

**Minutes of a
Selectboard / Board of Health / Zoning Board of Appeals Meeting
in person & via Zoom
October 8, 2024**

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

The meeting was called to order at 7:01 p.m. Minutes from previous meetings were signed. Bob had a question to ask before signing the warrant relating to a charge for the highway-expenses account relating to reimbursement for classes taken by Chris Tirone of the road crew in preparation for renewing his hoisting license. Hussain asked Chris about the classes and asked Virginia whether they had been paid for in the past. (The license needed renewal every two years.) Chris explained that he was taking two classes but asking for reimbursement for only one. Virginia confirmed that Chris had been reimbursed at least twice, in 2022 and 2020.

Bob said he had never thought paying for re-training for this license made sense; the license was a requirement for Chris's job. He added that the other two road crew members had neither sought nor received this compensation. He likened it to paying for a course for a driver's license. Hussain noted that there was precedent for paying this fee and added that that town had just paid for another employee to go to a conference that had been considerably more expensive.

Virginia suggested that it might be more appropriate to take funds for this purpose out of the continuing-education budget rather than the general-highway account. She said that in that case, expenses would need to be pre-approved in future.

Hussain wondered aloud whether this type of payment should in fairness apply to everyone on the road crew. He said that \$50 every other year for each person seemed small but should be fairly distributed.

Will noted that some of the continuing-education funds might be needed for training a new town clerk but agreed that this expense seemed relatively small. The group briefly described what type of training – paid versus free – might be needed for the Town Clerk.

Tinky was asked to look at the minutes of previous meetings in which Chris's class expenses had been approved to see whether there had been objections. Bob said he recalled objecting, but in the two most recent years in which the expenses had been approved there was no record of objection. (Virginia could not for the moment confirm when else the expenses had been approved.)

Hussain noted that the town already had personnel-retention issues and might do well to approve this relatively minor expense. The group calculated that if all three employees were compensated for this every-two-year class, the cost would average \$75 per year.

Virginia suggested that the board agree to using continuing-education funds for the highway department on a case-by-case, pre-approved basis. Hussain said this sounded sound to him.

For the moment, Will moved to approve \$50 from the continuing education account for Chris's class. Hussain wrote the change from highway to continuing-education funds onto the warrant and seconded the motion. Hussain and Will voted their approval and signed the warrant. Bob voted no.

1. **The group discussed the construction situation at Ashfield Road.** Will said he had been in touch with both Nate Russell at GZA and the contract administrator at the state. He said they had discussed extending the road work to the Ashfield town line. Hussain asked whether there would be any problem with bidding laws. Will replied that he had been told that those laws would not be a problem.

The group discussed whether talking to the town counsel would be necessary. Hussain said he thought it would be good to get a positive opinion in writing both from the state and the counsel.

The group looked at the bidding specs and the contract for the original work. Lloyd observed that the original length of road to be repaired had not been specified in either, that both documents had left room for expansion.

Hussain said he thought Lloyd was correct. He read from the pre-bid documents a passage that stated that the exact length of road to be done would depend on the budget available. Will said he would work with the state on the change order.

Lloyd asked about differences in materials and depth between the specifications and the final product. Will said that those differences reflected the actual road conditions.

Lloyd asked whether the finished road was as expected. Gary said it was not. Will confirmed Gary's opinion. The group briefly discussed who might be to blame for the fact that the stones on the repaired road were much larger than the town had hoped they would be, leading to difficult travel conditions. At least one individual had claimed to have suffered punctured tires. Bob noted that much smaller stones should have been used.

The group discussed whether, if the entire road were to be re-surfaced with smaller stones, bidding-regulation questions would arise. Hussain said that that depended on the bid specifications, which apparently had not required that small stones be used.

The board agreed that it would need Davenport to submit costs both for extending the work so far and for putting smaller stones all along the top of the road. Will asked leave to request authorization from the state for a contract amendment. Hussain said he was fine with asking the state for this; the final decision would be taken by the board pending the state's approval. Hussain moved that Will be authorized to request a contract amendment, Bob seconded the motion, and all voted in favor.

Will promised that if Davenport's numbers were very high, he would call a special Selectboard meeting. Lloyd asked about drainage on the road, and Will and Hussain said that they thought it could be added without too much difficulty if it were needed.

2. **The group discussed the Town Clerk's position.** Tinky explained that she and Pam had met earlier that day and had requested access to vital records. She said that the two would work out who did what of the Town Clerk's duties. Virginia asked what Pam should be paid, and Will said that he would talk to Pam very soon.
3. **Before Lloyd left, Tinky introduced a little new business.** She said that part-time Hawleyite Craig Von Battenburg had called to ask about Hawley's inclusion among a group of EJ (Environmental Justice) communities, areas where something had happened in the past that might present a threat to residents' health. Lloyd said he knew of the inclusion, although he was vague about why Hawley was on that list. He added that the town had benefited from this designation when applying for some grants. He told Tinky he would be happy to talk to Craig about the matter.
4. **The group moved on to the ambulance situation.** Hussain reported that he had talked to several parties, including the ambulance services in Colrain and Highland. He said that Highland's officials had expressed a willingness to consult and assist Hawley in forming some kind of regional ambulance service, and would gladly help with training. Highland would also be happy to work on a mutual-aid basis, although it did not want to become Hawley's primary ambulance provider.

Colrain was a distinct possibility, he opined. It would be willing to discuss a fee-for-service arrangement, either in blanket or per-call form. The people in Colrain had also reassured him that they would respond to calls in Hawley if asked. He suggested that Colrain be used once Shelburne Falls stopped serving Hawley. Colrain was also open to doing training with Hawley. He opined that Charlemont and Rowe might also be interested in a regional partnership. He was going to talk to FRCOG, he added. He said he was encouraged by the fact that Hawley had an audience on this topic and promised to keep everyone updated.

Tinky said that she hadn't gotten a lot of response to her mailings but added that Paul Mark, Anne Gobi, and Natalie Blais had all expressed willingness to help. Ashfield was happy with the service it was getting from Highland.

5. **The group discussed signing on to FRCOG's application to HUD.** The group said it was on board. Will asked Tinky to send him the link for doing so and promised to deal with the matter.
6. **The next topic was the Public Health Excellence Act** in Massachusetts. FRCOG had requested a letter of support. Hussain reported that he had read the act and found it nebulous with many non-specific new standards. He said he thought the Hawley Board of Health already did a good job taking care of public health issues in Hawley without additional mandates. The board took no action on this request.

In other business, Tinky pointed out that the board's first November meeting was scheduled to coincide with the election. The group discussed potential alternative dates before settling on Wednesday, November 6, at 7 p.m.

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

Respectfully submitted, Tinky Weisblat, Gal Friday

Williams Cosby

Hussain Hamdan

Robert MacLean