

**Minutes of a  
Selectboard / Board of Health / Zoning Board of Appeals Meeting  
(including a board-of-health hearing)  
in person & via Zoom  
July 2, 2024**

Present: Will Cosby, Hussain Hamdan, Robert MacLean – Selectboard  
Tinky Weisblat, Gal Friday (via Zoom); Virginia Gabert, Treasurer and Financial Administrator  
Randy Crochier, Gary Mitchell, Chris Tirone, and Kimberly Orzechowski

**The meeting was called to order at 7 p.m.**

1. **The evening began with a continued Board of Health hearing about proposed changes to Hawley's septic regulations.** Hussain, the BOH chair, reviewed what had happened at the last meeting. He noted that most of the proposed regulations had been in place before the hearing. He said that a takeaway from the hearing had been that a bit more clarity was needed in Section 18 concerning private well testing. He added that with health agent Randy Crochier's agreement, he had drafted a few additional changes. He read aloud the slightly different passages. Will moved to accept the amended language, Bob seconded the motion, and all voted in favor. Randy said that he would produce a copy for the town's records and would take care of any necessary advertising. Will moved to close the hearing, Bob seconded, and all voted in favor.
2. **At 7:05, the Selectboard meeting opened. Minutes were approved, and warrants we signed.**
3. **Will opened the fuel bids that had been received.**

For diesel, Dead River offered a floating rate that came to \$3.1999 that day and a fixed rate of \$3.2699 for one year. It offered no distinction between winter diesel and summer diesel. It noted that gallons would need to be specified. It also said that it would set up special pricing for town employees.

Hussain had two problems with that bid. The first was that the variable price was usually a floating markup based on some exchange. It wasn't clear what exchange was involved. He also expressed grave concern about the offer of special pricing for town employees. He noted that town counsel should probably be consulted, but in his opinion this offer could possibly make the bid illegal.

Mirabito's fluctuating rate was \$.3465 above the standard, and it offered fixed rates of \$3.3457 for summer diesel and \$3.3465 for winter.

Virginia suggested that Dead River could be asked about its winter price. Bob agreed with Hussain that the offer for town employees from Dead River shouldn't have been made. The group decided to put off making a decision about diesel until the next meeting.

For propane, George offered a fixed price of \$1.795 per gallon. Mirabito offered a variable price of .4 above the standard and a firm price of \$1.74 per gallon. Dead River had another

unspecified variable price and a fixed price of \$1.6164. Again, it offered to give special prices to employees. Again, a decision was deferred until the next meeting.

Virginia reminded the group that when reviewing bids it was important to watch for allotted gallons; she said the current propane supplier, Suburban, had raised its rates when Hawley had asked for extra propane at the end of the year.

There was only one bid for pellets, from Lyme Green Heat, at \$359 per ton.

There was no bid for gasoline, for which the current supplier was Sandri. Will asked Virginia to check on how much gasoline the town had needed over the past year. The cost had been under \$7000, which Hussain noted was under the bid threshold. The group calculated that it was extremely unlikely that gas use over the next year would be more than \$10,000. Hussain asserted that therefore just keeping Sandri on was an acceptable business practice.

Virginia noted that there had been some confusion early on in dealing with Lyme Green Heat, which had not emailed its invoices in time for the town to get a biomass credit. However, this problem appeared to have been solved. Hussain moved to accept the current bid from Lyme Green Heat, Bob seconded, and all voted in favor.

4. **Randy observed that as long as he was in Hawley he had a couple of FRCOG matters to bring up.** Phoebe Walker still wanted to know what Hawley wanted to do about its future opioid funds. And there was a possible supply of NARCAN boxes available to towns. He asked the board to reach out to Phoebe if it was interested. He then departed.
5. Hussain reported some good news: the new hot-water heater was due to be installed the following day. Virginia said she planned to be in the office. Hussain said it was unlikely that the installation would interfere with her work; there might be a brief need to cut power, but that might be bypassed. He offered to ask his cousin Jill Behringer next door whether Virginia could use her bathroom while the work was going on. He also said he would try to get the work done toward the end of Virginia's day at the Town Office. Virginia said she was flexible

**In other business, Will brought up the Ashfield Road work.** He cited the need to store a large amount of gravel near the construction site. He said that the LaValleys had consented to storing the gravel on their property, but a miscommunication had occurred; Ben Hay, who owned some of the land involved, needed to be consulted as well. Will expressed a hope that Ben would cooperate; if not, another plan might have to be devised. Gary said that Mark Mizula was willing to store some of the gravel, but that alternative would need paperwork. Will promised to report back.

**Hussain shared a letter he had drafted to legislators about paint disposal.** Will moved to sign the letter, Bob seconded, and all voted in favor.

**Kimberly noted that the Planning Board had met that morning.** She said that the group was interested in writing a letter to the *Recorder* about the proposed legislation that would take zoning control of certain energy projects away from municipalities. She said she would like to see the Selectboard write a letter, perhaps with other local towns. Hussain suggested that advocacy organizations like the Massachusetts Municipal Association could be involved and that Hawley should express its views to them. He and Kimberly offered to work together, and Tinky was asked to send a copy of the Selectboard's earlier letter on the topic to Kimberly. Meanwhile, Hussain wondered aloud whether the legislation could be pushed through before the end of the current legislative session.

Will observed that the legislation had a lot of momentum and followed some national trends and noted the significance of the Cape Wind project. Hussain said that he felt the parts of the legislation taking away local control were not necessary to allow projects like that one to happen. Will said that another problem was taxation: removing local control could remove the ability to tax projects. The subject was clearly to be continued at future meetings.

**Will reported that he and Gary had attended a District I highway-superintendent meeting, at which the DOT had unveiled a new process called Grant Central,** which would help town monitor DOT funds, including Chapter 90. He had applied for Hawley to participate, thinking it could be useful. They had learned at the meeting that there were municipal-paving projects the state might fund. He asked whether the group would support some applications for such projects, citing a section of East Hawley Road as an example. Hussain said that Hawley should apply for whatever it could, and Bob concurred. Will encouraged Virginia to look at the application on the DOT website and to register for an account.

**Will noted that while preparing for the upcoming election, the Town Clerk had been asked to make sure the town's computers were secure.** Ken Wedge, the state's municipal and school IT manager, had checked the computers remotely and was due to report in soon. Will said that the state was offering grants up to \$25,000 to replace compromised or obsolete machines, adding that he had applied for such a grant that day; the computer test results could be added later. Hussain asked whether the computers to be replaced were just election related, and Will replied that they seemed to be all municipal machines. He explained that the grant might also pay for an electronic vote-counting machine, which would interest the Town Clerk. Hussain suggested that computer replacement was more important. Will noted that it would also be helpful to budget for IT expertise. The group agreed that Hawley's small group of non-networked computers might actually be safer than those in larger towns.

**Tinky said that in response to questions about funding for replacing the "Roll Call" monument at the previous meeting she had contacted the local veterans' services organization.** It had in turn put her in touch with a state group that monitored grants for monument restoration. The group had told her that no grants were available at present but some might be in future. Meanwhile, Will suggested that Chris could perhaps caulk the current monument a bit to hold it together. Chri promised to look but sounded discouraged about the efficacy of that solution.

**Bob asked whether there was any information from MBI about broadband.** Will laughed. He said that way down in the application for the current Gap program, there had been information indicating that Charter might have been awarded a contract in Hawley. However, no confirmation of this had been received and no announcement had been made. He noted that Charter had been putting up some very large poles in Savoy. He said he was getting frustrated and suggested perhaps Hawley should apply for the Federal BEAD challenge.

**Chris noted that the announcement about house numbering that was supposed to go into tax bills had not been included in his bill.** Tinky said that she had produced the announcements and given them to the tax collector. Chris said perhaps people didn't have mailboxes in town. Others had received the notice, however. Hussain noted that the small number of noncomplying households could be contacted directly if the numbering issue continued.

**Hussain announced that the Fire Department would hold an event on Saturday August 3, at 3 p.m. to celebrate its 40th anniversary.** He was hoping to get an article in the *Recorder* about the event, and

Suzy Groden had promised an announcement before the event and an article after it in the *Edge of Hawley*.

There being no other immediate business, the meeting adjourned at 8:28 p.m.

Respectfully submitted, Tinky Weisblat, Gal Friday

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Williams Cosby

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Hussain Hamdan

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Robert MacLean