

**Minutes of a
Selectboard / Board of Health / Zoning Board of Appeals Meeting
in person & via Zoom
July 16, 2024**

Present: Will Cosby, Hussain Hamdan, Robert MacLean – Selectboard
Tinky Weisblat, Gal Friday; Virginia Gabert, Treasurer and Financial Administrator
Donna Lemoine, Gary Mitchell, and Chris Tirone

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

1. **The evening began by revisiting the question of fuel bids.** Hussain noted that he had talked to the town counsel, Donna MacNicol, who had confirmed that the preferential treatment offered by one of the bidders amounted to an illegal inducement. It might also put the town employees on the receiving end of the proposed discount into a position of receiving a thing of value over \$50. He observed that the board had two choices, to reject that single bid or to reject all the bids and put out another bid solicitation. Will asked whether the offending bid could be accepted if the town merely rejected the inducement and asked for clarification on the question of winter versus summer blends. According to Hussain, Donna had said “no” to that idea.

Hussain moved that the town reissue the invitation to bid for fuels (with the exception of wood pellets, the bid for which had been accepted at the previous meeting). Bob seconded, and all voted in favor. The group decided to hold a special meeting on Tuesday, August 6, for the purpose of opening the bids and deciding. Will asked Gary to let the Selectmen know if he was in danger of running out of fuel earlier. At Hussain’s suggestion, it was agreed that the new bid invitation will contain explicit language forbidding illegal inducements.

2. **Discussion turned to road work in town.** Will reported that the Ashfield Road project was underway. Gary said the road crew had done quite a bit of clean-up work and was currently waiting for surveyors. Will noted that Davenport was delivering materials to the town for which the Hawley road crew was responsible. Gravel would probably be stored either at Berkshire East or with Pantermehl Land Clearing in Ashfield. Mark Mizula had also agreed to let the town use some space across from his house for storage of smaller items. Will said that surveyors were due to arrive within the next week.

The King Corner paperwork with the DCR was finished, Will reported. The next step was to file the plan with the Conservation Commission and the abutters. Will said he believed that the Conservation Commission was due to meet the following day. Tinky objected that that meeting had not been posted on either the bulletin board or the website. Lloyd was called; he said that he would reschedule the meeting. He later reported that a tree was down at the bottom of West Hill Road, obscuring part (but not all) of the road. Chris Tirone left the meeting to evaluate that risk.

Will said that there might still be some guardrail work for the state to do on Route 8A. He noted that he had not seen any final paperwork about Route 8A, adding that the state didn’t seem to be very prompt with paperwork in general.

3. **Tinky reported that she had received a letter from a company that proposed to test the water near the Tri-Town Landfill on July 29.** The board agreed that it had no say in whether testing took place in Heath.
4. **Will discussed cyber security.** He said that the health check of the town computers had been completed, and it had identified a number of high-risk computers and people that might conceivably pose a dangerous situation for the town. He emphasized the need to engage in new and regular updates for security. He also warned all town employees to be careful to identify strange emails, which might pose threats. He urged everyone to be more security conscious. Many of the computers tested seemed to have neither antivirus software nor security patches. Once things were regularized, he told the group, the town might be able to apply for some grants to help with computers and security, although there did not seem to be a lot of grants available at present.

Donna, the town clerk, said that she had received training and software from the state to help with the computer it had issued to her.

In other business, Tinky brought up the possibility of having someone from town (either her or Virginia) join the Small Town Administrators of Massachusetts. She reminded the group that Anne Gobi, the director of rural affairs, had recommended this group as a good medium for coordinating strategy with other towns. Tinky noted that the fee for joining was \$30 for general members and \$25 for associate members. Will suggested that he might be the appropriate person to join. Hawley didn't technically have an Administrator. Tinky said that she wasn't sure that Selectmen ever joined this group. Hussain said perhaps two people could join. He wanted to know if the membership applied to an individual or to the Town, although he did see merit in joining. Tinky promised to consult with Ashfield's administrator, Paul McLatchy, who was on the board of STAM, and report back at the next meeting. Virginia said that membership fees could come out of the "dues" line in the Selectboard expenses or even out of general Selectboard expenses.

Hussain reported that the new water heater was awaiting backing. Tinky reminded him that the heater was supposed to have some way of hooking up a hose, and he said he would pursue that when his plumber friend returned.

Tinky asked whether a decision had been made about future opioid funds. Hussain said that he had looked at numerous documents and contracts and wasn't sure which were relevant. Tinky promised to consult Phoebe Walker at FRCOG.

At 7:28, Hussain made a motion to go into executive session to discuss specifics of cyber security. Bob seconded the motion, and the roll was unanimous in favor.

Respectfully submitted, Tinky Weisblat, Gal Friday

Williams Cosby

Hussain Hamdan

Robert MacLean