

Board of Selectmen: *Keith J. Kruckas, John J. Morrin, Thomas H. Barnes, Nancy J. Talbot, Caitlin M. McCarthy*
Town Manager: *Stuart B. Beckley*
sbeckley@townofware.com

Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Notice Agenda – Tuesday, November 23, 2021 at 7:00 p.m.

Instructions for call in option: at or before 7:00 p.m., call the phone number below and when prompted enter the Meeting ID number. The platform is Zoom Meetings.

Join online: <https://us02web.zoom.us/j/7846041861> (the online option will require a download).

Meeting ID: 784 604 1861

Passcode: 01082

Phone: 929-205-6099

Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda

- **Approval of October 5, 2021, and October 19, 2021 Meeting Minutes**
- **Approval of One-Day Liquor License: Workshop 13, December 5, 2021 from 3-5 PM**

Scheduled Appearances

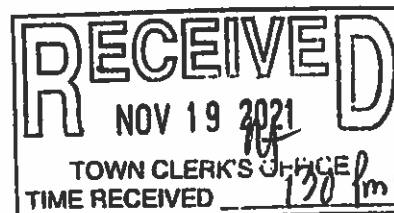
- **7:05 PM: Tax Classification Public Hearing with Assessors**

Old Business

New Business

Comments and Concerns of Citizens

Adjournment





Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, October 5 at 7:00 p.m.

6:15 p.m. - Executive Session – MGL Chapter 30(a)

7:00 p.m. – Regular Meeting

Instructions for call in option: at or before 7:00 p.m., call the phone number below and when prompted enter the Meeting ID number. The platform is Zoom Meetings.

Join online: <https://us02web.zoom.us/j/86097272533?pwd=Z1hoSHNybFc4eVF5OS9MalFraFpyZz09> (the online option will require a download).

Meeting ID: 860 9727 2533
Passcode: 739300

Phone: 929-205-6099

Present: Selectman Nancy J. Talbot, Selectman Thomas H. Barnes, Chairman Keith J. Kruckas, Vice-Chairman John J. Morrin Jr., Town Manager Stuart B. Beckley, Executive Assistant Christopher J. Nolan, Interim DPW Director Chuck Niedzwiecki, Donald Taggart from National Grid, Michael Schrader (Principal Engineer from Tighe & Bond), Carol Zins, Lisa Gauvin, Eric Gauvin, Ed Murphy, Scott Snyder, Alex Bergeron, Rosie Parker

Absent: Selectman Caitlin M. McCarthy

Present via Zoom: Police Chief Shawn Crevier

Meeting Opened by Chairman Kruckas at 7:00 PM.

Opening Remarks, Announcements, and Agenda review by Chair

Selectman Barnes thanked community members for keeping the town clean and free of litter, giving special recognition to the Cemetery Commission for keeping the Town's cemeteries in pristine condition.

Consent Agenda

- Approval of September 21, 2021 Meeting Minutes
- Toll Road Application: The Knights of Columbus Present the Annual Tootsie Roll Drive on Main Street, October 9, 2021, from 8AM-Noon
- Special Event Permit Application: The Knights of Columbus Present the Annual Halloween event @ Grenville Park, October 29, 2021

Selectman Morrin made the motion to approve the Consent Agenda. Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

Scheduled Appearances

- **7:10 PM- Public Hearing: Pole Petition National Grid/Verizon #30417193 Old Gilbertville Road**
 - Mr. Taggart introduced the proposed new pole as Pole #23, to be located at 99 Old Gilbertville Road.
 - Chairman Kruckas inquired whether the petition was for moving an existing pole, or constructing a new one.
 - Mr. Taggart answered that this petition calls for constructing a new pole after Verizon gives their approval.
 - Chairman Kruckas asked why National Grid has driven forward with new pole petitions while appearing to neglect a work order submitted in March 2021 to fix the electrical wiring for an in-op streetlight on Babcock Tavern Road. He also recalled a question from the previous meeting over National Grid's habit of removing streetlights from poles while moving them, then leaving them on the ground instead of returning them after the pole is moved. He claimed that this forces the Town to cover a cost that should be paid by National Grid, which is an unfair burden to the taxpayers.
 - Vice-Chairman Morrin noted that many streetlights are left inoperable after being abandoned on the ground by National Grid, which forces the Town to cover the additional cost of replacing them.
 - Chairman Kruckas stated that the Board wishes to see reliability and accountability from National Grid.
 - Mr. Taggart informed Town officials they could take up their concerns with Pamela Hill, who serves as a Liaison for the company.

Selectman Talbot made the motion to approve Pole Petition #30417193. Selectman Barnes seconded the motion. The motion passed on a vote of 3 Yes, 1 No (Selectman Morrin), 1 Absent (Selectman McCarthy).

Old Business

- **Report from Water Resources Committee**
 - Selectman Barnes reported on the findings from the report, which gave 5 recommendations to the Board
 1. Consider using ARPA funds to cover the cost of a needed filtration system at the Waste Water Treatment Plant (this was named the #1 most important project for the Town by the outgoing DPW Director)
 2. Support the needed rehabilitation of two water storage tanks, which will cost about \$800k each.
 3. Recommend the Water Department to proceed with the replacement of 20-25 new fire hydrants, as only five have been done to date.
 4. Follow-up with the DPW, Town Manager, and Planning Director on status of improvement project for 150 feet of sewer on Park Street, incorporated as part of the Bank Street CDBG project.
 5. Support the replacement of 1,000 feet of outdated and undersized water mains on Mechanic Street to improve both water quality and fire safety.
 - Vice-Chairman Morrin questioned why the third item on this list was included when unlike the others, it was not explicitly recommended by the outgoing DPW Director.
 - Selectman Barnes responded that for the Town to have adequate fire protection, its hydrants need updating.
 - Mr. Beckley noted that these repairs were initially conceived as a task for the Water Department, but now the Committee wished to merge all these improvement projects into one.
 - Chairman Kruckas reminded the Board that the items on this list are merely recommendations from the WRC.
 - Selectman Barnes reiterated that the Town's hydrants are aging, and in need of replacement from a fire-safety perspective.
- **Sewer Rate Report Review**
 - Mr. Schrader introduced himself to the Board and stated that his goal was to help promote their

informed decision-making.

- He described the process utilized by Tighe & Bond to arrive at their current conclusion.
- He also noted Tighe & Bond's examination of three different alternative options for the Town, all of which arrived at the same conclusion.
- Mr. Schrader stated he would provide the Board with a brief account on the fundamentals of rate setting, expressing the company's goal of determining rates in an equitable fashion, recovering the full cost of service, distributing service equitably, focusing on revenue stability and resource protections, calculating expenses and revenues, and formulating rate projections for a 10-year window.
- He explained that an approval by the Board for 10 years of rates was not expected, but that the projection is a useful tool for planning purposes.
- He explained that Operating vs. Capital expenses would be differentiated and separated.
- Furthermore, he clarified that the FY22 Budget would be used as the basis for projections.
- Mr. Schrader re-emphasized the importance of upgrading the in-fluid screening system at the Waste Water Treatment Plant.
- According to the outgoing DPW Director's list of priorities, this project should be funded by ARPA, which means it realistically would not be reflected in the sewer rates.
- Mr. Schrader claimed that the Waste Water Treatment Plant is in need of a major overhaul, and stated that a former DPW Director was opposed to necessary upgrades.
- Mr. Schrader noted that the cost of the entire project over the next several years would total an estimated \$10 million.
- He noted that the State Revolving Fund may provide some forgiveness for this high cost.
- He then stated that an assessment of the entire Waste Water Treatment Plant facility is the second major project to handle (accounting for 10% of the total construction cost)
- Mr. Schrader also acknowledged that the Capital Improvement Plan can help cover the cost of the sewer rehabilitation project, with the cost of repairing cracks, leaks, and breaks estimated to total \$1 million by 2027.
- He noted that the report contains three crossed-out projects, which the outgoing DPW Director had scrapped, but Mr. Schrader recommended revisiting.
- Looking ahead to 2028, he revealed that the budget for the sewer system will need to have doubled.
- However, he recognized that the Town cannot sustainably allow rates to rise by the same proportion.
- He noted that 90% of current sewer revenue comes from rates, of which most are direct usage rates, however, the remaining 10% of funding from other sources is also important to consider, as it does not come from system users.
- The cost issue is made worse by the fact that Town sewer usage is projected to decline by 1%, leaving fewer users to front the cost.
- The first alternating variable considered by Tighe & Bond was the rate structure, with different percentages considered for the projected amount of money the system will rely on from rate payers (10% non-rate funding has been historically approved by the Town).
- Given the company's current projections, users may experience a mid-year rate increase for FY22 to escape a current revenue hole.
- Tighe & Bond's plan also breaks up the Town's debt over multiple years to avoid it crashing into a sudden wall after projects are completed.
- Mr. Schrader stated that the Town's Waste Water Department currently runs on a low budget with little debt, together implying that the Town has underfunded necessary capital improvements.
- Chairman Kruckas asked if the chart projected an 83% increase in sewer rates over the next 7 years.
- Mr. Schrader confirmed that it does, but the increase is unavoidable for funding badly needed improvements.
- He noted that rate projections could be found in the packet issued by Tighe & Bond.
- He gave some statistics, including that a 2.5-person household contributes an average of about 50

- gallons/person each day to the sewer system
- He claimed that noting these numbers may help the Board to better understand the overall financial impacts.
 - Depending on subsidization, different models range from \$15/person to \$112/person.
 - He explained that the impact on taxation relies on intricate mathematics too complex to predict.
 - He also noted that several unpredictable factors can play a large role in influencing usage and rates, including the weather.
 - He noted that any rate over 2% of median household income is traditionally considered a financial burden.
 - However, a newer method for determining this factor uses the lowest 20th percentile of income-earners in the community instead of the median and incorporates the prevalence of poverty in that community.
 - By the company's measure of poverty as anything at or below 200% of the federal poverty level, 35% of Ware residents are in poverty, meaning the project will likely pose a moderate to high burden for Town residents.
 - Chairman Kruckas noted that the Town experienced a deficit in FY20, which had to be covered by the general fund.
 - He wondered why the Town has had such a difficult time finding other funding sources, rather than charging more onto the already strained general fund, specifically mentioning the \$500k the Town was unable to spend from the CARES Act.
 - Mr. Beckley responded that the Town would continue to search for alternative sources of funding aside from the general fund.
 - Mr. Schrader reminded the Board that money from ARPA could be used to supplement the general fund.
 - Selectman Talbot mentioned that the Town is already more than 3 years behind in terms of having its rate increases keep up with expenses.
 - Mr. Schrader reminded the Board of the unpredictability of sewer expenses that would need to be covered.
 - Chairman Kruckas remarked that an 83% sewer rate increase would be a financial disaster for Ware and its residents.
 - Mr. Beckley called for a discussion on ARPA funds at the next Board meeting on 10/19, noting that in that time, Town officials will know more about both ARPA and the current needs of the sewer system.
 - Mr. Schrader called for a committee of 3-5 people, including the DPW Director, to have a discussion on specific rate options.
 - Selectman Talbot warned other Board members that the cost of repairs would compound if the Town failed to take action on its sewer system soon.
 - Vice-Chairman Morrin asked when sewer rates had last increased.
 - Mr. Beckley responded that sewer rates last increased 3 years ago, while water rates had done so 2 years ago.
 - Vice-Chairman Morrin expressed that the Board cannot continue to push off these important decisions requiring action.
 - Mr. Beckley shared the recommendation by the outgoing DPW Director to make rate changes as soon as possible, but not to let them take effect until after one quarter has passed, giving residents time to prepare.
 - Selectman Barnes asked Mr. Schrader if other communities in the state were in a similar position to Ware regarding sewer systems.
 - Mr. Schrader noted that each municipality's sewer system is in a very different place from one another, but similar situations to Ware's are found in a number of other communities.

New Business

- **Set Public Hearing Date, Brookside Mart Liquor License- Change of Manager, October 19, 2021 @ 7:10 PM**

Selectman Talbot made the motion to set the hearing date for Brookside Mart's Application for Change of Manager for October 19, 2021 at 7:10 PM. Selectman Barnes seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

- **Request from Residents for Additional Traffic Safety Measures on Beaver Lake Road and Beaver Road**
 - Mr. Beckley revealed that himself and Chief Crevier had recently met with residents from the Beaver Lake neighborhood to discuss two requests made by the residents, including the addition of three new stop signs, as well as the word 'Slow' being stenciled onto the road in one area.
 - Highway Director Chuck Niedzweicki confirmed that the latter request had just been completed.
 - Chairman Kruckas asked rhetorically if the Board was expected to fund measures like these on every street in the Beaver Lake neighborhood, expressing his belief that some of these requests were unreasonable and over-reactive.
 - One neighborhood resident in attendance stated that drivers aggressively speed down their streets, endangering the neighborhood's children.
 - Chairman Kruckas interjected that the recent traffic study from a temporary speed limit sign with an instrument tracking oncoming vehicle speed showed that the presence of the sign alone was enough to noticeably decrease the prevalence of speeding there. Chairman Kruckas claimed to support some minor improvements to traffic safety measures, even supporting the addition of two stop signs. However, he claimed that their request for a third was absurd.
 - Another resident asked about the possibility of shifting one current stop sign up closer to the end of the street, as its current location does not allow drivers to see oncoming traffic from their position.
 - Mr. Beckley responded that the Police Chief had given the approval for this request, in addition to adding two new stop signs. The Chief agreed with Chairman Kruckas on the lack of necessity for a third sign, nonetheless.
 - Vice-Chairman Kruckas remarked that residents who do not have the luxury of living so close to the lake walk longer distances to the beach, where they encounter the same risks from walking alongside speeding cars but have not approached the Board expecting the same level of concern and protection that residents from this neighborhood have.
 - One resident responded that the addition of a crosswalk across from the beach entrance will benefit all residents walking there by making drivers more aware that this is a common pedestrian area.
 - Selectman Talbot inquired about a compromise that would involve installing either rumble strips or additional road stenciling, instead of the proposed and peculiarly-located crosswalk.
 - Selectman Barnes remarked that the Town has already installed temporary flashing speed signs in the neighborhood at the request of its residents.
 - Selectman Talbot asked why the neighborhood's Homeowner's Association could not provide the monies for these requests itself.
 - A resident responded that the HOA is not responsible for funding traffic safety measures on Town-owned roads.
 - Chairman Kruckas noted that residents are free to purchase and install whatever traffic safety measures they would like on their personal property, but reminded the residents that the Board was okay with adding two stop signs. Its stance on the addition of a crosswalk would depend on the stances of the Police Chief and Highway Director.

- Chief Crevier added that the legality of painting a crosswalk that leads directly from one private property onto another private property is an issue that he would need to further investigate.
- One neighborhood resident claimed that Beaver Lake residents never see the taxes they pay to the Town come back to benefit them.
- Chairman Kruckas interjected, expressing bitterness toward what he claimed was a recurring sentiment that Beaver Lake residents feel entitled to special treatment under the false premise that they unfairly carry the Town's tax burden.
- Selectman Talbot asked if this topic could be tabled to a future meeting, after Chief Crevier has had time to investigate the crosswalk issue, and Mr. Beckley has looked into an estimate for a flashing traffic sign.
- Mr. Beckley predicted this sign would likely cost about \$1,500.

Selectman Barnes made the motion to table the discussion. Selectman Morrin seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

- **Acceptance of Land, Parcel 60-156-1**

- Mr. Beckley noted the proposed donation of this parcel to the Town, and mentioned the Town's plans to accept it, then sell it to abutting neighbors.

Selectman Talbot made the motion to accept Parcel 60-156-1. Selectman Morrin seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

- **Approval of Appointment of Interim DPW Director**

- Mr. Beckley noted that Human Resource Director Trish Barnes and himself had reviewed several applicants for the position, and had decided to go with Mr. Chuck Niedzweicki, who is set to begin a 6-month interim period to determine whether he is a good fit for the permanent position.

Selectman Barnes made the motion to approve the appointment of Chuck Niedzweicki to the position of Interim DPW Director. Selectman Morrin seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 1 Absent (Selectman McCarthy), 1 Abstention (Selectman Talbot).

- **Board of Selectmen Approval of 2020 Re-Precincting Plan for Town of Ware**

- Selectman Talbot announced that the re-precincting, completed in response to the newly-released 2020 U.S. Census Data, was complete and mandated for approval by the Board.

Selectman Morrin made the motion to approve the 2020 Re-Precincting Plan. Selectman Barnes seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

Comments and Concerns of Citizens

- Ms. Zins announced that the Ware History Hunt would be held on October 9th and 10th. Fourteen stores throughout the Town would be participating in this event meant to be fun, educational, and beneficial for Ware's small businesses. She also recommended following the event on Facebook.

Town Manager Report

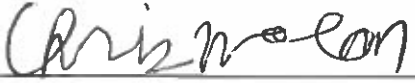
- Selectman Barnes expressed a concern over the fact that the DPW's recent Bulky Waste Day was scheduled at the same time as the much-anticipated rival football game between Ware and Palmer high schools (Chairman Kruckas congratulated Ware for the team's impressive win). Selectman Barnes expressed his concern that this overlapping of times was due to an oversight that may be solved with a

Master Town Calendar on the desk of the Executive Assistant. Mr. Beckley answered that this possibility could be examined.

- Mr. Beckley thanked the DPW for the success of Bulky Waste Day. Chairman Kruckas argued that the Town should hold these more often in order to cut back on people dumping furniture, appliances, and other bulky waste along the Town's back roads.
- Mr. Beckley announced that the Green Gold Group would be hosting a Job Fair upstairs in the Town Hall on Tuesday, October 12th.
- Mr. Beckley noted that plans to begin operations of the WestComm regional dispatch center were underway, with an estimated starting date sometime in mid-November. He added that the Town will not be billed for service from this facility until July 2022.
- Mr. Beckley announced that the Town's Veterans Day Parade would be held on November 11 at 1:00 PM on what will then be a freshly-coated Main Street.
- Chairman Kruckas expressed a complaint about the continued lack of a sidewalk in front of Hanna Devine's Restaurant due to the construction. Mr. Beckley stated that this is another matter relating to National Grid, and that the Town cannot construct new sidewalk there until the electric company makes some needed repairs. Chairman Kruckas remarked that this situation is unfairly having an adverse effect on a local business.
- Mr. Beckley announced that after 13 years of service, Maire Bresnahan will be leaving her position at the Senior Center, and the Town wishes her the best with her future endeavors.
- Mr. Beckley warned that electricity rates are rapidly climbing, and that the Town will unfortunately have to make higher payments for this utility soon. Chairman Kruckas asked about the possibility of buying into more solar projects. Mr. Beckley responded that the Town already receives a discount for having bought into a solar project in Oxford, with another expected soon in West Brookfield. Chairman Kruckas responded that the Town should look into installing more solar panels on its own facilities, suggesting the Waste Water Treatment Plant. Mr. Beckley agreed this was a promising idea, given the Plant's status as the Town's largest electricity user. Mr. Bergeron of Canadian Tree Expert added that solar technology continues to improve, generating even more electricity, and even being able to draw energy from the sun's reflection on the ground now. Vice-Chairman Morrin asked what the next step was in acquiring more solar for the Town. Mr. Beckley answered that the Town needed to focus on finding a provider to install solar panels at the Town's facilities. Chairman Kruckas expressed desire to see action taken on this issue soon, especially given the failures of a few of the Town's most recent solar projects.

Adjournment

Selectman Morrin made the motion at 8:45 p.m. to Adjourn the Regular Meeting. Selectman Talbot seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

Attest: 
Christopher J. Nolan
Executive Assistant to Town Manager



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, October 19, 2021 at 7:00 p.m.

6:15 p.m. – Executive Session: M.G.L. Chapter 30A, Section 21 (a)2 Negotiations with Non-Union Staff

7:00 p.m. – Regular Meeting

Instructions for call in option: at or before 7:00 p.m., call the phone number below and when prompted enter the Meeting ID number. The platform is Zoom Meetings.

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Meeting ID: 784 604 1861

Passcode: 01082

Phone: 929-205-6099

Present: Selectman Nancy J. Talbot, Selectman Thomas H. Barnes, Chairman Keith J. Kruckas, Selectman Caitlin M. McCarthy, Vice-Chairman John J. Morrin, Town Manager Stuart B. Beckley, Executive Assistant Christopher J. Nolan, Building Inspector Anna Marques, Timothy Reeves of Brookside Mart, Inc., Ed Murphy, Elaine Murphy, Rosie Parker, Lori Mooney, Russell Mooney, Alex Bergeron

Absent: None

Present via Zoom: Stanley Ciukaj from Ware Community Television, Eileen Kennedy from Ware River News

Meeting Opened by Chairman Kruckas at 7:00 PM.

Opening Remarks, Announcements, and Agenda review by Chair

- Selectman McCarthy announced that she is excited for the Halloween Drive-Thru event coming up on October 29 at 6PM in Grenville Park.
- Selectman Barnes thanked the construction workers who have been working on Town Hall and inquired with Mr. Beckley about the possibility of fixing a leaking window.
 - Mr. Beckley responded that this window was recently re-sealed, which should fix the leaking issue.
- Vice-Chairman Morrin reminded the room that Veteran's Day is approaching, and the Town's parade will be held at 1PM on November 11.

Consent Agenda

- **Approval of October 5, 2021 Meeting Minutes**
- **Retroactive Approval of One-Day Liquor License: Workshop 13- October 15, 2021, from 7-10 PM**
- **Toll Road Application: Ware Business & Civic Association Presents the Holiday Flair Fundraiser, November 6 and 7, 2021, from 8AM-Noon**

- Selectman Barnes remarked that he had some issues with the October 5 minutes.

Selectman Talbot made the motion to withhold the Approval of the October 5, 2021 Minutes from the Consent Agenda. Selectman Barnes seconded the motion. The motion passed unanimously (5-0).

- Vice-Chairman Morrin asked if Workshop 13's request to have a One-Day Liquor License retroactively approved meant that the venue had held an unlicensed event with alcohol sales.
 - Mr. Beckley answered yes, and that despite the Town approving these licenses retroactively in the past during extenuating circumstances, it has always been generally frowned upon.
 - Chairman Kruckas stated that the Board would approve the license in this instance, but that moving forward, it would set a new precedent of only allowing these in the most extreme circumstances.

Selectman Barnes made the motion to approve the two remaining items on the Consent Agenda. Selectman Morrin seconded the motion. The motion passed unanimously (5-0).

- **Approval of Addition to Tax Bills**

Selectman Talbot made the motion to approve the Town Treasurer's addition to the Tax Bills, which include clarifying information for residents on tax payments, and promote the Town's CodeRed alert system. Selectman Morrin seconded the motion. The motion passed unanimously (5-0).

- **Public Notification on Four Collective Bargaining Agreements**
 - Mr. Beckley acknowledged the approval of agreements between the Board and the Town's four bargaining units.
- **Beaver Lake Traffic Safety Update**
 - Ms. Murphy asked about the status of the requested traffic safety measures in the Beaver Lake Road area, which were discussed at the previous meeting.
 - Mr. Beckley answered that this topic was tabled for future discussion until after the Police Chief and Highway Director had investigated the logistics and legality of such matters.
 - Ms. Murphy questioned why the streetlights on Main Street were out at the present moment, and whether the Town could be held liable for any damages that could occur as a result.
 - Mr. Beckley answered that the streetlights would be out for scheduled electrical maintenance for 2-3 nights.
 - Chairman Kruckas suggested that Mr. Beckley send out a phone call alerting residents of this fact to encourage caution and prevent confusion.

Scheduled Appearances

- **7:10- Public Hearing: Brookside Mart Liquor License (#22)- Change of Manager**
 - Mr. Timothy Reeves appeared before the Board to request they approve his Change of Manager application, citing that he has taken over as Manager following the retirement of his predecessor.

Selectman Barnes made the motion to approve the Change of Manager application for Liquor License #22 (Brookside Mart Inc.). Selectman Talbot seconded the motion. The motion passed unanimously (5-0).

Old Business

- **ARPA**

- Mr. Beckley announced the Town's necessity of spending the entirety of its money awarded from the American Rescue Plan Act of 2021. He described the vast amount of descriptive information in the document packet for the meeting. He stated that the money must be allocated to specific purposes by 2024 and spent by 2026.
- Selectman McCarthy asked about the possibility of collaborating with the Finance Committee to discuss potential uses of ARPA funds.
- Selectman Barnes expressed confusion over the sources of funding for different Town projects, wondering why broadband was included in the ARPA packet when it should be covered by the separate Broadband Initiative. He also recognized the necessity for allocating a large portion of ARPA money toward the in-fluid filtration project at the Waste Water Treatment Plant.
- Chairman Kruckas noted Springfield's commitment to paying first responders and other essential workers a monetary bonus for working through the pandemic while most people were at home, and recommended ARPA funds to help support this in Ware, arguing that it could also help to alleviate staffing issues among essential personnel in the Town.
- Vice-Chairman Morrin argued that the Town should only spend ARPA money on matters that cannot be funded through any other means.
- Mr. Beckley elaborated that among the Town's major projects, the Community Development Block Grant is expected to cover the cost of the Bank Street project, while the WWTP screen project alone should take up the first 1-2 years of ARPA funds.
- Chairman Kruckas stated that Town officials must be diligent about ensuring that it is proactive in setting concrete plans to spend its grant money, citing the Town's failure to spend a large chunk of the money it was allotted from the CARES Act.
- Mr. Beckley confirmed that it is too late to spend the first round of CARES money.
- Chairman Kruckas argued that it would have been able to be spent had the Town worked more diligently in the beginning to develop specific plans for it.
- Selectman Talbot stated that the Board needed to meet with the Finance Committee for an in-depth discussion about ARPA funds.
- Chairman Kruckas inquired when the Town could expect to receive the first round of ARPA money.
- Mr. Beckley responded that the first round had already been received.
- Selectman Talbot called for Mr. Beckley to schedule a meeting between the Board and the Finance Committee, to take place during a future meeting of the Board of Selectmen.

Selectman Talbot made the motion to table the discussion on ARPA spending until after meeting with the Finance Committee. Selectman McCarthy seconded the motion. The motion passed unanimously (5-0).

New Business

- **Building Permitting and Zoning Enforcement Update/Discussion**

- Chairman Kruckas inquired with Building Inspector Anna Marques where the Town currently stands regarding code enforcement.
- Ms. Marques answered that code enforcement is a complex and multi-formed process, with no easy description for its current state in the Town at large.
- Chairman Kruckas noted a recent development wherein a large wall was sloppily destroyed on an Otis Ave property. He remarked that this project was completed without a permit, and the property owners subsequently left the property abandoned and in a messy state to the dismay of neighborhood residents.

- Ms. Marques responded that none of the relevant property in this scenario was owned by the Town.
- Chairman Kruckas responded that even though this was the case, the Town should step in since other properties in the area have been negatively affected by it. He also remarked that this is an issue that began two years ago which the Town has still failed to act on appropriately.
- Ms. Marques stated that the current hold-up on this issue stems from the property owners needing to hire a land surveyor, but thus far refusing to do so.
- Chairman Kruckas accused Town departments of selectively enforcing building code requirements. He brought up another example of a building (92-104 Main Street), slated to be demolished at taxpayers' expense.
- Mr. Beckley responded that the state has rejected this building owner's application for a demolition grant, and that the Town now needs to reach out to the owner directly.
- Selectman McCarthy expressed that the disrepair and soon-to-be demolition of this historic building is a sad loss for the community.
- Selectman Talbot noted that the owner of this building has not paid several fines he owes and has been habitually ignoring all correspondence from the Town.
- Chairman Kruckas expressed frustration that the situation involving this building has escalated, and now the taxpayers are being forced to foot the bill.
- Mr. Beckley responded that the revitalization of Downtown Ware comes with an upfront cost that will be essential for the Town's future economic well-being.
- Chairman Kruckas answered that the Town's taxpayers are already struggling and should not be expected to cover costs that should have been paid by neglectful property owners.
- Vice-Chairman Morrin asked if the Town had plans to take this Main Street building owner to housing court.
- Mr. Beckley answered that yes, this was possible.
- Vice-Chairman Morrin asserted that the Town needs to take an aggressive stance toward the owners of neglected buildings to prevent more situations like this one from arising in the future.
- Chairman Kruckas argued that Town officials were sympathetic toward the owner of the Main Street building for too long, while he himself had been skeptical of the owner since the issue first arose.
- Chairman Kruckas stated that the emails for each member of the Board are public information, and that any resident who felt their concerns were not being heard by Town departments such as the Building Department could reach out to one of them directly.
- Chairman Kruckas remarked that the story of 92-104 Main Street is all too similar to that of an adjacent building which was recently torn down.
- Ms. Marques responded that these two buildings faced different sets of circumstances from each other.
- Chairman Kruckas disputed that even if this was the case, the result of each one's disrepair was the same for the Town's taxpayers.
- Ms. Marques noted that the Town has a formal process for hearing and investigating zoning complaints.
- Chairman Kruckas remarked that due to past corruption in the Town involving the former Fire Chief, many business owners are fearful of all communications with Town departments.
- Chairman Kruckas accused Town officials of displaying favoritism by selectively enforcing zoning policies on those they see as adversaries, while failing to hold personal friends or allies responsible for violations.
- Selectman McCarthy asked for an update on the whistleblower phone line for reporting Town officials of wrongdoing.
- Mr. Beckley asked for clarification on whether this phone line was meant to be open to Town employees or members of the general public.

- Vice-Chairman Morrin answered that it should be open to both.
- Mr. Beckley stated that the line was in the process of being set up with Verizon, and that a potential answering team may consist of the Executive Assistant, Human Resources Director, and one or more members of the Select Board.
- Mr. Beckley went on to note that State Senator Anne Gobi is in the process of setting up more meetings with other state officials regarding FEMA and the past July's flooding on Quarry Street.
- Chairman Kruckas asked for verification that recent emails concerning dam removal have been about artificial dams, rather than beaver dams.
- Mr. Beckley affirmed that this was the case.
- Ms. Marques informed the Board that the Building Department receives notification from insurance companies regarding all relevant matters, often receiving multiple pieces of correspondence from them each week.
- Vice-Chairman Morrin requested that the Department more thoroughly look into each communication it receives from insurance companies.
- Ms. Marques affirmed that she would more closely examine insurance documents for matters that require the Department's attention.
- Chairman Kruckas asked about the status of a boarded-up building at 65 West Street.
- Ms. Marques replied that this was another building whose owner was ignoring all communications from the Town.
- Regarding another neglected property at 13 Vigeant Street, Ms. Marques stated that this was now a vacant lot with too many taxes owed on it for it to be sold.
- Mr. Beckley added that according to the owner of the Vigeant Street lot, the Town is already in possession of the property.
- Chairman Kruckas argued that because of this claim, the Town should make every effort to get a written statement from the owner transferring ownership of the property to the Town.
- Ms. Marques responded that this would be difficult, given the owner's consistent refusal to answer any correspondence from the Town, but that this was ultimately the goal.

Citizen Comments/Concerns

- **Fiber-Optic Prospects**
 - Mr. Bergeron asked if it would be possible for the Town to obtain grants for developing the infrastructure for fiber-optic internet service.
 - Mr. Beckley answered that this would absolutely be possible, and that it is a matter that would be actively investigated.
- **Update from Chairman Kruckas**
 - Chairman Kruckas informed the room of some personal matters involving altercations between himself and former Fire Chief Thomas Coulombe, who was demoted and suspended by the Board of Selectmen in 2019.
 - Chairman Kruckas specified that himself and his family had been victims of threats and harassment by Coulombe, who was angered by the Board's disciplining of him.
 - Chairman Kruckas thanked the Fire Department and Chief Chris Gagnon for their support.
 - He described how the past four years have been exceedingly difficult, and he is disappointed by the fact that a member of the Coulombe family continues to serve in an elected position as the Town Moderator.
 - Without giving specific names, Chairman Kruckas claimed that multiple people in the meeting room had been involved in illegal and unethical activities with the goal of preventing accountability regarding this affair and called on all these individuals to resign from their positions.

- Chairman Kruckas directly addressed members of the press viewing the meeting, stating that he wanted his account of the harassment endured by his family at the hands of Thomas Coulombe to go public.
- Vice-Chairman Morrin expressed agreement that the Coulombe affair left a mark of damage on the Town, with the former Chief being highly corrupt, and his son being awarded his position with the Fire Department through nepotism alone after having his mother fill out the application for him.
- Chairman Kruckas reiterated that multiple people in the room were guilty of violating the law in the case of this scandal.
- **ADA Coordinator and Disability Awareness Committee**
 - Selectman Barnes asked about the status of filling the position for the Town's ADA Coordinator.
 - Mr. Beckley answered that the Town Manager's office was getting ready to create a posting for ADA Coordinator, as well as members for the Town's Disability Awareness Committee.

Town Manager Report

- Mr. Beckley provided the following updates.
 - Re-paving on West Warren Road is complete.
 - The DPW's Flushing Program is complete.
 - Streetlights on Main Street would be scheduled to be down for the subsequent few days for scheduled maintenance.
 - Palmer Paving would be finishing up their work Downtown within the next 2 weeks.
 - The Domestic Violence Awareness Walk would be happening on October 23rd, starting at 1PM in Veterans Park. The event was still in need of speakers.
 - Selectman McCarthy volunteered to speak at the event.
 - The Veterans Day Parade would be held on November 11th at 1PM.
 - The Ware Flair Committee would be setting up their annual holiday decorations Downtown starting on November 13th.
 - The Knights of Columbus would be hosting the Halloween Drive-Thru event at Grenville Park on October 29th from 6-8PM.
 - The Executive Assistant had successfully scheduled a consultation with All Energy Solar to take place on October 26th regarding the Town's proposal to purchase solar carports for the parking lot of the Police Station, in addition to rooftop panels for the Senior Center and Waste Water Treatment Plant.
 - Chairman Kruckas recommended that Mr. Nolan consult with Terry Smith regarding this project, as well as Local 7 in Springfield. He also recommended examining the DPW facility at 18 Mechanic Street as another potential candidate for rooftop solar.
 - The Finance Committee needs to speak with the Board for a discussion on Water and Sewer rates.
 - Selectman Talbot asked when this discussion would be taking place.
 - Mr. Beckley responded that it could be scheduled at the Board's convenience.

Selectman Talbot made the motion to schedule the public hearing with the Finance Committee for a discussion on Water and Sewer rates for November 16, 2021 at 7:10 PM. Selectman Barnes seconded the motion. The motion passed unanimously (5-0).

- The FY22 Tax Classification Hearing needs to happen in late November.


Selectman Talbot made the motion to schedule the public hearing for the FY22 Tax Classification for a special meeting on November 23, 2021 at 7:05 PM. Selectman Morrin seconded the motion. The motion passed unanimously (5-0).

- The budget is currently in a good place, with no immediate need to rush capital improvements.
- Chairman Kruckas stated that the Board was working to recover as much taxpayer money as possible from the Coulombe affair.
- Chairman Kruckas asked about the status of the Town Bylaws being posted online.
 - Mr. Beckley responded that this was an ongoing project still waiting on a few holdups.
- Vice-Chairman Morrin asked about updates to the Town Charter.
 - Mr. Beckley answered that there have been none recently, but that all past amendments can be seen online on the Town website's Town Clerk page.
- Selectman Talbot noted that not all changes to Town policy require changes to the Charter.
- Vice-Chairman Morrin stated that even though this was the case, all major overhauls should be prepared for well in-advance.
- Chairman Kruckas made one final remark that recent audits have been extremely difficult to get information from.

Adjournment

Selectman Talbot made the motion to adjourn at 8:10 PM. Selectman Morrin seconded the motion. The motion passed unanimously (5-0).

Selectman Talbot made the motion at 8:10 p.m. to Adjourn the Regular Meeting. Selectman Morrin seconded the motion. The motion passed unanimously (5-0).

Attest: 
Christopher J. Nolan
Executive Assistant to Town Manager



APPLICATION FOR SPECIAL SERVICE OF
ALCOHOLIC BEVERAGES
MGL CHAPTER 138, SECTION 14
TOWN OF WARE

Name: Workshop 13 - Marie Landerdeh Application Date: 9/7/21
 Contact Phone: (413) 277-6072 Email: marie@workshop13.org
 Effective Date(s) of License: December 5, 2021
 Hours of Service (In conformity with MGL): 3-5 pm
 Event (describe activities, service of food): Comet - Weir River Jazz
 Anticipated Attendance: 80
 Sponsoring Organization: Workshop 13
 Non Profit: All Alcoholic (\$50) Beer & Wine (\$30) (For-Profit, Beer & Wine Only)
 Address (include Street & Number): 13 Church St., Ware, MA 01082
 Names of All Servers (bartenders) for this event: Pat Gaudreau, Brian Dyring
 Estimated Number of Attendees: 80
 Crowd Control Manager: Roc Gaudreau

I have received, and agree to abide by, all regulations of the Board of Selectmen. Furthermore, pursuant to MGL Chapter 52C, Section 49A, I hereby certify under penalty of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and all state taxes required under law.

Signature of Applicant: M. Landerdeh
 Social Security # or Federal ID #: 47-1200475

Fire Inspection
Date: _____

Building Inspection
Date: _____

| | |
|--|------------------------|
| Date Received: | Insurance Certificate: |
| Application Fee: | |
| Action Taken: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied Date: <u>09-13-2021</u> | |
| Police Chief Review and Action | |
| <u>Shawn Crevier</u> Police Chief Shawn Crevier | |



Ware, MA

Fiscal Year 2022

Tax Classification Hearing

November 15, 2021

Ware Board of Assessors

Theodore P. Balicki- Chairman

Gerald F. Fountain, Jr. - Member

Devin Peterson - Clerk

Deanna Lavigne - Administrative Assessor

Harald M. Scheid - Interim Principal Assessor

Introduction

Prior to the mailing of 3rd quarter tax billings, the Select Board holds a public hearing to determine the percentage of the Town's property tax levy to be borne by each major property class. This responsibility and procedure are described in Chapter 40, Section 56 of the Massachusetts General Laws.

The steps in completing the Classification Hearing are outlined below. Also provided is information about the levy, property assessments, and recommendations made by the Board of Assessors.

Steps in Setting Tax Rates

Pre-classification Hearing Steps

Step 1: Determination of the property tax levy (Budget Process)

Step 2: Determine assessed valuations (Assessors)

Step 3: Tabulate assessed valuations by class (Assessors)

Classification Hearing Steps

Step 4: Classification hearing presentation (Assessors & Select Board)

Step 5: Voting a tax shift factor (Select Board)

Post Classification Hearing Steps

Step 6: Sign the LA-5 Classification Form (Select Board)

Step 7: Send annual recap to DOR for tax rate approval (Assessors)

Step 8: Obtain DOR approval of tax rates (DOR)

Terminology

The following are definitions of the terms frequently used in the discussion of tax rates.

Levy: The tax levy (or levy) is the amount of property taxes to be raised. The levy amount is determined by the budget. The total amount of the approved budget less revenues from other sources like motor vehicle excise, municipal fees, and state aid is the amount to be raised from property taxation. The town will be raising \$16,457,746 in property tax revenues.

Levy Ceiling: The levy ceiling is 2.5 percent of the full value of the Town. Based on the Ware aggregate valuation of \$850,969,307, the town cannot levy taxes in excess of \$21,274,233.

New Growth Revenue: Property taxes derived from newly taxable properties like new construction, additions, subdivisions, and personal property. The assessors have tabulated new growth revenues of \$199,110.

Levy Limit: Also referred to as the "maximum allowable levy", this is calculated by adding 2.5 percent of the previous year's levy limit plus new growth revenue for the present fiscal year to last year's levy limit. Exceeding the levy limit requires an override of Proposition 2 ½. For Fiscal Year 2022 the levy limit is \$16,710,844.

Excess Levy Capacity: Excess levy capacity is the difference between the levy and the levy limit.

The Fiscal Year 2022 Levy Limit and Amount to be Raised

The following is a calculation of Ware's levy limit for fiscal year 2022.

| | |
|---------------------------------------|---------------------|
| Fiscal year 2021 levy limit | \$16,080,570 |
| Levy increase allowed under Prop. 2 ½ | 402,014 |
| New growth revenue | 199,110 |
| Excluded Debt to Pay Bonds | 29,150 |
| Fiscal year 2022 levy limit | 16,710,844 |
| Levy Ceiling | 21,274,233 |
| Levy to be raised | \$16,457,746 |
| Excess levy capacity | \$436,611 |

Valuations by Class Before Tax Shift

| <u>Major Property Class</u> | <u>Valuation</u> | <u>Percent</u> | <u>Res vs CIP%</u> |
|-----------------------------|------------------|----------------|--------------------|
| Residential | 721,663,123 | 84.8048 | 84.8048 |
| Commercial | 79,458,742 | 9.3374 | |
| Industrial | 25,321,800 | 2.9756 | 15.1952 |
| Personal Property | 24,525,642 | 2.8822 | |
| TOTAL | 850,969,307 | 100.0000 | |

Shifting the Tax Burden

Municipalities with a large commercial/industrial tax base often see fit to shift the tax burden to help maintain lower residential taxes. Given Ware's relatively small commercial, industrial, and personal property tax base, it takes a CIP tax rate increase of approximately 6 1/2% to yield a 1% residential tax rate reduction.

Tax Rates

The estimated single tax rate for fiscal year 2022 is \$19.34 per thousand valuation.

| <u>Property Class</u> | <u>FY2021</u> | <u>FY2022</u> |
|-----------------------|---------------|---------------|
| Residential | \$20.18 | 19.34 |
| Commercial | \$20.18 | 19.34 |
| Industrial | \$20.18 | 19.34 |
| Personal Property | \$20.18 | 19.34 |

Note that the FY2022 rate is an estimate and may change upon Department of Revenue review.

Tax Rates History

| | | | |
|------------------|---------|------------------|---------|
| Fiscal Year 2020 | \$20.63 | Fiscal Year 2017 | \$20.77 |
| Fiscal Year 2019 | \$20.21 | Fiscal Year 2016 | \$20.21 |
| Fiscal Year 2018 | \$20.71 | | |

Tax Rate Options Average Taxes

| CIP Shift Factor | Res Shift Factor | CIP Rate | Res Rate | Single-family Average Tax | Commercial Average Tax |
|------------------|------------------|----------|----------|---------------------------|------------------------|
| 1.0000 | 1.0000 | 19.34 | 19.34 | \$4,189 | \$10,229 |
| 1.1000 | 0.9821 | 21.27 | 18.99 | \$4,113 | \$11,250 |
| 1.2000 | 0.9642 | 23.21 | 18.65 | \$4,040 | \$12,276 |
| 1.3000 | 0.9462 | 25.14 | 18.30 | \$3,964 | \$13,297 |
| 1.4000 | 0.9283 | 27.08 | 17.95 | \$3,888 | \$14,323 |
| 1.5000 | 0.9104 | 29.01 | 17.61 | \$3,814 | \$15,343 |

Tax Impacts

Examples of Typical Residential Tax Changes

| <u>Property Class</u> | <u>Average FY21 Value</u> | <u>Avg. Tax</u> | <u>Average FY22 Value</u> | <u>Avg. Tax</u> | <u>Change</u> |
|-----------------------|-------------------------------|-----------------|-------------------------------|-----------------|---------------|
| Single Family Homes | \$201,200 | \$4,060 | \$216,600 | \$4,189 | \$129 (3.1%) |
| 2-3 Family Homes | 131,300 | \$2,650 | \$149,800 | \$2,897 | \$247 (9.3%) |
| Commercial | \$503,800 | \$10,167 | \$528,900 | \$10,229 | \$62 (0.6%) |

(Note – Average assessments are corrected for new growth)

Board of Assessors Recommendation

The Board of Assessors recommends that the Select Board adopt a single tax rate to be applied to all classes of property in Ware.

Voting a Tax Shift Factor (proposed motion)

The Ware Select Board votes in accordance with M.G.L., Ch. 40, Sec. 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2022 tax rates and set the Residential Factor at 1.0, with a corresponding CIP shift of 1.0, pending approval of the town's annual tax recap by the Massachusetts Department of Revenue.

Summary of Assessments (LA4)

| <u>Property Type</u> | <u>Count</u> | <u>Residential</u> | <u>Commercial</u> | <u>Industrial</u> | <u>Personal Property</u> |
|------------------------------------|--------------|--------------------|-------------------|-------------------|--------------------------|
| 101-Single Family | 2599 | 562,025,500 | -0- | -0- | -0- |
| 102-Condominiums | 21 | 1,808,000 | -0- | -0- | -0- |
| 103,109-Misc Res | 159 | 17,782,900 | -0- | -0- | -0- |
| 104-Two Family | 286 | 42,230,900 | -0- | -0- | -0- |
| 105-Three Family | 74 | 11,717,000 | -0- | -0- | -0- |
| 111-125-Apartments | 84 | 35,956,000 | -0- | -0- | -0- |
| 130's-Vacant Land | 783 | 24,085,600 | -0- | -0- | -0- |
| 012-043-Mixed Use | 65 | 26,057,223 | 8,943,000 | 1,656,200 | -0- |
| 300-393-Commercial | 129 | -0- | 69,429,100 | -0- | -0- |
| 400-452-Industrial | 59 | -0- | -0- | 23,665,600 | -0- |
| 500-508-Pers. Prop. | 208 | -0- | -0- | -0- | 24,525,642 |
| 600's-Forestry | 31 | -0- | 115,885 | -0- | -0- |
| 700's-Agricultural | 66 | -0- | 302,936 | -0- | -0- |
| 800's-Recreation | 56 | -0- | 667,821 | -0- | -0- |
| TOTAL BY CLASS | 4620 | 721,663,123 | 79,458,742 | 25,321,800 | 24,525,642 |
| TOTAL TAXABLE PROPERTIES | | | | | 850,969,307 |
| TOTAL TAX EXEMPT PROPERTIES | | | | | 112,943,877 |