

Town of Hawley, Massachusetts
Minutes of a
Selectboard / Board of Health / Zoning Board of Appeals Meeting
June 2, 2026

Present: Will Cosby, Hussain Hamdan, and Robert MacLean – Selectboard
Tinky Weisblat, Gal Friday; Virginia Gabert, Treasurer and Financial Administrator
Gary Mitchell and Chris Tirone – Highway Department
Kimberly Orzechowski, Peter Beck, and Lloyd Crawford
and (via Zoom) Michael Miller

The meeting was called to order at 7 p.m. The board signed warrants and approved minutes from a previous meeting. Then:

1. **The group discussed special regulations and taxes for rental properties**, something Town Clerk Ellie Van Iderstine had asked about. Hussain noted that Hawley had no bylaw for such permits and suggested that the matter might require a conversation between Ellie and the Secretary of the Commonwealth's office and/or the Department of Revenue. He understood, he said, that inspections were required by the state but thought the matter might be outside the scope of the board's purview. Virginia observed that the new owner of an Airbnb had inquired about what he needed to do. Ellie had believed that the town's usual business licenses applied to people doing business as various entities and that this might be different. She had also asked about the possibility of a tax on short-term rentals. Hussain said he believed a modest tax should be considered by the town; rental properties incurred costs for the town, including emergency services and road maintenance. Peter Beck from the Planning Board said that that board was working on proposed bylaw changes for accessory dwelling units. He said he believed some of the people building ADUs might want to rent out those tiny homes. He asked whether the tax should be mentioned in the bylaw changes. Hussain said the tax would apply to any short-term rental. Peter said it would be good to warn the ADU folks; Hussain agreed that the town should be transparent about the possibility of a tax. Lloyd shared his experience visiting Switzerland a couple of years earlier. He said that short-term rentals were taxed there, but the renters were provided with amenities like places to swim. He said that perhaps the town could make a deal with Rowe to allow short-term tenants to swim in that town's park at Pelham Lake. He added that he was also concerned that asking for the payment would constitute taxation without representation. Peter said he didn't see it that way. He offered the example of hotels in New York, which levied substantial state and local taxes on people using rooms. Hussain noted that he was not in favor of a large tax, certainly not as much as six percent. Lloyd suggested that four percent might constitute an upper limit. Will reminded the board members that they had decided in the past not to charge a tax. He asked who might be benefitting from town services. Lloyd argued that the owners of the properties paid real-estate taxes. Hussain suggested that one amenity the Town might considering offering would be public Wi-Fi at town buildings in East and West Hawley, similar to the access at the mailbox area in Mohawk Estates in Heath, which he had found useful in that area.

Will, who had been looking at regulations on the internet, said that according to the state the town could charge up to a six-percent tax for short-term rentals. He added that if property owners charged less than \$15 in rent, there was no tax. Hussain recalled that the town had conducted listening sessions in the past and people had come. He suggested that such a session might be useful in this case. Will reported that the town could also charge community impact fees. Lloyd suggested that the discussion in a listening session might be broadened to include other ways to raise money for the town, such as taxing farm machinery. Will countered that the short-term rental market had been growing so it was a good candidate for a listening session.

Hussain suggested scheduling a listening session focused on the short-term rental tax. If attendees brought up other ideas, he said, that would be fine. He added that the town would have to move aggressively to publicize the session; few people came to Selectboard meetings. Virginia informed the group that the tax collector would be sending out tax bills in late June or early July; the town could piggyback on that mailing to publicize the listening session. Hussain stated that in that case the session should take place in the late summer or early fall. Peter asked whether the Selectmen had considered capping short-term rentals as some nearby towns had. He observed that when houses were purchased for that purpose, the houses were no longer available for long-term purchasers. Hussain argued that many factors might keep young families from moving to town, including the cost of real-estate in general and Hawley's minimum lot size. However, he was not in favor of capping short-term rentals as such a tax might lead to vacant properties. Lloyd agreed that affordable housing was tricky in Hawley. The group agreed that in the long term lot size might be worth revisiting but that for now the town should concentrate on the short-term rental tax idea. Too many topics in a listening session might confuse people. Kimberly, the chair of the Planning Board, reminded the group that her board had a lot on its plate to address before it could even begin to think about these aspects of zoning.

Lloyd suggested that a larger forum on raising revenue for the town would be a good thing to schedule well in advance of the next budget season. Virginia informed the group that the short-term rental situation involved more than revenue; the trend toward more and more of these properties had a varied impact on communities. Hussain argued that other factors were involved; in many cases, towns' inability to keep a critical mass of residents was the problem.

The group tentatively decided on Wednesday, September 16, at 7 p.m. as a good date for the listening session. Tinky said she would get in touch with Betty the tax collector to include a note about this with the tax bills.

2. **Tinky said that if the town wanted to receive statutory speed signs from the state, it would have to move quickly;** the deadline for application was Friday, June 12. Gary said he would get together with Tinky to identify good locations for the signs. The Board agreed that Gary and Tinky could handle this.

3. **For the board of health, Hussain and others highlighted the plight posed by the beaver dam on Forget Road, which was in danger of letting water into the road and damaging a culvert.** Will remarked that the water level had gotten very high, and Hussain asked Gary what could be done. Gary reported that the town's excavator couldn't reach the entire dam while remaining on town property so it might be necessary to get landowner permission, although Gary thought he could reduce the water level to some extent from town land. Lloyd said that the Board of Health could declare an emergency to allow the road crew to deal with the beaver. The conservation commission could issue an order about the dam, he noted, but if any work happened on private land, it would need the landowner's involvement/permission. He added that the Conservation Commission, of which he was chair, was due to meet the following day and could authorize the removal of the dam. This could perhaps be done via the town's right of way, but a call to the landowner would definitely help.

Hussain moved on behalf of the Board of Health to declare the beaver dam an emergency and to authorize the road crew to take such steps as were necessary to mitigate the situation with the beaver. Bob seconded the motion, and all voted in favor. Tinky and Virginia said they would work on identifying the landowners. Kimberly asked for clarification. Was the group hoping to remove the beaver? Hussain said that that action was necessary; otherwise, the dam would be rebuilt immediately. Kimberly stated that she thought talking to the landowner was a necessity. Hussain noted that if the landowner refused permission, the board of health could meet again with notice to the landowner and still possibly authorize action. In the meantime, he said, the goal was to get as many steps out of the way as possible so that the road crew could act quickly once appropriate permission was obtained. Gary said he would start work on the town's property, and Lloyd said he would work on an emergency declaration.

4. **The next issue was determining whether the town had adopted General Law - Part I, Title VII, Chapter 44, Section 53G,** about hiring consultants. Will observed that the Conservation Commission had used this legislation to hire wetlands consultants at the expense of landowners. He said that the state was asking towns to permit new uses of land and that he wanted to confirm that the town had adopted the law. He asked whether documentation of this adoption existed somewhere. Hussain suggested looking in old town reports, where information about past bylaw adoption existed. Lloyd suggested that individual boards could re-adopt the legislation if needed. Tinky said she would look in old Selectboard minutes. Kimberly said she thought it made sense for the legislation to be adopted for all boards. Hussain suggested that all board members look at the statute and discuss the issue at the next meeting.
5. **In road and grant news,** Will reported that VHB was still surveying the Dugway. Tinky shared an email she had just received from VHB asking for information about easements and utilities. Virginia said she thought this was mostly a question about town water and sewer systems (which Hawley lacked) so there wasn't really information to report.

Will said that emails were still "bouncing around" about the costs for King Corner. Lloyd reported that he was working on that issue. Lloyd added that the MVP application was still "out there" as a backup.

He said the town hadn't applied for STRAP funds for the current year; there was only so much a group of volunteers could do.

Will told the group that he had heard from Spectrum/Charter that the pole permitting work for the town's broadband might be largely done. He wasn't sure whether pole work remained. The construction person had told him that he was waiting for fiber components to be delivered. Will explained that Charter needed to mount some electronics in Town to amplify the fiber signals; these could be mounted on poles much like the old Wi-Valley electronics setups and plug into grid power. Hussain asked whether there would be a battery backup for this network infrastructure, which would be particularly important for people who were relying on the system for phone service. Will said the town would have to ask about that. He instructed Tinky to ask Nancy at Charter; if she didn't have the information, Michael Baldino at MBI might know.

Hussain told the group that the internet at the Fire Station was no longer working. Tinky said that the internet repair people were due to come to the Town Office soon and promised to tell them about the Fire Station when they came.

In other business, Virginia reminded the group that the board had decided to create and laminate instructions for doing things in the office like starting the generator and resetting the internet and the mini-splits. She said the town still had a laminator but she wasn't sure whether it worked and had no sheet protectors with which to test it. Bob offered to bring in a sheet from his wife Joanne's laminator.

Tinky reported on the overpayment Hawley had reportedly put into the school system, which Bill Lataille at Mohawk Trail Regional School had estimated at over \$10,000. She said that Charlemont was working on a strategy to get back its much larger payment, which might include asking State Senator Paul Mark to put in an earmark request for the two towns. She asked whether the board wished her to pursue the matter. Hussain said it would make sense if the Paul Mark idea worked, but he didn't want to ask the other towns in the Mohawk Trail School District for money. He expressed continuing concern about the accuracy of these figures and the ability to do anything about the issue years later; he even worried that at some later date someone might claim it was Hawley that owed money from the distant past.

Tinky brought up a survey from FRCOG about cybersecurity. Will told her that the overall test of town computers a while back counted as a security exercise. Hussain shared a couple of tips about cybersecurity, warning people not to plug in any flash drives or charger cables they happened upon.

Tinky reported on a possible committee person. Jennifer Jason, who had recently moved to town and was engaged to Arlene Lavalley's son, had volunteered to replace Ellen Purinton, who was moving out of town, on the School Sustainability Study group. Ken Bertsch had talked to Jennifer and said she sounded great, Tinky noted. Tinky added that Jennifer was also interested in being appointed to replace Kiley Turner when Kiley's term on the Hawlemont School Committee expired in 2027. The board members asked Tinky to invite Jennifer to meet them.

Tinky explained that she was hoping to have knee surgery in Florida in the early winter, which would necessitate her being away for quite a few weeks. She said she would do what she could remotely but wanted to offer the board a chance to hire someone to replace her if the Selectmen would prefer not to have her out of the office for that long. Will said that with this advance notice they might be able to figure out coverage for Tinky's office hours. Hussain said the issue could be revisited as the time for Tinky's surgery drew nearer.

Virginia asked what could be done with the box of old computer stuff in the front of the Town Office, as well as other odds and ends. Hussain said he and Tinky should probably go through the computers in particular to see whether anything might be needed. Tinky said she couldn't work on this for a couple of weeks; she and Hussain might meet on the week of June 15. Hussain later asked what could be done with the discarded computer materials. Tinky said she had planned to take them to Staples to be recycled. He countered that Deerfield Academy had a computer graveyard so that might make more sense.

Tinky said she had talked to a number of neighboring towns to see what accounting software they used. Many of them used something called VADAR, which sounded quite expensive and seemed to operate only online. Will asked how long Virginia could continue to use QuickBooks; she estimated at least a year. Will suggested that at some point doing computations through the cloud would be necessary. Tinky said she would prepare a report for Virginia explaining what the various towns had said.

There being no other business, the meeting was adjourned at 8:46 p.m.

Respectfully submitted,
Tinky **Weisblat**, Gal Friday

Williams Cosby

Hussain Hamdan

Robert MacLean