

**Minutes of a
Selectboard / Board of Health / Zoning Board of Appeals Meeting
in person & via Zoom
July 30, 2024**

Present: Will Cosby, Hussain Hamdan, Robert MacLean – Selectboard
Tinky Weisblat, Gal Friday; Virginia Gabert, Treasurer and Financial Administrator
Jennifer Rich, Meg Ryan, Lloyd Crawford, Adam Howe, 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 with a conversation with Meg Ryan one of Hawley’s nurses from the FRCOG.** Meg said she wanted to report on the age- and dementia-friendly action plan. She explained that the plan focused on eight domains of livability (some physical, some social) and discussed each briefly.

The first domain included outdoor spaces and buildings. Hussain noted that the state had recently put gates on the roads leading to Gould Meadow and Moody Spring in the Hawley State Forest, thus making it impossible for anyone who couldn’t manage a hike to get to those sites. Meg wasn’t sure what could be done in the State Forest since the town had no real authority there. She did note that ADA audits for buildings and sites were available. She also said that FRCOG could help the town look for grants for ADA compliance. Will mentioned the unevenness of the Town Office floor and the fact that the ramp to the building wasn’t entirely wheelchair friendly – not to mention the restroom. Meg said she could advise on these issues and mentioned the importance of making the floor colors dementia friendly. She shared guidelines for projects.

The second domain, transportation, was a major problem. Meg stressed the importance of alerting older residents to the availability of services, such as FRTA (which did not have a regular bus run through Hawley). She added that the group now had a “travel ambassador,” Elizabeth Quark. Will asked Tinky to make sure that the website had up-to-date information about transportation options.

The third domain was housing. Meg explained that FRCOG was hoping to create accessible housing for older adults, which might entail changing zoning regulations. Lloyd, who was present and was a member of the Planning Board, asked whether a representative from FRCOG could meet with the Planning Board. Meg noted that Andrea Donlon was the person to contact about this. Tinky promised to send Meg contact information for the Planning Board chair, Kimberly Orzechowski.

Meg observed that FRCOG and LifePath were advocating at the state level for affordable housing in rural areas. She added that finding people to do necessary repairs to homes could be a problem for older residents and that LifePath was working on that problem.

The fourth domain was social participation. Meg noted that it was important to reduce isolation for older adults. She congratulated Jennifer, the chair of Hawley's Council on Aging, on the well attended senior picnic the previous week.

Hussain noted that domains two and three were connected; housing and transportation were linked in Hawley since many facilities needed by older people were far away. Meg acknowledged the truth of this statement but also cited the limited nature of funding. Housing funds would not necessarily lead to housing in every rural town, but even the creation of housing in towns nearby might be beneficial to older residents who wanted to remain in the area but needed access to public transit.

The fifth domain, according to Meg, dealt with respect and social inclusion. She said the plan hoped to increase partnerships in the community. She also informed the board that she could give free workshops on such topics as age bias, dementia awareness, and elder abuse.

The sixth domain was civic participation and employment. Meg said that the plan encouraged work-off programs for seniors in which wages could be applied to their real-estate taxes. Virginia remarked that it would be hard to figure out what work seniors could do in Hawley for such a program. Hussain noted that two local towns (Conway and Erving) were pursuing such a program and said that perhaps they would provide some kind of model. He expressed concern that any earnings from that program, even if they went directly toward the payoff of property taxes, might nevertheless be treated as taxable income by the federal and state governments. Virginia also questioned how seniors could be insured for physical work. Meg said there was a lot to learn.

The seventh domain was communication and information. Meg noted that studies showed that multiple information channels worked best. The question was how Hawley could best reach older adults. She suggested an old-fashioned mailing. Hussain observed that Hawley had historically done fairly well with mailings but also observed that the Post Office was more difficult to work with than it had been in the past. It was no longer possible just to leave a certain number of "Hawley Resident-01339" addressed parcels at the local Post Office, and getting bulk-mailing rates required having more parcels than there were addresses in Hawley. If envelopes were to be addressed directly, there were multiple different non-concurring lists: (Clerk's, Collector's, Emergency Services'). Virginia suggested that the reverse-911 system might be used for a subset of people to alert them to meetings and events. Hussain countered that the reverse-911 situation was complicated because many people had not registered their cell phone numbers. People were encouraged to update their phone numbers on the emergency needs survey, which would need to go out again with the upcoming street listing. Meanwhile, Meg said, she could provide resources for health.

The eighth domain covered health services and community support. Meg stated that the plan hoped to increase digital literacy among older adults, adding that grants could help spread digital equity.

She also noted that the plan encouraged all towns to adopt programs for emergency situations like the emergency needs survey and dataset in place in Hawley and thanked the town for its pioneering efforts along those lines, which were being used as a model by FRCOG. When asked about the last time it had been used, Hussain noted that the data had seen use with respect to wellness checks during the last big snowstorm.

Meg thanked the board members for their time and reminded them that Phoebe Walker was still hoping the town would decide about its remaining opioid funds. The town could either opt to accept funds in the future or could donate its funds to, say, Charlemont or Rowe. If it wished to participate in the regional program, the town would need to receive its funds.

- 2. Minutes had already been signed, but Virginia had questions about a couple of warrant articles.** The first was about cemetery maintenance. The current bill for mowing Doane and East Hawley Cemeteries would nearly wipe out the budget for the fiscal year. She asked what she should do. She could dip into the cemetery trust fund, but that was really for special projects. Hussain agreed that it was not for routine maintenance. Virginia asked who supervised Mike Schofield, who mowed these cemeteries. Gary said he sort of managed Mike. Will asked who mowed the other cemeteries. Virginia noted that Juanita Clark took care of Bozrah for \$100 a year, and the group agreed that South Hawley didn't seem to have a lot of grass. Virginia said that she could ask Mike to mow less frequently or find someone else who charged less. Hussain said that Mike's fee (\$35 per hour) wasn't unreasonable, particularly given that he used his own equipment. Will noted that it might take longer to mow the cemeteries if Mike came less frequently. Hussain said that it would be important to know why the cost of mowing had gone up so much, and Will observed that there had been a lot of rain. Hussain said that the cemeteries might not look as good if mowing were cut back, but he also pointed out that in all the years he'd been coming to Select Board meetings he had never seen anyone complain that the cemeteries were not mowed enough.

Virginia wondered aloud whether the cemetery mowing should be supervised by the Historical Commission. In the meantime, if more mowing was to take place, the Selectmen could either schedule a special town meeting and raise and appropriate the money at any point before the tax rate was set, or they could transfer the money from free cash once it was certified. Lloyd asked whether anything else in the pipeline would need a special town meeting. Will suggested that if the town didn't get the computer grant for which it had applied, it might need to spend money on technology.

The group moved on to the question of reimbursing some employees for sales tax. Virginia reminded the board that the town wasn't supposed to pay sales tax, but in all three cases (one with Chris Tirone, one with Gary Mitchell, and one with the Council on Aging) the reasons for paying the tax were understandable. It was noted that some businesses responded well to the presentation of the Town's tax exempt letter, while others require the setting up of an account. All agreed that these reimbursements (tax included) should be made and that town personnel should be encouraged in the future, where possible, to make purchases from vendors that honored the Town's exemption.

Virginia also said that she had on hand a couple of bills from FY24 that had arrived too late, through no fault of anyone in Hawley. These were relatively minor and the Board approved paying them out of FY25 funds.

Returning to the issue of cemetery mowing Will said it would make sense to ask Mike to mow less somehow, adding that in future the budget needed to be ironed out in advance. Hussain asked what the cemetery rules and regulations said about management and noted that the town needed a plan to handle this issue. Virginia suggested inviting the Historical Commission, Mike, and Gary to come talk at the next meeting. Hussain suggested the meeting with the Historical Commission happen first. The board unanimously agreed that Mike should be asked not to do any more mowing for the time being. Gary stated he had already made this request to Mike. Tinky agreed to contact the Historical Commission.

3. **Discussion turned to road work in town.** Gary said that the road crew was preparing Ashfield Road for the contractor, Davenport. He floated the idea of using a dry drainage apparatus in a spot at the intersection of Ashfield and Plainfield Roads where there wasn't room for a culvert. The board agreed to have Gary discuss this option (and its cost) with Davenport. Gary said there was also work to do on Labelle Road. Will said he would talk to James Heroux, who had offered to help write a grant application for work on that road. Gary added that the new mower was supposed to arrive soon.
4. **Hussain filled the group in on firearms legislation recently passed by the State Legislature.** He read some of the statute aloud, noting that he found it vague and thought it could have worrisome implications for local governments. Among other provisions, it subjected people possessing firearms in prohibited areas like municipal buildings, or their surrounding outside grounds, to criminal prosecution. He noted that the Town Meeting could vote to exclude administrative buildings from counting as prohibited areas (although it probably could not vote to exclude polling places).

He said that it was important to establish precisely which buildings were used for the administration of government in Hawley. This would certainly include the Town Office, but what about the Fire Station and the Town Garage? He noted that many hunters parked at both the Fire Station and the Town Office. He proposed several hypothetical scenarios that could be problems, such as the status of hunters parked next to town buildings or first responders who might be carrying guns when an emergency call came in. He also expressed concern about firearms safety classes or historical demonstrations that took place in government facilities. He also noted the animal control officer's role. He noted that the very act of surrendering a firearm to the police might become a crime if the handoff occurred at a municipal building, while also noting that forcing people to do this on their own property might violate their Fourth Amendment rights. He added that the legislation provided no exemptions for the National Guard or other state or federal personnel (except law enforcement officers).

He made several suggestions by way of a draft written policy, which he suggested the Board review and revisit at a later meeting. One was to clearly designate that the only building utilized for administration of government was the Town Office.

Another was to define the animal control officer or any other lawfully licensed town employee responding to an animal incident as a security guard. He further suggested that the board consider make some definitions based on its own interpretation of the legislation, saying, for example, that the town would not charge a hunter parked near the Town Office and would allow some groups, including historical organizations and first responders on their way to an emergency, to have guns on town property. Will said he would consider these recommendations.

Noting that the effective date of the legislation was imminent, Hussain moved to designate the Town Office located at 8 Pudding Hollow Road, Hawley, as the sole Town facility used for purposes of the administration of government. Bob seconded the motion, and all voted in favor.

5. **Tinky reported that the Small Town Administrators of Massachusetts board members had told her that any regular member had to be a town employee;** elected officials were ineligible but could join as associate members. Virginia told Tinky she would need an invoice to pay Tinky's membership dues. Will said he was considering joining as an associate member but would pay for that himself.
6. **The next topic was cyber security.** Will said that he had applied for a \$25,000 grant for computer upgrades for the town. He had talked to Ken Wedge at the state, who would make some recommendations about increasing security. Will noted that Bob Dean at the FRCOG had written to the towns in the group to encourage them to apply for this grant. He added that the Town Clerk would very much like a vote-tabulating machine and that it was clear that the Tax Collector's desktop computer was not functional.

Virginia suggested that if all the town's computers were replaced at once, they might need to be replaced again at the same time in the future. Will said he didn't know the exact terms of the grant; perhaps disbursements could be spread out a bit. Hussain noted also that identical dates of purchase and identical software update schedules could magnify problems like the recent failed cyber-security update that had shut down systems worldwide. Will asked about the current budget for computers. Virginia said that \$1000 had been budgeted for the current fiscal year, along with \$500 to replace the tax collector's desktop computer tower; the monitor could be kept. Will suggested that that replacement should take place as soon as possible and that the town needed to make a list of priorities.

7. **The group looked over language that Hussain had drafted to be used at the bottom of town emails.** Tinky asked whether she could investigate other tag lines and perhaps come up with something shorter. Virginia said perhaps different positions would need different tag lines. Hussain said that it might be fine for individuals to come up with their own language. He thought, however, that the warnings about confidentiality, public records, and online fraud were important to include. He pointed out that these warnings also helped reinforce fraud awareness among residents, mentioning that someone had recently sent Virginia an email to the Treasurer, pretending to be from him. Fortunately, Virginia had realized it was fake. The group planned to revisit this issue at its August 13 meeting.

In other business, Tinky presented a warrant from the Town Clerk for the September primary election, which the board signed. She noted that the Town Clerk hoped that the board could retroactively sign the warrant for the March primary and tell the state that it had approved not scheduling early voting for the town election in May. There was some discussion that the March primary warrant might have, in fact, been signed and lost. Hussain seemed to recall signing an election warrant around the time of appointing election officers. Will said he might have been out of town. The board could not sign another one retroactively, but further inquiry would be made into minutes, recordings, and records. Hussain suggested that perhaps the board could sign a confirmatory document if proof that the warrant was signed turned up. As for early voting, it was clear the Board had not made a decision to opt out of early voting, as the Clerk had not requested this at the time and had not known she needed to. The board unanimously agreed it could not legally sign a document representing otherwise.

Virginia discussed reimbursements for Ashfield Road.

There being no other business, the meeting adjourned at 9:12 p.m.

Respectfully submitted, Tinky Weisblat, Gal Friday

Williams Cosby

Hussain Hamdan

Robert MacLean