob seconded the motion, and all voted in favor. Meanwhile, Hussain said he would like to remain chair of the board of health. Bob nominated him, Will seconded the motion, thanking Hussain for handling the complicated requirements the BOH faced, and all voted in favor.

5. **The group talked about appointments for the next fiscal year.** Tinky said that Ashley Harrison had volunteered to serve on the planning board, an idea that chair Kimberly Orzechowski had endorsed. Tinky added that there were still openings on the personnel committee and the historical commission. Will said that he might be able to join the personnel committee and suggested that personnel evaluations be put on the agenda for a meeting in July or August. Donna, the Town Clerk, reported that at the election Robert Sears had said he would serve on the personnel committee.

Tinky noted that at the moment the historical commission seldom met; it tended to cede a lot of its work to the Sons & Daughters of Hawley, the historical society. She suggested that she ask for a volunteer for the commission at the next Sons & Daughters' board meeting. She observed that the commission currently mainly handled burials and burial plots, which were coordinated by Lark Thwing. She suggested that once the commission was fully staffed it get together to make sure more than one member was working on the graves. Hussain recalled difficulties identifying a needed grave during Lark's recent illness; the cemetery maps weren't complete, he said, and filled graves couldn't always be identified, even when radar was used. (In wet areas, the radar was useless.)

6. **The group discussed road issues.** Will stated that Sears Road repairs were complete except for a couple of tiny projects. The town still had to pay Davenport, the construction company there, its retainer. He said he needed to talk to the contracting manager and would do so soon. He added that the town was about halfway through its funds on the King Corner contract and was working on a Notice of Intent for the conservation commission. They were working on getting approvals from abutters, including the DCR.. Lloyd said he planned to talk to the DCR the following day. He added that there was a Chapter 84 issue coming in the bridge design. There were unknowns, unfortunately, he pronounced. He said that he had learned from a recent webinar that the town could apply for two STRAP grants. He therefore intended to apply for more Ashfield Road funding as well as the King Corner funding. If the state didn't like one application, it could fund the other.

Will brought up the problems on Route 8A near Christine Hicks's house, now marked but in need of repair. He and Gary had met with officials from the Department of Transportation. The engineer had said that there were funds left over from the work on Pudding Hollow Corner that might be applied to the other stretch of road, he reported. The DOT hoped to approve emergency work that would include drainage and guardrail replacement. It would slow but not completely stop traffic.

7. **Repair work for the Town Office came up.** Will said the needed mini-split was on order and would, he hoped, arrive within the next week or two. Hussain said he and his plumber friend had been suffering from scheduling issues; nevertheless, he hoped that the hot-water heater would also be in very soon.

In other business, the group discussed plans for the Dugway listening session on May 29. Will explained that FRCOG was working on a postcard and a flyer. Tinky said that she would be happy to help with design, and Lloyd said she would receive drafts. Hussain offered to purchase plates and cups for the event. Tinky said she (and perhaps others) would provide baked goods and a big salad. She offered the extra cider donated to the town by Peter Mitchell, but the group decided it shouldn't serve any form of liquor at a public meeting.

Georgette reminded the group that she was prepared to pay \$150 toward the water heater.

Tinky said that Hawley appeared to have an avenue instead of just roads. She had received a notice from Bostley Sanitary service of a septic pumping on "Homestead Avenue." No one on the Selectboard or in the room knew anything about this; there was brief speculation that it might have to do with the new development on East Road, but nothing there other than driveways has been built yet. Virginia informed her that an avenue of the same name existed in Buckland; Tinky said she would call Bostley.

Georgette brought up a concern about the enclosure the dog officer had purchased for stray dogs. She said she was upset at the thought of dogs having to stay there. While making a donation to the county dog shelter, she explained, she had asked about the cost of joining the shelter. She was told that several packages existed, depending on the size of the town, and that an annual fee for Hawley might be as small as \$300. If the town joined, it would probably have to reimburse Chris, the dog officer, for mileage to and from the shelter. However, the shelter would care of everything and once a dog was turned over, it would not be the town's problem, she stated. Hussain disagreed, stating the town could potentially still be liable for anything that was mishandled at the shelter, specifically noting a lawsuit that had involved the City of Holyoke. He said he was not in favor if this. Chris said that he encountered perhaps one stray dog a year, and occasionally two or three. He didn't think it made financial sense to join the shelter. Hussain said that shelters weren't always a lot better than the enclosure. Chris explained that he generally took stray dogs to the vet and after seven days put them up for adoption. Will noted that he hadn't seen a dog in the town's possession. Hussain recalled an instance when a dog was brought to the fire station and then reunited with its owner. Hussain said he had witnessed Chris's care of animals. He thought Chris treated animals humanely, and the pets were seldom detained very long before their owners were found. Georgette argued that the enclosure was inadequate. Will countered that there weren't enough animals in need to warrant joining the shelter. Chris gave an example of a dog he had only had in his possession for only one hour before its owner was found, Hussain noted that Chris would not keep any animal in the enclosure in terrible weather.

Donna brought up the thorny issue of the front step, saying that the UPS man had once again fallen while bringing in a package, and arguing that something had to be done about that entry. Will thanked her and said he would work on finding a carpenter to put in better steps and a railing. Someone suggested a landing would help as well. Meanwhile, Tinky was directed to put a sign on the front door asking that deliveries be taken to the side entrance.

Hussain said that he had recently spoken to Dr. Warner, who was on the Buckland Board of Health. That board was concerned about the local shortage of primary-care physicians and would like to find a way to set up medical care closer than Greenfield. The doctor had asked for a letter of support. Hussain offered to draft such a letter, if his colleagues were amenable. They said they were.

Speaking of letters of support, Tinky brought up the request for such letters from the Deerfield River Watershed Association, and the Woodlands Partnership. Hussain said he wasn't in favor of either, and the issue died there.

There being no other immediate business, the meeting adjourned at 9:08 p.m.

Respectfully submitted, Tinky Weisblat, Gal Friday

Williams Cosby

Hussain Hamdan

Robert MacLean