

Town of Hawley, Massachusetts
Minutes of a
Selectboard / Board of Health / Zoning Board of Appeals Meeting
in Person & via Zoom
February 11, 2025

Present: Will Cosby, Hussain Hamdan, Robert MacLean – Selectboard
Tinky Weisblat, Gal Friday
Virginia Gabert, Treasurer and Financial Administrator
Gary Mitchell, Chris Tirone, Lloyd Crawford, Greg Rowehl,
and (via Zoom) Nancy Clark and Joe Pellegrino

The meeting was called to order at 7:03 p.m. Warrants and minutes from a previous meeting were signed. Before the meeting, a man named Joe Pelligrino tuned in via Zoom and asked whether if he purchased property on Forget Road that was currently not being plowed and built a house there, he could get it plowed. He said he had talked to the Planning Board; its members had referred him to the Zoning Board of Appeals. He was asked to send details to Tinky and then perhaps call into the next meeting. Then:

1. **The group talked with Nancy Clark of Charter Communications about the draft cable agreement she had sent.** Nancy explained that she had taken the town's feedback and placed it in the draft to send along for the company's internal-review process. She noted that what she had provided was a standard form and that the company often adjusted the contract for communities. She told the group that it would be helpful if someone would give her a specific number for the desired distance between houses and the road that would be covered. Hussain suggested that 300 feet (instead of the proposed 150) would be great, although he admitted that he expected some negotiation on this point. Nancy explained that people could still be hooked up if their homes were farther from the road than the specified distance; they would just have to pay an extra fee.

She asked whether anyone in town lived off the grid. She was told that there were two houses that seemed to be doing this. Hussain noted that the structures in question had been built or improved without permits and lacked access to other utilities; the board did not condone this behavior. Tinky promised to send Nancy the exact addresses.

Nancy said that it would take a while for the suggested changes to make their way up the chain of command in her company and observed that she was dealing with a lot of different towns. She was asked whether she had a timeline for the construction and whether any part of it depended on federal funding. The project was being done with funding provided through MBI. Hussain asked whether not signing the cable agreement now would prejudice the ability to obtain federal funds; Nancy answered it would not. Hussain asked about the broadband contract with MBI. Nancy said that she was trying to get a copy of that contract as quickly as she could, adding that she would redact any proprietary information.

Will asked about timing. Nancy said she hoped work would start by the following summer. She said she would get back to the group in two to four weeks. Everyone thanked her, and she signed off.

Greg Rowehl expressed his frustration with the current broadband system and his hope that the Charter situation would be better. Hussain observed that the town had asked the state to specify that every home in Hawley be covered with broadband under the new agreement. Tinky was asked to send Greg the Charter contract for his information.

2. **The group considered signing its public-health contract with FRCOG.** Greg mentioned that his restaurant in Charlemont had recently been asked to pay increased fees; he was not a fan of FRCOG. The consensus was that this was a Charlemont issue. Hussain explained that FRCOG provided services to Hawley through CPHS. Hawley often adopted its own regulations, such as with private wells, and directed FRCOG to enforce these. Hussain said he had looked over the contract; it was basically a renewal of current services. Will moved to approve the contract, Bob seconded the motion, and all voted in favor. Hussain signed the contract as chair of the Board of Health.
3. **Roads were the next topic.** Will noted that the road crew had put in a lot of time and miles and used a lot of sand. He thanked them. Greg asked about “big boulders” in the sand in Charlemont. Gary explained that Charlemont and Hawley had chosen different grades of sand.

Will asked whether any road safety measures could be implemented in the short term. He said he was concerned about keeping people on the right side of the road, particularly in the Dugway. He added that he and Gary had been discussing using the Department of Transportation’s municipal-paving program on Route 8A (only numbered routes were eligible, he explained), particularly along the Dugway. The idea was to reseal the roadway and to paint a single line in the middle of the Dugway, with a groove defining it, to try to keep people in their lanes. Hussain agreed that it should be a single line; he believed that double lines seemed to encourage people to speed. Gary said he would talk to David Stokes at the DOT about these ideas since all three Selectmen seemed to be in favor.

The group briefly discussed what roads to tackle next if money from the millionaires’ tax came through once more. Will said that MVP funding was temporarily going to waive a match for certain towns, including Hawley. Lloyd added that the MVP money had just been increased; it could be used for projects costing up to \$3 million. Again, this offer was probably good only for a year.

Both Will and Lloyd noted that this possible extra money made the inaction of GZA, the engineering firm working on King Corner, a greater problem. The state wanted shovel-ready projects to fund. Will said he hoped to go to GZA’s offices about this issue since his emails were not receiving a response. He said that another possibility for the MVP funding was to use it to plan long-term repairs or specifications for repairing the Dugway.

4. **The group discussed a PILOT report Greg Cox had shared.** Hussain said that he was glad that the report had come out and was supportive of the way it was hoping to increase compensation for communities like Hawley with a lot of state-owned land. He added that a report didn't change anything unless the legislature planned to act on it. Will said that the recommendation of \$150 per acre for Hawley's State Forest was welcome. He was concerned, however, that that fee and the formula that provided it could remain static over time.

Lloyd asked whether the study was a recommendation to the legislature. Hussain likened the situation to the education-funding formula, which was confusing and, even when enshrined in legislation, still subject to appropriation (and therefore unenforceable).

5. **Tinky presented a proposal from the Nature Conservancy about making the boardwalk over the Hawley Bog more accessible and stable.** Lloyd said that accessibility was tricky; the boardwalk might have to extend to the parking lot. Hussain noted that the bog was a difficult place from which to extract people in an emergency. The plan was only tentative so the group decided to revisit it when more details were available. Meanwhile, Lloyd asked whether the Nature Conservancy owned the land that included the boardwalk. Virginia stated she believed it co-owned the land with the Five Colleges.
6. **Tinky explained that she had received an email asking for a Hawley representative to the Deerfield River Watershed Coalition.** Will said he would talk to Kimberly MacPhee of FRCOG, who had sent out the email.
7. **Virginia brought up the question of auctioning off properties the town had acquired for various reasons, mostly tax related.** She said he had been holding off selling them, waiting for a clear title for two additional properties. However, she was getting pushback from the state for holding on to too much property. She said she saw two options: hiring an auctioneer or conducting a sealed-bid auction. She was concerned that an auctioneer might talk up the properties (many of which had no road frontage) and sell them to people who would not understand that they were non-buildable and then subsequently abandon them. She said she needed to consult a title attorney; perhaps Hussain could help as well. Hussain said he would be happy to help but couldn't do it during the current month. Virginia observed that the Town could set minimum bids.

Virginia asked whether the town had an interest in any of the properties. One on Stetson Road might be eligible as a building lot; a trailer had been on it in the past. Will asked whether Municibid could be used. Gary said he wasn't sure.

Hussain said he liked the sealed-bid idea. Will asked how soon the bidding could take place. Virginia didn't think it would happen right away, but she said she did want to get it done. According to the tax-title attorney, new regulations that had come into place didn't seem likely to affect these sales. Virginia said she hoped to get the bidding organized after Town Meeting in May. Will asked her to report back. All agreed that the sealed-bid process seemed better than an auctioneer.

In other business, Tinky said that the Department of Environmental Protection was offering to replace certain town-owned vehicles with electric ones. Gary said that the only possibility in Hawley was the 1986 military truck. That vehicle belonged to the Federal Government and could not be disabled. There was talk about the tractor, but Gary explained that an electric tractor wouldn't be practical.

Tinky noted that Ken Elstein of Belchertown was hoping to persuade Hawley to ban tobacco sales to anyone born after 2004. The group declined to participate.

Virginia passed around a warrant again, explaining that she had given the board the wrong version to sign earlier.

Tinky said that the Solid Waste Management District had offered to provide recycling bins and other materials to the town. These were no longer covered by a grant, however. The bins were \$10 each. Tinky was instructed to announce via the e-news that people could purchase their own items through the town and to tell them about the deadline (very soon!). If they ordered and paid in advance, the Town would obtain bins for them.

Tinky said she had received a letter about wood banks and wondered whether the town was interested in starting such a bank. Will told her that she should write to Sean Mahoney, the forester who had sent the letter, for details. Hussain suggested asking for volunteers to set up the wood bank in the e-news. Another person to contact might be Heather Butler, who was organizing Buckland's wood bank, Will noted.

Tinky explained that she had received a cc of letter from the state Department of Public Health to Randy Crochier at FRCOG declaring Hawley a Heat Equity Community in light of higher-than-average heat-stroke rates. The board suggested that she ask Randy about this. Hussain said that the statistics about residents hospitalized for heat related illness seemed inconsistent with Hawley's EMS reports during the same time period and suggested he might follow up with the regional medical director.

Tinky shared a letter notifying the town of a bike event organized by the Franklin Land Trust for August. Hussain said he would make sure that emergency services held some kind of training session that day.

Finally, Will noted that the clock near the front door seemed to have stopped. Tinky said that it needed a battery ... and someone with a ladder.

There being no other business, the meeting was adjourned at 8:25 p.m.

Respectfully submitted, Tinky Weisblat, Gal Friday

Williams Cosby

Hussain Hamdan

Robert MacLean