

Town of Hawley, Massachusetts
Minutes of a
Selectboard / Board of Health / Zoning Board of Appeals Meeting
in Person & via Zoom
July 1, 2025

Present: Will Cosby, Hussain Hamdan, and Robert MacLean – Selectboard
Tinky Weisblat, Gal Friday
Virginia Gabert, Treasurer and Financial Administrator
Gary Mitchell, Chris Tirone, Jason Velazquez, and via Zoom Madison Schofield and
Lloyd Crawford

The meeting was called to order at 7 p.m. Warrants were signed, the board approved minutes from previous meetings. Then:

1. **The board opened the one propane bid that had come in.** Mirabito Energy had offered a fluctuating bid of 35 cents above Selkirk (currently \$1.3345) or a firm bid of \$1.65 per gallon. The firm price was slightly above what the town was currently paying. Hussain moved to accept the firm bid, Bob seconded the motion, and all voted in favor.
2. **The group moved on to unregulated housing.** Will said that he had driven around town and estimated that Hawley had several structures that apparently did not follow state regulations. He reminded the group that people were allowed to spend up to 14 nights per year in a non-house structure (like a shed) and up to 90 nights in a tent. He noted that in addition to well and septic issues there was the question of grey water. Hussain observed that many houses in town (perhaps as many as half) did not conform to current regulations as they had been built before those regulations went into effect. He said that many of those were grandfathered in. The problem lay in structures that had been erected more recently with no paper trail and no permits. He said he knew of at least three of those: one on West Hawley Road, one on Middle Road, and one on private property close to the State Forest near Penobscot and South Roads. He added that he had seen lights on the one in the forest. Virginia said she had seen two to three sheds at that location; Will said he believed the site included three permanent structures, at least one with two stories, as well as a pop-up camper. Virginia said she believed that the people who owned that property resided permanently at another address.

Hussain observed that policing these issues was difficult; he also quipped that the Supreme Court allowed homeless people to declare a park bench as their residential address for purposes of voting. Will expressed his concern that untreated waste could be a health hazard. Hussain agreed with this point, noting that waste could transmit serious diseases.

Jason asked whether the limit on staying in unofficial dwellings was indeed 14 nights per annum. Hussain confirmed that fact, and Will gave Jason the citation for the sanitary code. Hussain went on to say that he didn't want to bother residents unless the town had a specific, credible complaint about a particular situation.

He noted that if there was information, for instance, about untreated waste being released or a home where children did not have clean water, the Board would act strongly. He suggested sending a letter to everyone in town to put residents on notice about sanitary regulations and permit requirements. Will asked Hussain to draft a letter, and Hussain said he would do so.

3. **The next question was securing internet backup.** Hussain explained that the town's emergency-management group had the funds to purchase a Starlink mobile system. The monthly cost (when incurred) would probably be \$65. The town would be charged for the first month and then only for months during which the system was used. The system would live at the Fire Station but could be transferred to the Town Office if the internet went out there for a significant period and the equipment was not needed then at the firehouse. Will reminded the group that much of the work done at the Town Office depended on internet access. Jason asked whether the system could live at the Town Office, which didn't seem practical since it was being purchased with emergency-services funds. Lloyd asked whether the system needed power and was told that it did and that there was backup power in both locations.

Hussain mentioned that he had received a credit for the time during which his own internet was out; this would help pay for any use of Starlink. (On that topic, Tinky was asked to call GoNetSpeed to ask for a credit for the town.) Hussain made a motion to direct the Emergency Management Director to use grant money for that purpose. Will seconded the motion, and all voted in favor. Tinky asked that at some point in the future the board consider procuring a second unit for situations like the storm in February.

4. **The board signed a letter to Paul Mark and Natalie Blais** asking for assistance in getting National Grid and Verizon to expedite the make-ready process for their poles, the first step in getting ready to wire the town for broadband.
5. **The Selectmen looked at the bid recommendation from GZA for the Ashfield Road culvert work,** in which the engineering company recommended using Western Earthworks, the low bidder. Will noted that the company had not submitted the required bond and insurance certificate. He suggested that the group ask the FRCOG to make sure those and other requirements were complied with and, if so, move forward toward a tentative contract. Hussain and Bob agreed.

In other road and grant news, Will recalled that a roofer who had recently come to work on his family's property had gotten stuck on South Road and had needed to be towed. He reminded the group that South and other non-traversable roads were still on maps and GPS routes. The group identified several similar situations with roads that were either not maintained or were seasonal—on Hunt, Penobscot, South, Forge Hill, East, and Labelle Roads. After discussion of various possibilities (different types of signs, gates, etc.), the group asked Gary and the highway department to look into purchasing permanent signs, to be affixed to trees or posts, that said that the roads were not maintained. (Temporary signs that were not attached to anything had a bad habit of wandering off in the company of unknown parties, according to the road crew.)

In other business, Tinky showed the board a new yearly contract for the Solid Waste Management District. Hussain moved to sign it, Bob seconded the motion, and all voted in favor. The contract was signed.

Tinky and Chris brought up the day's problems with a dead bat found in the basement of a home on Forget Road. The owner had taken the corpse to the South Deerfield Emergency Veterinary office to be mailed to the state for testing. Chris and Tinky said they had both talked to someone at the state, who had told them that although the testing was free, the veterinary fee for shipping the bat to the state was supposed to be paid by the town. The bill had not yet arrived.

Tinky explained that she was having trouble with Dreamhost, the server that handled the town's email addresses. Unfortunately, the registered owner of the account was still the late Rick Kean. She explained that Dreamhost had requested several documents from Rick's widow, Anne Hamilton-Kean, who had provided some but balked at giving the company a copy of Rick's will. She asked whether Hussain, as an attorney, could write a letter about this. Hussain suggested it might be necessary to petition the probate court for an order concerning the website; he may be able to help with this.

Virginia noted that she had forgotten to print out the ambulance bill for the past three months. Greg had suggested paying Colrain \$2100 and Shelburne Falls \$300 for ambulance calls. This fell within the budget of \$3100. Hussain said he might be able to support this but was concerned about setting precedent without any written agreement. He said he would like to see this issue revisited at the next meeting. He said he would prefer to come to some sort of formal agreement with Colrain instead of just paying that service \$300 per call arbitrarily (although that was very close to what they would likely charge, based on past conversations). Virginia wondered aloud what would happen if the calls exceeded the budget, a concern Hussain shared.

Will asked why individuals didn't pay for the ambulance calls. Hussain explained that people did pay through billing to their insurance, but ambulance services like Colrain tended to have an agreement to bill towns as well. He suggested sending a letter to Colrain asking its representatives to discuss a written agreement. He noted, however, that the call from Shelburne Falls had been mutual-aid, for which towns did not customarily pay. He said he would ask Fire Chief Greg Cox to attend the next Selectboard meeting to discuss the issue.

Gary said that he wanted the Selectmen's blessing to purchase a new steam cleaner/pressure washer for about \$5000. The old one was dead, and it was not practical to borrow one. He said that the cost would fit into the department budget; he just didn't want to purchase the machine without letting the board know. Will asked him to send the estimate for the machine to the Selectmen; he particularly wanted Bob to review it.

Gary also noted that the GoNetSpeed repair truck had driven over the Town Office's septic system, possibly damaging it. The group determined that the first steps would be to have Gary take photos of the area and to ask Lark Thwing whether the town could borrow his ground-penetrating radar to investigate potential damage. After that, the town could approach GoNetSpeed and consider next steps.

There being no other business, the meeting was adjourned at 8:41 p.m.

Respectfully submitted, Tinky Weisblat, Gal Friday

Williams Cosby

Hussain Hamdan

Robert MacLean