

Selectboard

Ware Town Hall, Meeting Room, 126 Main Street

Meeting Notice Agenda – Tuesday, February 07, 2023 at 7:00 p.m.

6:30 PM – Executive session pursuant to the provisions of M.G.L. c.30A, §21 (6) Real Property; (2) Litigation – Fire Arbitration, (a)(3) to discuss strategy with respect to litigation, as an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares.

Instructions for Remote Participation: 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 Regular Session Minutes**
 - Oct. 18 & Dec. 20, 2022, & January 3rd, 2023
- **One-Day Liquor License**
 - Workshop13, February 12 & 17, 2023

Scheduled Appearances

- **7:05pm New Wine and Malt License, \$15 Package Store (*Request to Continue to 02/21/23*)**
 - Nilkant 139, Inc d/b/a City Wine, Spirits, and Smoke Shop, 139 West Street, Unit C
- **7:10pm Amendment for Change of License Type, \$12 Club to General On-Premises**
 - Aspen Street Rod and Gun Club, 58 Aspen Street

Old Business

- **Right-To-Farm**
 - PCD Dept will be presenting a draft Bylaw
- **Emergency Response protocol for both heating and cooling center during power outages**

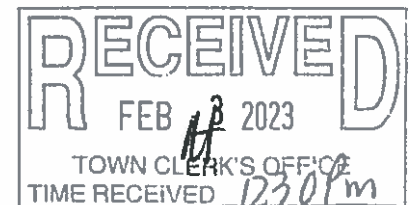
New Business

- **Appointments**
 - Open Space Committee – Jason Brooks
- **Resignation**
 - Housing Authority
- **Request for Hearing**
 - NGrid Pole Hearing at 7:10pm on February 21, 2023, Petition #30635979 located on West Warren Road.
 - Verizon Pole Hearing at 7:15pm on February 21, 2023, Petition #30635979 located on West Warren Road. (Solely Owned)
- **Electronic Sign Use Policy**
 - Presentation of a Policy for use of the new electronic sign

Written Concerns of Citizens

Town Manager Report

Adjournment



Selectboard

Ware Town Hall, Meeting Room, 126 Main Street, Ware, MA 01082

Regular Meeting Minutes – Tuesday, October 18, 2022, 7:00pm.

Present: Selectboard Chairman John J. Morrin, Selectboard Clerk Thomas H. Barnes, Selectboard Member Keith J. Kruckas, Selectboard Member Joshua A. Kusnierz, Town Manager Stuart B. Beckley, Brittnei Robidoux

Absent: Selectboard Vice-Chair Caitlin McCarthy

Remote Participation: Stanley Ciukaj (Ware Community Television), Ware Rivers News

Chairman called the meeting to order at 7:00pm and led the Pledge of Allegiance.

OPENING REMARKS, ANNOUNCEMENTS, AND AGENDA REVIEW BY CHAIR

- Board Member K. Kruckas wanted to say thank you to Mr. Paul Orzylak at the high school for his support to the sports program, and dedication for the education in youths.

CONSENT AGENDA

- Approval of September 20, 2022, minutes
MOTION by Chairman John Morrin to approve the minutes. Seconded by Clerk Thomas Barnes. No further discussion. All in Favor 4/0/0.

SCHEDULED APPEARANCES

- Approval of Disability Awareness Committee Member
MOTION by Clerk Thomas Barnes to appoint Brittnei Robidoux. Seconded by Board Member Keith Kruckas. No further discussion.
All in Favor 4/0/0.
- Town Manager Stuart Beckley noted there are still seats available if anyone would like to join the committee and the open availability will be posted on the electronic messaging boards.

OLD BUSINESS

- Update on Youth Swim Lessons**
Town Manager Stuart Beckley stated swim lessons can continue if there is a facility available and citizens are willing to pay. Will reach out to surrounding communities for open availability such as Monson and Belchertown. Chairman Morrin noted that since school is in session, word of mouth should spread lessons are still offered. Board Member J. Kusnierz asked if Eagle Hill was available, reply was no, it's not. No further discussion.
- Update on Registry of Vacant Properties**
Town Manager Stuart Beckley provided an update that BLDG Dept and Deputy Fire Chief have met, created forms and except to implement policy starting January 1st. No further discussion.
- Policy Update on Payment Plans for Delinquent Taxpayers**
Town Manager Stuart Beckley stated the Treasure will provide a draft of the policy at the next meeting, apologized it was not submitted this meeting.

Clerk Thomas Barnes stated a federal ruling may affect the policy regarding refunding taxpayers, suggested to investigate this ruling. Chairman Morrin stated the amount agreed upon for the payment would allow taxpayers to be caught up in delinquent taxes. No further discussion.

- **Update on Whistleblower Hotline**

Town Manager Stuart Beckley stated there was nothing new to report regarding cost but is reaching out to another company for a quote. Town Manager Stuart Beckley to provide an update at the next regular scheduled meeting. No further discussion.

- **Update on Funding Sources for Quaboag Connector**

Clerk Thomas Barnes stated Chris Nolan should have had the title by last week. Town Manager Stuart Beckley stated the title was indeed received, submitted it to the insurance agency and should not take a long time.

Funding sources were finalized the amount in totals for the Town and letters will be sent for budgeting purposes. For the Town of Ware, it works out to what has been budgeted for the last 2-years. Chairman Morrin asked for a breakdown for the next meeting. No further discussion.

NEW BUSINESS

- **Approval of Warrant for Special Town Meeting, Monday, November 14, 2022, at 6:30pm, Ware High School Auditorium**

Town Manager Stuart Beckley presented a revised document to include Article 14 submitted by DPW for a new dump truck, which will have to go to Capital Planning and then come back for the approval process. Town Manager is seeking approval from the Board tonight of the Warrant so the Constable can proceed with posting as required by Law.

Board Member K. Kruckas asked for clarification on the letter from the Town Clerk's explanation of the matter at hand. If the Clerk's regular work leaves little time to complete normal tasks, then why would they be involved with other Boards/Committees. Votes could affect zoning issues. Believes this could be a conflict. Chairman Morrin agreed this could be a conflict. Board Member K. Kruckas continued to state his overall concern.

Article 8 Discussion: Board Member J. Kusnierz asked for clarification on Article. Town Manager Stuart Beckley stated this was left over from April / May – Board Member J. Kusnierz asked why can't it be the Town Manager? Continued to give an example of himself (J. Kusnierz) serving as a Tree Warden and a Selectboard Member. Chairman Morrin stated it was an elected position. Town Manager Stuart Beckley stated it was a State Law. Board Member J. Kusnierz asked to change it to make for Town Manager to appoint. Chairman Morrin stated it would have to start the process all over. Board Member J. Kusnierz asked for Article 8 be removed until the spring town meeting. Discussion between Chairman Morrin and Board Member J. Kusnierz continued having a monetary interest. Board Member J. Kusnierz requested again to postpone Article 8 or an appointment from Town Manager. Board Member K. Kruckas stated this should be a town employee that holds the position who is present daily. Town Manager Stuart Beckley stated the purpose of this Article is to move it from an elected to appointed position. No further discussion. **MOTION** by Board Member Keith Kruckas to approve the Warrant as presented. Seconded by Board Member Joshua Kusnierz. No further discussion. All in Favor 4/0/0. (Board signed the Warrant.)

- **Discussion of Executive Assistant Vacancy, Next Steps**
 - Chairman John Morrin wishes Christopher Nolan the best of luck at his new position.
 - Town Manager Stuart Beckley stated the position has been advertised and once applications are received, the interviewing process will begin.
 - Chairman J. Morrin asked for all applications to be held and reviewed.
 - **Discussion on Pathfinder School Committee**
 - Town Manager said a letter will be submitted soon and due to the population count in the Town of Ware, a second person will be appointed.
 - Vacancy will be posted once letter is received from Pathfinder.
 - **Discussion of Funding of New Weights and Measures Fee**
 - State conducts the Weights and Measures and proposing a higher fee.
 - Town has the authority to raise the fees to match the States fee.
- MOTION** by Chairman John Morrin to authorize Town Manager Stuart Beckley and Town Treasurer to raise the Town's rates to match the States. Seconded by Board Member Thomas Barnes. No further discussion. All in Favor 4/0/0.

WRITTEN CONCERNS OF CITIZENS

- None

TOWN MANAGER REPORT

- Saturday, October 22, 2022, starting at 1:00pm located at Veterans Park is the Domestic Violence Task Force Awareness Walk. Board Member Caitlin McCarthy will be speaking. Encourages everyone to attend.
- November 6, 2022, from 10:00am to 1:00pm will be the next bulky waste collection at the Ware High School. A postcard will be mailed to citizens.
- **North Street Bridge Update**
 - 2 step process: shore it up, and then once design plans are completed, request bids in fall.
 - Road will be closed – one-way during repair.
- **Halloween**
 - Police and Parks are finalizing details for traffic flow
 - Drive-thru at Grenville Park, Friday, October 28th 6:00pm to 8:00pm
 - Trick-or-Treat, Saturday, October 29th 5:00pm to 8:00pm.
- **Attorney General Notice**
 - Town Meeting Article regarding changing the House Authority from elected to appointed felt it went against State Law and declined the change for the Town's Charter.
 - Chairman J. Morrin asked if it should be presented at Town Meeting. It would be the same process but different language change.
 - Board Member K. Kruckas asked if there was a response about the law change on the Fire Chief position. Yes, the Governor signed it, it is an appointment position now.
 - Board Member K. Kruckas asked about how fees are set by Department Heads. Town Manager Stuart Beckley will provide an update at the next meeting.

- Quarry Street Update
 - Almost complete the First Phase of the design – measuring culverts.
 - Second phase is the design.
 - Funds for the repair are to be determined
- Congratulated Rob Watchilla and Jay Mooney for being awarded a grant.
- Chairman J. Morrin asked about business banners. Town Manager presented a photo of the banner to be installed next month.
- Board Member K. Kruckas expressed concerns over the cost of electricity and oil rising and the recent tax bill on the rise, very concerned for the elderly and financial hardship citizens may have - is there programs for citizens to apply for? Is there an easier way to post such information?
- Board Member K. Kruckas thanked people for those who do donate food but felt people may take advantage of such donations and hope people would reconsider taking the opportunity away from others who truly need it.
- Board Member K. Kruckas asked if oil for the schools was/is bought from the same suppliers as the past. Town Manager stated the town did the state bid and the school does a regional bid.
 - Board Member K. Kruckas asked why did the town not bid with the school rate?
Response: if we are not part of it originally, then we cannot come in late.
- Clerk T. Barnes asked if there was a settlement on opioids. Town Manager stated over 20-years amounts to approx. \$430,000, with this year will be \$80,000.00. But there are very specific guidelines to the funds.
- Distributing wood list still available? Currently in two locations: DPW gate and Robbins Road.

ADJOURNMENT

MOTION by Board Member Joshua Kusnierz to adjourn at 7:47pm. Seconded by Board Member Keith Kruckas. No Further discussion. All in Favor 4/0/0.

Attest: Nicole L. Croteau
Nicole L. Croteau

Selectboard

**Ware Town Hall, Meeting Room, 126 Main Street, Ware, MA 01082
Regular Meeting Minutes – Tuesday, December 20, 2022, 7:00pm.**

Present: Selectboard Chairman John J. Morrin, Selectboard Vice-Chair Caitlin McCarthy, Selectboard Clerk Thomas H. Barnes, Selectboard Member Joshua A. Kusnierz, Town Manager Stuart B. Beckley

Absent: Selectboard Member Keith J. Kruckas

Remote Participation: Stanley Ciukaj (Ware Community Television), Ware Rivers News

Public in Attendance: Kirk Brown, Deb Gagnan, Randy Letourneau, Leah Robertson, Chantel Bleau, Randy Grafton, David Harper, John Tichy, Melissa Sterns, Anne Krasnecky, Robert Krasnecky

Chairman called the meeting to order at 7:00pm and led the Pledge of Allegiance.

OPENING REMARKS, ANNOUNCEMENTS, AND AGENDA REVIEW BY CHAIR

Chairman Morrin recently visited the Soldiers Home and thanked the AM-Vets and the Soldiers.

Clerk Thomas Barnes stated Board Member Keith Kruckas was feeling ill and hope he felt well soon. Also stated the Nov 19th Vet's Breakfast was delicious and thanked everyone for their time and efforts in coordinating this event.

Vice-Chair Caitlin McCarthy stated the first youth community event was a great turnout and thanked everyone that attended.

CONSENT AGENDA

- **Approval of Minutes** – October 4th and November 15, 2022
- **Approval of One-Day Liquor Licenses** – Workshop13

Board reviewed the material provided. No discussion.

MOTION by Clerk Thomas Barnes to approve the Consent Agenda as presented. Seconded by Vice-Chair Caitlin McCarthy. No further discussion. All in Favor 4/0/0.

NEW BUSINESS

- **APPOINTMENTS**

ADA Commission Appointment – Patricia Ranner

Board reviewed Patricia Ranner appointment application. No discussion.

MOTION by Clerk Thomas Barnes to appoint Patricia Ranner to the ADA Commission. Seconded by Vice-Chair Caitlin McCarthy. No further discussion. All in Favor. 4/0/0

Town Manager Stuart Beckley stated the group did have a first meeting and is confident in the group.

- **HOUSING AUTHORITY APPOINTMENT – UPDATE**

Town Manager S. Beckley stated the Board has received 3 applications to fill the final seat. While speaking with State Rep. Smola trying to determine whether Atty Robinson is filling the seat, or the state would fill the seat. Would like to invite the Housing Authority to the January 3, 2023 Selectboard meeting for a local appointment to complete the process for the two local boards to decide who is appointed.

- **TOWN MANAGER CONTRACT**

Board reviewed materials provided. Vice-Chair Caitlin McCarthy stated we are in good standing.

MOTION by Vice-Chair Caitlin McCarthy to move forward at the Jan 3rd since a board member is missing tonight. Seconded by Chairman John Morrin. All in Favor 4/0/0.

- **POLE HEARING SCHEDULING**

Board reviewed materials provided. No discussion.

MOTION by Chairman John Morrin to approve the scheduling of the public hearing for January 17, 2023, for Sherman Hill Road and Coffey Hill Road petition. Seconded by Vice-Chair Caitlin McCarthy. No further discussion. All in Favor. 4/0/0.

- **ARPA EXPENDITURE CONSIDERATIONS**

Board reviewed the materials provided from Ware Community TV and Business Assistance Program. No discussion.

MOTION by Clerk Thomas Barnes to approve the ARPA expenditure considerations. Discussion: Chairman Morrin stated the business assistance will need further discussion at the next meeting and would like the Board to only approve Ware TV request at this time.

MOTION AMENDED by Chairman John Morrin to only approve the Ware TV request for \$9,697.72 and \$11,757.00 as presented. Seconded by Clerk Thomas Barnes. Board Member Joshua Kusnierz asked what additional information the Board would like to see. Vice-Chair Caitlin McCarthy stated she would like more specific details and the request could be more involved from the requestee. Chairman John Morrin and Clerk Thomas Barnes agreed more information is needed. All in Favor 4/0/0.

Chair John Morrin stated the Small Business Recovery Grant appears to be interesting but has a lot of questions and could possibly be hard to manage. Town Manager Stuart Beckley agreed the Board needs to describe what type of circumstance of assistance is needed and possibly create an application for request of funds. Such as showing proof or adding guidelines. Board discussed a date for further discussion.

MOTION by Vice-Chair Caitlin McCarthy to hear the Small Business Recovery Grant on January 17, 2023. Seconded by Clerk Thomas Barnes. No further discussion. All in Favor. 4/0/0.

SCHEDULE APPEARANCES

- **7:10 NATIONAL GRID / VERIZON POLE HEARING – OLD BELCHERTOWN ROAD**

Representative from National Grid explained the location of the project on Old Belchertown Road. Installing (1) JO mid-span Pole 41-50 on Old Belchertown Road approx. 160ft east of Pole 42 to correct long spans and relocating (1) JO Pole 41 on Old Belchertown Road from the corner of Moriarty Road across the street approx. 35ft to correct insufficient guying. There are dead trees in this area, very unreliable service in this area. No further discussion.

MOTION by Vice-Chair Caitlin McCarthy to approve the project as presented. Seconded by Clerk Thomas Barnes. No further discussion. Majority vote 3/0/1-Board Member Joshua Kusnierz.

- **FIRE CHIEF GAGNON**

Chair John Morrin announced that Fire Chief Christopher Gagnon will be retiring December 31, 2022. While congratulating and thanking him for his service, a plaque for the Chief's dedication of 33 years to the Fire Department was presented. Chief Gagnon stated his success is a group effort, and thanked the Fire Department staff, servicemen/women, and other town office staff.

MOTION by Vice-Chair Caitlin McCarthy to appoint Mr. James Martinez as Interim Fire Chief effective January 1, 2023. Seconded by Clerk Thomas Barnes. All in Favor 4/0/0.

Mr. Martinez announced Dec 30th there will be an open house/farewell party at the Fire Station from 9:00am to 2:00pm and would like to invite the community.

NEW BUSINESS

• LICENSES

Chairman Morrin stated he would like the Board to approve all but three licenses with possible violations. Requesting RT's Welding (2 licenses) and Henrichon (1 license) to attend the next hearing to discuss in further details. General discussion between Randy Letourneau from RT's Welding and Chairman Morrin inquiring what violations was brought against RT's Welding, what is the difference between a violation and a complaint and thought the recent complaint/violation was closed prior to tonight's meeting. Continued to ask if it a complaint or violation brought against RT's Welding, and no direct response from the Board. Town Manager S. Beckley stated a protocol or policy for license renewal should be established, such as departments signing off stating there are no violations and complaints brought upon a licensee during that year. Chantel Bleau questioned if the Board does not renew the licenses tonight (RT's Welding's two licenses), then what would happen to the business? Chairman Morrin stated the Board will extend the three licenses until January 18, 2023 but will address the complaints or violations at the January 3, 2023 meeting. Randy Letourneau asked why was he/the business not informed prior to tonight's meeting? The Board apologized for not providing notification to them or being more involved in the renewal process.

MOTION by Vice-Chair Caitlin McCarthy to extend RT's Welding, Class II, License #12 and Class III, License #13 and Henrichon, Class III, License #17 until January 18, 2023. Seconded by Board Member Joshua Kusnierz. All in Favor 4/0/0.

MOTION by Chairman John Morrin to approve all other licenses with the stipulation that those who have not paid in full or completed the paperwork not have the licenses released until so. Seconded by Vice-Chair Caitlin McCarthy. All in Favor 4/0/0.

WRITTEN CONCERNS OF CITIZENS

None

TOWN MANAGER REPORT

Town Manager S. Beckley presented the report to the Board:

- Congratulation and thanked Caitlin McCarthy for the Youth Committee event on Dec 17th.
- Thanked the Senior Center for the holiday lunch – great job.
- The Holiday Flair was a great turnout, thanked Holiday Flair Committee in making the event fun.
- Thanked the Downtown Committee, BT Copy and the Business and Civic Association for their efforts to have the holiday banners installed on Main Street. It looks great.
- The Parks Commission is trying to coordinate indoor Pickleball in the Great Hall.
- Town is still discussing with the National Guard on the use of the Amory for recreational and emergency activities.
- Town has been awarded two grants for Community Compact Best Practice Grant
Funds will be used to:
 - Create an Economic Development Plan
 - Drone training and resources
- The Town has been awarded \$175,000 for the operations of the Quaboag Connector in the coming year.

- Town received a grant of over \$40,000 to complete its ADA Self Evaluation Study. Last one completed was in 1991. This is a requirement to complete for the Town's Open Space Plan which is schedule to be completed in June.
- Communications with Atty Bill August and Comcast have begun regarding the renewal of the 2024 license. Comments from the public are welcomed.
- Baystate has provided the Environmental Phase I report for Mary Lane site which has been shared with the Hospital Committee.
- A grant for \$70,000 was received and will be used for hiring an architect/engineer to assist with the review of the report and conduct a feasibility study for reusing Mary Lane site.
- With great work by the Coordinator Emily Coderre, the Town and region, there were 116 residents who attend the vaccine clinic at the Ware Senior Center, which was funded by a grant program, the gift card incentive for vaccine will be extended until March 2023.
- DPW is preparing the temporary cribbing for the North Street bridge.
- Introduced Nicole Croteau as the new Executive Assistant.
- Whistleblower Line will continue to seek improvements by the new assistant.
- Executive Session Minutes will be presented in the January 3rd meeting packets.
- Monson and Belchertown are willing to offer pool time for lessons at cost. Both indicated it would be helpful to supplement lifeguard staff. Will work with Parks Department on this request.
- Pool Study has finished the Environmental Phase portion and has been determined the building and pool are in environmentally better shape than anticipated.
- Minutes have been updated accordingly on the website. Will ask other departments to post agenda and minutes as well and keep current.
- Emails for board members comes with a \$4 fee per month per account. Chairman Morrin asked for the current list to be reviewed to see if any older emails can be archived.
- Mr. Richard Fly would like a letter of recommendation to Pathfinder Vocational Technical High School to fill the vacancy on the School Committee.
MOTION by Vice-Chair Caitlin McCarthy to provide a letter a support. Seconded by Clerk Thomas Barnes. No further discussion. All in Favor. 4/0/0.
- Request for 'Change of Manager' for Gabe's Bar from Kim Trzpit to Kirk Brown was requested.
MOTION by Vice-Chair Caitlin McCarthy to approve the Change in Manager to Kirk Brown. Seconded by Chair John Morrin. No further discussion. All in Favor 4/0/0.
- Chairman Morrin suggest Guzik may want to update his Jeep Eagle license application.
- Vice-Chair Caitlin McCarthy asked if Gabe's still had openings on the board. Mr. Brown stated the Board is all new members and officers were elected on Nov 14 and have a 2yr term.
- Clerk Thomas Barnes asked for the audit to be posted on the MMA website and the other bulletin board for postings and increase the fee.
- Vice-Chair Caitlin McCarthy asked to advertise for Youth Committee and a need for Lifeguards.

ADJOURNMENT

MOTION to adjourn at 7:43pm by Vice-Chair Caitlin McCarthy. Seconded by Joshua Kusinerz. All in Favor. 4/0/0.

Next scheduled meeting is January 3, 2023.

Minutes from December 20, 2022, Respectfully Submitted by:

Nicole Croteau *Nicole Croteau*

Executive Assistant to Town Manager and Selectboard.

Selectboard

Ware Town Hall, Meeting Room, 126 Main Street, Ware, MA 01082

Regular Meeting Minutes – Tuesday, January 3, 2023, 7:00pm.

Present: Selectboard Chairman John J. Morrin, Selectboard Vice-Chair Caitlin McCarthy, Selectboard Member Keith J. Kruckas Selectboard Member Joshua A. Kusnierz, Town Manager Stuart B. Beckley

Absent: Selectboard Clerk Thomas H. Barnes

Remote Participation: Stanley Ciukaj (Ware Community Television), Ware Rivers News, Ana Burgos

Public in Attendance: Interim Fire Chief James Martinez, Chantel Bleau, Randy Letourneau, Mr. Donahoe, Robert and Anne Krasnecky, Police Chief Shawn Crevier, Romone Gordon, Jonathan Holden, SK Robinson

Chairman Morrin called the meeting to order at 7:00pm and led the Pledge of Allegiance.

OPENING REMARKS, ANNOUNCEMENTS, AND AGENDA REVIEW BY CHAIR

Chairman Morrin relayed the Fire Chief's retirement party at the fire station was a great turnout and congratulated Mr. Gagnon.

CONSENT AGENDA

- **Approval of Special Events**
 - American Ice Festival, January 14, 2023, from 2:00-9:00pm at Memorial Field
 - 5K For Play & Food Truck Fest, May 13, 2023, from 9:00am-1:00pm at Grenville Park
- **Approval of One-Day Liquor License**
 - It's Wine O' Clock, January 14, 2023, from 1:00-5:00pm at Memorial Field

Board reviewed the material provided. No discussion.

MOTION by Vice-Chair Caitlin McCarthy to approve the Consent Agenda as presented. Seconded by Board Member Keith Kruckas. No further discussion. Majority in Favor 3/0/1-Joshua Kusnierz. Stuart clarified the ice festival time of event is 12:00-10:00pm and food and wine vendors are 2:00-5:00pm.

NEW BUSINESS

- **SCHEDULED APPOINTMENTS**

Chairman Morrin stated there has been a final agreement between the Town and Mr. J. Martinez and he has accepted the position as Interim Fire Chief. Congratulations!

- **RESOURCE WASTE**

Chairman Morrin questioned if the signed agreement between the Town and ReSource Waste was posted on the website, Town Manager S. Beckley replied it is not but can/will be post tomorrow. Chairman Morrin reiterated on September 22, 2022 the town signed an agreement with ReSource Waste that could possibly bring \$10 million dollars over a 20 years period, that could be beneficial to the Town. Town Manager S. Beckley included the update on the permit process will also be posted and ReSource Waste will be re-filling in February. Therefore, the Board of Health will hold a hearing probably in April.

- **LICENSE RENEWAL AND PROCESS**

Town Manager S. Beckley reminded the Board there are two licensee holders still waiting for approval from December 20, 2022, and once that is finalized would like to discuss a renewal process going forward for 2023.

Chairman Morrin stated there was a suggestion from the Building Commissioner on the renewal process. The Board really needs to know when any complaints are made against a license holder, or anyone in fact, prior to the renewal hearing date so it can be addressed. The complaints should be forwarded to the Selectboard office the day the complaints are filed, including the results or any action(s) taken. Board Member K. Kruckas strongly agreed all complaints and/or violations throughout the year should be included in the license renewal packets.

MOTION by Vice-Chair Caitlin McCarthy to approve the Class II & Class III license for RT's Welding and Class III for The Big Boys Toys. Seconded by Board Member Joshua Kusnierz. No further discussion. All in Favor. 4/0/0.

- **WARE HOUSING AUTHORITY**

Jonathan Holden stated only names have been provided and not applications to review. The Selectboard agreed the Ware Housing Authority should at least be able to review the applications prior to the appointments.

MOTION by Board Member Joshua Kusnierz to postpone an appointment for the Ware Housing Authority until January 17th meeting. Seconded by Board Member Keith Kruckas. No further discussion. All in Favor 4/0/0.

- **HIRING POLICE OFFICER**

Chief Crevier requested the appointment of Romane Gordon to one of the full-time positions on the Ware Police Department. Second position is still open. Mr. Gordon was a shining candidate and will be a great asset to the Department.

MOTION by Board Member Joshua Kusnierz to appoint Romane Gordon as a full-time police officer. Seconded by Vice-Chair Caitlin McCarthy. No further discussion. All in Favor 4/0/0.

Chief Crevier stated there is a drastic candidate pool throughout the country not just Ware is facing, and we are coming in tough times. Announced Officer John Cacella will be available for Wednesday Night Darts from 4:00 to 8:00pm at the police station for anyone who wants to talk in confidence or just wanting to visit.

Chairman Morrin asked S. Beckley if the Chief and he have been talking about what was recently approved. S. Beckley replied yes, a lively session and is going well. The next session is scheduled for next week.

- **EMERGENCY PROCEDURES**

During the recent storm Clerk T. Barnes asked Town Manager if there was a protocol for heating and cooling during power outages. Town Manager S. Beckley stated the Fire Station opens the community room for heating and cooling as well as the Senior Center as a last resort. Chairman Morrin asked if there are supplies such as food, water, blankets available. Interim Fire Chief J. Martinez responded there is a limited resource for water and blankets and unsure about food. S. Beckley reminded the Board that Ware is a part of the Regional Emergency Management System which does have some of those supplies as needed. Chairman Morrin is requesting an overall plan for such emergencies. End of discussion.

- **2023 MEETING DATES**

Board reviewed the 2023 meeting dates. No discussion.

MOTION by Vice-Chair Caitlin McCarthy to approve the meeting dates for 2023 as presented. Seconded by Board Member Joshua Kusinerz. No further discussion. All in Favor 4/0/0.

- **TOWN MANAGER CONTRACT**

Town Manager S. Beckley provided an update that the contract appears to be in a good position but just needs a quorum to finalize.

WRITTEN CONCERNS OF CITIZENS

None

TOWN MANAGER REPORT

Town Manager S. Beckley presented the following to the Board:

- Saturday, January 7th at 8:00am, the committee will be removing the holiday decorations and looking for volunteers.
- Part of Nicole's training and growth, she will be placing the two police vehicles and fire engine on Municibid.
- The new fire truck arrived Friday, December 30 at the Fire Station – looks great!
- Town received a \$500,000 grant from the Complete Street Grant, to repair sidewalk on Church Street. This amount will cover the cost of design and construction. Thank you to Jay Mooney, Geoff McAlmond and Rob Watchilla.
- Board Member Keith Kruckas spoke highly of Jay Mooney, and very impressed with the grants the Town has been awarded over the last year.

- One Stop Grant for business that need improvements, town infrastructures or use for economic development is opening and due in March.
 - Board Member Keith Kruckas asked for grants available to be posted on the website.
- Cyber Security Grant ended last week and found the training was successful. Employees are more aware. J. Mooney is putting in for a fourth year and including the school department. Should hear about the results soon.
 - Keith asked how someone hacked the emails? Stuart stated it depends on the user.
- Finance Committee would like to meet with the Board on January 17 about the upcoming budget.
- Civil Services has not responded about the hiring the next permanent Fire Chief.
- Community Development Authority worked through applications and will proceed with awards in the next coming weeks. Will continue to work with contractors on the façade improvements, starting mid to late Spring and continue through Summer.
- New Wine and Malt license will be submitted in the next week so will be heard in late January if not February.
- Congratulations to B'Leaf on their opening. This Saturday will be their grand opening.
- Board Member Keith Kruckas asked about the status of the East Street bridge project. Stuart replied it should be done. The materials are place and just waiting for the go-ahead.
- IT Department Head, Dave Grace stated 65-70 emails would be needed to give everyone on a committee/board their own. The monthly cost and time would be significant. Board overall felt the Chair or an elected member should have an email address rather than everyone on each committee.

End of discussion.

ADJOURNMENT

MOTION by Board Member Joshua Kusinerz to adjourn at 7:34pm. Seconded by Board Member Keith Kruckas. No further discussion. All in Favor. 4/0/0.

Next scheduled meeting is January 17, 2023.

Minutes from January 3, 2023, respectfully submitted by,

Nicole L. Croteau

Nicole L. Croteau

Executive Assistant to the Town Manager and Selectboard.



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

Name: Workshop13 Application Date: Feb 3, 2023

Contact Phone: 413 277 6072 Email: marie@workshop13.org

Effective Date(s) of License: February 12, 2023

Hours of Service (In conformity with MGL): 1:30 pm to 4 pm

Event (describe activities, service of food): Mardi Gras Jazz Concert - Weir River Jazz

Anticipated Attendance: 75

Sponsoring Organization: Workshop13

Non Profit: All Alcoholic (\$50) Beer & Wine (\$30) X (For-Profit, Beer & Wine Only)

Address (include Street & Number): 13 Church St. , Ware 01082

Names of All Servers (bartenders) for this event: Mary Remington, Kevin Wherry

Estimated Number of Attendees 75

Crowd Control Manager Brian Jyringi

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 penalties 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: Marie Lauderdale

Social Security # or Federal I.D # : 47-1200425

Fire Inspection
Date: _____

Building Inspection
Date: _____

Date Received:

Insurance Certificate:

Application Fee:

Action Taken: Approved Denied Date: _____

Police Chief Review and Action

Police Chief Shawn Crevier



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

Name: Workshop13 Application Date: Feb 3, 2023

Contact Phone: 413 277 6072 Email: marie@workshop13.org

Effective Date(s) of License: February 17, 2023

Hours of Service (In conformity with MGL): 6:30 to 10:30pm

Event (describe activities, service of food): Open Mic Music

Anticipated Attendance: 75

Sponsoring Organization: Workshop13

Non Profit: All Alcoholic (\$50) Beer & Wine (\$30) X (For-Profit, Beer & Wine Only)

Address (include Street & Number): 13 Church St. , Ware 01082

Names of All Servers (bartenders) for this event: Mary Remington, Kevin Wherry

Estimated Number of Attendees 75
Crowd Control Manager Brian Jyringi

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 penalties 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: Marie Lauderdale

Social Security # or Federal I.D # : 47-1200425

Fire Inspection

Date: _____

Building Inspection

Date: _____

Date Received:

Insurance Certificate:

Application Fee:

Action Taken: Approved Denied Date: _____

Police Chief Review and Action

Police Chief Shawn Crevier



Town of Ware

Town Hall, 126 Main Street
Ware, Massachusetts 01082
413-967-9648

PUBLIC HEARING NOTICE

The Selectboard will conduct a Public Hearing on Tuesday, February 7, 2023, at 7:05 p.m., in the Selectmen's Meeting Room, 126 Main Street, Ware, MA, to hear an Application for New License §15 Package Store, Wine and Malt Beverages, Nilkant 139, Inc., d/b/a City Wine, Spirits, and Smoke Shop, 139 West Street, Unit C, Ware, MA. Copies of the petition are available at the office of the Town Manager, 126 Main Street, Ware, MA. This notice shall also be posted on the Massachusetts Newspaper Publishers Association's (MNPA) website (<https://masspublicatnotices.org>.)

All interest parties are invited to attend.

John J. Morrin
Chairman
Selectboard
January 17, 2023

Upton Connell & Devlin, LLP

**112 Water Street, Suite 201
Boston, Massachusetts 02109
617-227-3277
Fax 617-227-3222**

January 5, 2023

Town of Ware Select Board
Ware Town Hall
126 Main Street
Ware, MA 01082

**Re: Nilkant 139, Inc., 139 West Street, Ware, MA 02093
New License Application, Section 15 Wine and Malt**

Dear Licensing Administrator:

With regard to the above stated matter, please find the following enclosed:

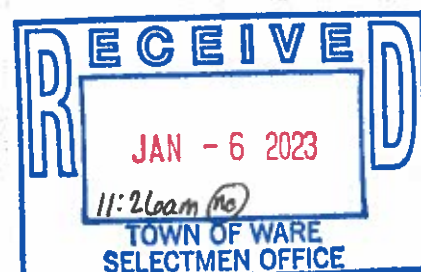
- 1) \$200 payment receipt;
- 2) Monetary transmittal form;
- 3) DOR Certificate of Good Standing from the Seller;
- 4) DUA Certificate of Compliance from the Seller;
- 5) Transfer Application;
- 6) Manager Application;
- 7) Proof of Citizenship of the Manager of Record;
- 8) Vote of the Entity;
- 9) Business Structure Documents;
- 10) CORI Forms;
- 11) Purchase and Sale Agreement;
- 12) Promissory Note;
- 13) Lease;
- 14) Floor Plan.

Thank you very much for your time and effort. Feel free to call my associate, Tyler Henseler at 617-227-3277, or email him at thenseler@UCDlaw.com if any questions should arise.

Best,



Andrew F. Upton



Payment Confirmation

YOUR PAYMENT HAS PROCESSED AND THIS IS YOUR RECEIPT

Your account has been billed for the following transaction. You will receive a receipt via email and via text message.



Transaction Processed Successfully.

INVOICE #: b5b66b55-80b3-440f-9d60-c92b8db7cb0f

Description	Applicant, License or Registration Number	Amount
FILING FEES-RETAIL	Nilkant 139 Inc.	\$200.00
		\$200.00

Total Convenience Fee: \$4.70

Date Paid: 12/16/2022 12:23:40 PM EDT

Total Amount Paid: \$204.70

Payment On Behalf Of

License Number or Business Name:
Nilkant 139, Inc.

Fee Type:
FILING FEES-RETAIL

Billing Information

First Name:
John

Last Name:
Connell

Address:
112 Water St.

City:
Boston

State:
MA

Zip Code:
02109

Email Address:
[REDACTED]

APPLICATION AND FORMS



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

APPLICATION FOR A NEW LICENSE

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL
LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE
PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME Nilkant 139 Inc.

ADDRESS 139 West Street

CITY/TOWN Ware

STATE MA

ZIP CODE 02093

For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| <input checked="" type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | | <input type="checkbox"/> Other | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS
APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL:

Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150-2358



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

APPLICATION FOR A NEW LICENSE

Municipality

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES

TYPE

CATEGORY

CLASS

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

The Applicant is seeking to obtain a Section 15 Wine and Malt Beverages Package Store License for 139 West St., Ware, MA.

Is this license application pursuant to special legislation?



Yes



No

Chapter

Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name

FEIN

DBA

Manager of Record

Street Address

Phone

Email

Alternative Phone

Website

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

Approximately 4,255 sq. ft. of retail space on one floor.

Total Square Footage:

Number of Entrances:

Seating Capacity:

Number of Floors

Number of Exits:

Occupancy Number:

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name:

Phone:

Title:

Email:

APPLICATION FOR A NEW LICENSE

5. CORPORATE STRUCTURE

Entity Legal Structure	Corporation	Date of Incorporation	9/29/2022
State of Incorporation	Massachusetts	Is the Corporation publicly traded?	<input type="radio"/> Yes <input checked="" type="radio"/> No

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all Individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
Off Premises (Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
Yashika Patel	91 Sidney St, STE 315, Cambridge MA 02139	[REDACTED]	[REDACTED]
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
President, Secretary, Director	50%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input checked="" type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Palak Patel	300 Emory Rd, Mineola NY 11501	[REDACTED]	[REDACTED]
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
Treasurer	50%	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input checked="" type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Additional pages attached? ☐ Yes ☒ No

CRIMINAL HISTORY

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

☐ Yes ☒ No

APPLICATION FOR A NEW LICENSE

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled?

Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

7. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name Samp Realty LLC

Landlord Phone 978-236-1000

Landlord Email

Landlord Address 91 Sidney Street, Suite 315, Cambridge MA 02139

Lease Beginning Date October 1, 2022

Rent per Month

Lease Ending Date September 20, 2042

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?

☐ Yes ☒ No

APPLICATION FOR A NEW LICENSE

8. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate	\$0
B. Purchase Price for Business Assets	\$0
C. Other * (Please specify below)	\$99,000.00
D. Total Cost	\$99,000.00

*Other Cost(s): (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):"

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
Yashika Patel	\$49,500.00
Palak Patel	\$49,500.00
Total:	\$99,000.00

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
N/A			<input type="radio"/> Yes <input checked="" type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

The officers of Nilkant 139, Inc. are each contributing \$49,500 for shelving, refrigeration, POS and Initial inventory costs.

9. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? ☐ Yes ☒ No

Please indicate what you are seeking to pledge (check all that apply) ☐ License ☐ Stock ☐ Inventory

To whom is the pledge being made?

10. MANAGER APPLICATION

A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name Yashika Patel

Date of Birth [REDACTED]

SSN [REDACTED]

Residential Address

91 Sidney Street, Suite 215, Cambridge, MA 02139

Email [REDACTED]

Phone [REDACTED]

Please indicate how many hours per week you intend to be on the licensed premises

40+

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?

☒ Yes

☐ No

*Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime?

☐ Yes

☒ No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
01/2019	current	Operations Manager	City Smoke Shop	Nilesh Patel
08/2018	12/2018	Physical Therapist	NYU Langone Hospital	
2012	2018	Student		

D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? ☐ Yes ☒ No If yes, please fill out the table. Attach additional pages, if necessary,utillizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature

[Signature]

Date

10/27/22

11. MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement?

☐ Yes ☒ No

If yes, please fill out section 11.

Please provide a narrative overview of the Management Agreement. Attach additional pages, if necessary.

IMPORTANT NOTE: A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does not pertain to a liquor license manager that is employed directly by the entity.*

11A. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name

Address

Phone

Name of Principal

Residential Address

SSN

DOB

Title and or Position

Percentage of Ownership Director

US Citizen

MA Resident

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

Name of Principal

Residential Address

SSN

DOB

Title and or Position

Percentage of Ownership Director

US Citizen

MA Resident

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

Name of Principal

Residential Address

SSN

DOB

Title and or Position

Percentage of Ownership Director

US Citizen

MA Resident

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

Name of Principal

Residential Address

SSN

DOB

Title and or Position

Percentage of Ownership Director

US Citizen

MA Resident

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?

☐ Yes ☐ No

If yes, attach an affidavit providing the details of any and all convictions.

11B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES

LICENSE

Does any individual or entity identified in question 11A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

11C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 11A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

11D. PREVIOUSLY HELD MANAGEMENT AGREEMENT

Has any individual or entity identified in question 11A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Licensee Name	License Type	Municipality	Date(s) of Agreement

11E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Has any of the disclosed licenses listed in questions in section 11B, 11C, 11D ever been suspended, revoked or cancelled?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

11F. TERMS OF AGREEMENT

a. Does the agreement provide for termination by the licensee?

Yes ☐ No ☐

b. Will the licensee retain control of the business finances?

Yes ☐ No ☐

c. Does the management entity handle the payroll for the business?

Yes ☐ No ☐

d. Management Term Begin Date

e. Management Term End Date

f. How will the management company be compensated by the licensee? (check all that apply)

☐ \$ per month/year (indicate amount)

☐ % of alcohol sales (indicate percentage)

☐ % of overall sales (indicate percentage)

☐ other (please explain)

ABCC Licensee Officer/LLC Manager

Management Agreement Entity Officer/LLC Manager

Signature:

Signature:

Title:

Title:

Date:

Date:

CERTIFICATE OF ORGANIZATION

APPLICANT'S STATEMENT

I, Yashika Patel the: ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP manager
Authorized Signatory

of Nilkant 139, Inc.
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: 

Date: 10/27/22

Title: President

CORPORATE VOTE

CORPORATE VOTE

The Board of Directors or LLC Managers of

Nilkant 139, Inc.

Entity Name

duly voted to apply to the Licensing Authority of

Ware

City/Town

and the

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

0/24/2022

Date of Meeting

For the following transactions (Check all that apply):

- | | | | |
|--|--|---|---|
| <input checked="" type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | <input type="checkbox"/> Other | | <input type="checkbox"/> Change of DBA |

"VOTED: To authorize

Yashika Patel

Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint

Yashika Patel

Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,

For Corporations ONLY

A true copy attest,


Corporate Officer / LLC Manager Signature


Corporation Clerk's Signature

Yashika Patel
(Print Name)

Yashika Patel
(Print Name)

Corporations Division

Business Entity Summary

ID Number: 001609669

[Request certificate](#)[New search](#)

Summary for: NILKANT 139 INC.

The exact name of the Domestic Profit Corporation: NILKANT 139 INC.				
Entity type: Domestic Profit Corporation				
Identification Number: 001609669				
Date of Organization in Massachusetts: 09-29-2022				
Last date certain:				
Current Fiscal Month/Day: 01/31		Previous Fiscal Month/Day: 01/31		
The location of the Principal Office:				
Address: 95 AUDUBON ROAD, APT. 512				
City or town, State, Zip code, WAKEFIELD, MA 01880 USA				
Country:				
The name and address of the Registered Agent:				
Name: NILESH PATEL				
Address: 95 AUDUBON ROAD, APT. 512				
City or town, State, Zip code, WAKEFIELD, MA 01880 USA				
Country:				
The Officers and Directors of the Corporation:				
Title	Individual Name	Address		
PRESIDENT	YASHIKA PATEL	91 SIDNEY ST. STE 315 CAMBRIDGE, MA 02139 USA		
TREASURER	PALAK PATEL	300 EMORY ROAD MINEOLA, NY 11501 USA		
SECRETARY	YASHIKA PATEL	91 SIDNEY ST. STE 315 CAMBRIDGE, MA 02139 USA		
DIRECTOR	YASHIKA PATEL	91 SIDNEY ST. STE 315 CAMBRIDGE, MA 02139 USA		
Business entity stock is publicly traded: <input type="checkbox"/>				
The total number of shares and the par value, if any, of each class of stock which this business entity is authorized to issue:				
Class of Stock	Par value per share	Total Authorized		Total issued and outstanding
		No. of shares	Total par value	No. of shares
CNP	\$ 0.00	1,000	\$ 0.00	0
<input type="checkbox"/> Consent <input type="checkbox"/> Confidential Data <input type="checkbox"/> Merger Allowed <input type="checkbox"/> Manufacturing				
View filings for this business entity:				

ALL FILINGS

Administrative Dissolution

Annual Report

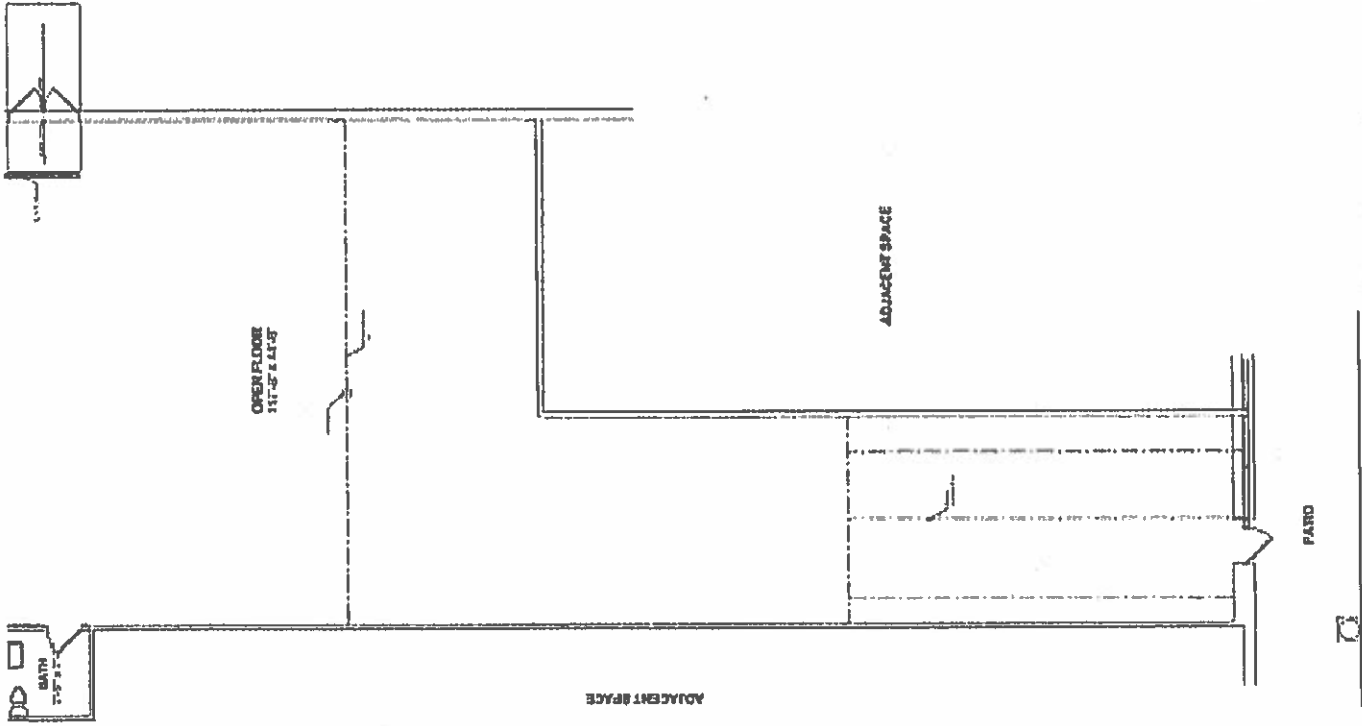
Application For Revival

Articles of Amendment

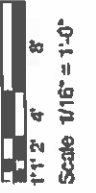
Articles of Incorporation

[View filings](#)**Comments or notes associated with this business entity:**[New search](#)

FLOOR PLAN



FIRST FLOOR PLAN
Overall Dimensions: 11'-0" x 11'-0"



Selectboard: John J. Morrin, Caitlin M. McCarthy, Thomas H. Barnes, Keith J. Kruckas, Joshua A. Kusnierz

Town Manager: Stuart B. Beckley

sbeckley@townofware.com



Town of Ware

Town Hall, 126 Main Street
Ware, Massachusetts 01082

413-967-9648

PUBLIC HEARING NOTICE

The Selectboard will conduct a Public Hearing on Tuesday, February 7, 2023, at 7:10 p.m., in the Selectmen's Meeting Room, 126 Main Street, Ware, MA, to hear an Amendment for Change of License Type, §12 Club to General On-Premises, Aspen Street Rod and Gun, 58 Aspen Street, Ware, MA. Copies of the petition are available at the office of the Town Manager, 126 Main Street, Ware, MA. This notice shall also be posted on the Massachusetts Newspaper Publishers Association's (MNPA) website (<https://masspublicatnotices.org>.)

All interest parties are invited to attend.

John J. Morrin
Chairman
Selectboard



MEMO

To: Members of the Selectboard

From: Nicole Croteau

Date: February 3, 2023

RE: Aspen Street Rod and Gun
58 Aspen Street
Amendment for Change of License Type

Selectboard,

Aspen Street Rod and Gun Club is seeking approval to change their current license type from "Club" to "General On-Premises" License Number 00001-CL-1326.

This request was heard and approved on November 15, 2022, but was not properly advertised per the requirements of the ABCC.

Respectfully Submitted,

Nicole L. Croteau



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

APPLICATION FOR AMENDMENT-Change of License Classification

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL
LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE
PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

00001-CL-1326

ENTITY/ LICENSEE NAME

Aspen St Rod AND Gun Club.

ADDRESS

58 Aspen St

CITY/TOWN

WARE

STATE

MA

ZIP CODE

01082

For the following transactions (Check all that apply):

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input checked="" type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | <input type="checkbox"/> Other | | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS
APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL

Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150-2358

ENTITY VOTE

The Board of Directors or LLC Managers of Aspen St Rod & Gun Club
Entity Name
duly voted to apply to the Licensing Authority of WARE and the
City/Town
Commonwealth of Massachusetts Alcoholic Beverages Control Commission on 8/21/22
Date of Meeting

For the following transactions (Check all that apply):

☐ Change of Class (i.e. Annual / Seasonal)

☒ Change of License Type (i.e. club / restaurant)

☐ Change of Category (i.e. All Alcohol/Wine, Malt)

☐ Other

"VOTED: To authorize

DAVID K FOX JR.

Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

A true copy attest,

For Corporations ONLY

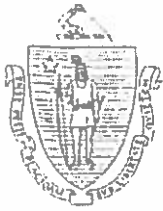
A true copy attest,

David K Fox Jr.
Corporate Officer / LLC Manager Signature

Sandy Martin
Corporation Clerk's Signature

DAVID K FOX JR.
(Print Name)

Sandy Martin
(Print Name)



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

APPLICATION FOR AMENDMENT-Change of License Classification

☐ **Change of Category**

(e.g. All Alcohol, Wines and Malt)

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Category Application
- Vote of the Entity
- Abutter's Notification*
- Advertisement*

☐ **Change of Class**

(e.g. Seasonal /Annual)

- Payment Receipt
- Monetary Transmittal Form
- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Classification Application
- Vote of the Entity
- Abutter's Notification*
- Advertisement*

☐ **Change of License Type**

(\$12 ONLY, e.g. general on premises, tavern, inn, restaurant)

- Payment Receipt
- Monetary Transmittal Form
- Change of License Type Application
- Vote of the Entity
- Advertisement*
- Payment Receipt

*If abutter notification and advertisement are required for transaction, please see the local licensing authority.

1. BUSINESS ENTITY INFORMATION

Entity Name

Municipality

ABCC License Number

Aspen St. ROD AND GUN CLUB

WARE

00001-CL-1326

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

To go from a private club to open to the public.

APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name

Title

Email

Phone

DAVID R FOX JR.

President

DFOXWHIGH@gmail.com

413-262-1437

2. LICENSE CLASSIFICATION INFORMATION

2a. Change of License Category

All Alcohol, Wine and Malt,
Wine Malt and Cordials

Last-Approved License Category

Requested New License Category

2b. Change of License Class

Seasonal or Annual

Last-Approved License Class

Requested New License Class

2c. Change of License Type*

E.g. Restaurant to Club

*Certain License Types

CANNOT change once issued*

Last-Approved License Type

Requested New License Type

APPLICANT'S STATEMENT

I, Daniel G. Jr. the: ☐ sole proprietor; ☐ partner; ☒ corporate principal; ☐ LLC/LLP manager
Authorized Signatory

of Aspen 1600 Golf Club.
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:

Daniel G. Jr.

Date:

10/20/22

Title:

President



Town of Ware

RIGHT TO FARM BYLAW

Adopted: TBD

1.0 Legislative Purpose and Intent

The purpose and intent of this By-law is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97, of the Constitution, and all state statutes and regulations there under including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter III, Section 125A and Chapter 128 Section IA. We the citizens of Ware restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution, ("Home Rule Amendment").

This General By-law encourages the pursuit of agriculture, promotes agriculture- based economic opportunities, and protects farmlands within the Town of Ware by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This By-law shall apply to all jurisdictional areas within the Town.

Commented [WR1]: Maybe modify this section?

2.0 Definitions

The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.

The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:

- farming in all its branches and the cultivation and tillage of the soil;
- dairying;
- production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;
- growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- raising of livestock including horses;
- keeping of horses as a commercial enterprise; and
- keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.

"Farming" shall encompass activities including, but not limited to, the

following:

- operation and transportation of slow-moving farm equipment over roads within the Town;
- control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- application of manure, fertilizers and pesticides;
- conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
- maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- on-farm relocation of earth and the clearing of ground for farming operations.

3.0 Right To Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Ware. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-law are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Right To Farm By-law shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

4.0 Disclosure Notification

Not later than 21 days after the purchase and sale contract is entered into, or prior to the sale or exchange of real property if no purchase and sale agreement exists, for the purchase or exchange of real property, or prior to the acquisition of a leasehold interest or other possessory interest in real property, located in the Town of Ware, the landowner shall present the buyer or occupant with a disclosure notification which states the following:

"It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for such property under certain circumstances."

A copy of the disclosure notification shall be given on a form prepared by the Town and shall be signed by the landowner prior to the sale, purchase, exchange or occupancy of such real property. A copy of the disclosure notification must be filed with the Board of Selectmen or its designee prior to the sale, purchase, exchange or occupancy of such real property. In addition to the above, a copy of this disclosure notification shall be provided by the Town to landowners each fiscal year by mail.

Commented [WR2]: Is this form even necessary?

A violation of Section 4 shall be subject to a fine of \$300 and shall be enforced by the Board of Selectmen or its designee. The Town is authorized to enforce Section 4 under the non-criminal disposition provision of G.L. c. 40, § 21D.

5.0 Resolution of Disputes

[Applicable only in communities that have Agricultural Commissions]

Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Select Board, the Zoning Enforcement Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer or Select Board may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame.

The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and

DRAFT last edited Tuesday, August 31, 2021

facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

Commented [WR3]: This section should be removed, pending on whether the Town wants to reappoint members to the Agricultural Commission.

6.0 Severability Clause

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Ware hereby declares the provisions of this By-law to be severable.



Town of Ware
Application for Appointment to
Boards and Committees

Name: Jason C. Brooks
Address: 14 Highland St.
Email: jaybrooksinsurance@gmail.com / jason.brooks@liberty
Home Phone: Work: Cell: 413-355-3525
Occupation: Insurance Agent Years lived in Ware: 1 yr.
Ware Resident: (Yes) No mutual.com

Please indicate the Committee(s) you have interest in serving on: (Appointment subject to vacancies)

Ware Agricultural Commission ✓	Ware Cultural Council ✓
ADA Commission	Finance Committee ✓
Board of Registrars	Historical Commission ✓
Capital Planning Committee ✓	Open Space Committee ✓
Community Development Authority ✓	Tax Increment Financing (TIF) Committee
Conservation Commission ✓	Zoning Board of Appeals
Council on Aging ✓	Other:

What skills and experience will you bring to this Board/Committee:
(attach additional sheet or resume if desired)

(attach additional sheet or resume if desired)

Learn Six Sigma, Business & Systems Analyst,
Process Mapping/Improvement, IT Support, Sales
Training, Small Business Consulting, Web Design.

Are you currently serving or have you served on any Town committee: Yes* ✓ No
(if yes, please state what committee) _____

Required: Please read the following. By signing below, you state that you understand and agree: The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years. Being appointed to a committee, board or commission means that I am considered a Municipal Employee under MGL Chapter 268A and thereby subject to Conflict of Interest Law MGL Chapter 268A, Financial Disclosure Law MGL Chapter 268B, as well as Open Meeting Law. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the Town Clerk. **IMPORTANT:** *Once this form is submitted, it becomes a public document. If there is information you do not want open to the public, please do not include it on this form!*

Signature H. D. Date 12/1/22

Please return this form to Stuart Beckley, Town Manager, 126 Main Street, Ware, MA 01082 or email to sbeckley@townofware.com.



TOWN OF WARE, MASSACHUSETTS
OFFICE OF THE TOWN CLERK

126 MAIN STREET, STE. F, WARE, MASSACHUSETTS 01082

NANCY J. TALBOT
TOWN CLERK

February 3, 2023

Selectboard/Ware Housing Authority
Town of Ware
126 Main St.
Ware, MA 01082

Dear Board Members:

I am in receipt of the resignation of Henrietta L. Devlin – a member of the Ware Housing Authority, effective immediately.

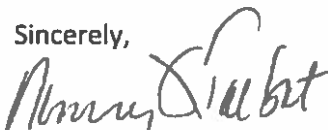
Mrs. Develin has been a member of this board for many years, having served not only as a board member but also as its Chairman for several years. Her term of office was to end in April 2025.

1.MGL Chapter 41, §11 warrants a joint meeting of the remaining members of the Ware Housing Authority and Selectboard to replace Mrs. Devlin. The appointment of an individual to this board would be until the April 10, 2023 Annual Town Election.

As the Selectboard recently advertised for applicants, I believe there are several interested individuals. The applicant's information should be shared with the Ware Housing Authority members to review and make a recommendation, thereafter a joint meeting held where an individual chosen would be done by roll call vote in accordance with the law.

2. The Selectboard must vote to place the unexpired term of a Ware Housing Authority member on the local election ballot to serve the remainder of this term – 2025.

Sincerely,


Nancy J. Talbot
Town Clerk

cc: 2023 Resignation File
Ware Housing Authority Interim Director

t/

As Of 2/1/2023 I Henrietta Devlin need to resign from the Ware Housing Board of Directors effective immediately.

Henrietta L Devlin

February 1, 2023

Henrietta Devlin

Selectboard: John J. Morrin, Caitlin M. McCarthy, Thomas H. Barnes, Keith J. Kruckas, Joshua A. Kusnierz

Town Manager: Stuart B. Beckley

sbeckley@townofware.com



TOWN OF WARE

Town Hall, 126 Main St., Suite J

Ware, Massachusetts 01082

Tel. 413-967-9648

PUBLIC HEARING NOTICE

The Board of Selectmen will conduct a Public Hearing on **Tuesday, February 21, 2023, at 7:10 p.m.**, in the Selectmen's Meeting Room, 126 Main Street, Ware, MA, to hear Petition #30635979 by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England for Joint or Identical Pole Locations on West Warren Road, Ware, MA. Copies of the petition are available at the office of the Town Manager, 126 Main Street, Ware, MA. **This notice shall also be posted on the Massachusetts Newspaper Publishers Association's (MNPA) website (<http://masspublicnotices.org>).**

All interested parties are invited to attend.

John J. Morrin

Chairman

Board of Selectmen

February 7, 2023

Selectboard: John J. Morrin, Caitlin M. McCarthy, Thomas H. Barnes, Keith J. Kruckas, Joshua A. Kusnierz

Town Manager: Stuart B. Beckley

sbeckley@townofware.com



TOWN OF WARE

Town Hall, 126 Main St., Suite J

Ware, Massachusetts 01082

Tel. 413-967-9648

PUBLIC HEARING NOTICE

The Board of Selectmen will conduct a Public Hearing on **Tuesday, February 21, 2023, at 7:15 p.m.**, in the Selectmen's Meeting Room, 126 Main Street, Ware, MA, to hear Petition #30635979 by Massachusetts Electric Company d/b/a NATIONAL GRID Petition for Pole and Wire Locations on West Warren Road, Ware, MA. Copies of the petition are available at the office of the Town Manager, 126 Main Street, Ware, MA. **This notice shall also be posted on the Massachusetts Newspaper Publishers Association's (MNPA) website (<http://masspublicnotices.org>).**

All interested parties are invited to attend.

John J. Morrin

Chairman

Board of Selectmen

February 7, 2023



Town of Ware
Town Hall, 126 Main Street
Ware, Massachusetts 01082
413-967-9648

Electronic Sign Use Policy

POLICY STATEMENT

The Town of Ware is committed to providing its residents, taxpayers, and visitors with accurate and appropriate information through the inclusion of digital signage designed to promote and enhance the communication strategies of the Town in disseminating information about events, meetings and public messages from the municipality, and to local non-profit organizations.

PURPOSE

This policy facilitates effective digital communication tools for important community messaging.

This Policy ensures open, honest and clear channels of communication in the use of municipal digital signage in the Town of Ware.

This policy provides direction for the appropriate use of digital signage in the municipality.

This policy defines who may advertise on municipal digital signage.

SCOPE

This policy applies to all digital communications utilizing the Town Hall electronic sign board located at 101 Main Street, Ware, MA.

GENERAL CONDITIONS

Content on Municipal Signage

Municipal digital signage conveys information to the public as a representation of the municipality, and therefore will be operated in a manner that represents the Town of Ware positively.

Appearance, Use and Functionality of Municipal Digital Signage

The municipality is not liable for power outages or other acts beyond its control which affect the ability to utilize municipal digital signage to convey information on behalf of third parties.

Messages may be edited for clarity and conformity to the requirements of the medium.

The municipality offers no guarantee with respect to the appearance of any conveyance of information on municipal digital signage, or the length of time that a message will be displayed.

Appearance of message are subject to constraints of priorities, as well as electronic and mechanical limitations.

The following priority system shall be utilized in selecting messages to be posted:

1. Emergency messages – in the event of an emergency, the Town reserves the right to suspend all messages and use signage for emergency purposes only;
2. Messages from the Town of Ware;
3. Messages from other government agencies that have a local impact or significance; and
4. Community events and messages hosted and/or sponsored by non-profit organizations, located, or operated within the Town of Ware.

SUBMITTING A REQUEST

Requests to utilize municipal digital signage will only be considered from registered non-profit organizations.

Requests must be submitted to the Town Manager's office using the town-provided request form.

All requests must be submitted at least one (1) week prior to the requested posting date.

Event messages will be posted for a maximum of 2 weeks. Each message will have a time length of 12 seconds.

Clip Art and Logos are allowed and must be submitted in jpeg format via email when you submit the original request.

POLICY REVIEW

This policy will be reviewed every three (3) years, unless otherwise deemed necessary by the Selectboard.



TOWN OF WARE ELECTRONIC SIGN USE REQUEST

Date _____

Name _____

Name of Organization/Group _____

Address _____

Phone _____ Email _____

DISPLAY INFORMATION

Start Date _____ End Date _____

Title / Heading _____

Date & Time of Event _____ Location _____

Contact Person _____ Phone _____

Email _____

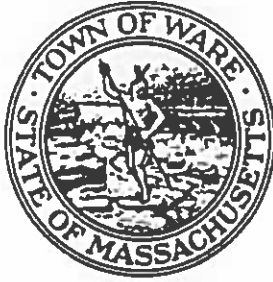
GRAPHICS / OTHER DETAILS

☐ **CHECK IF NO DESIGN PREFERENCE**

Please use box to outline design specifics – such as: layout, text, background colors, pictures, etc. We will do our best to accommodate but cannot guarantee the appearance of any requests.

DATE RECEIVED: _____

DATE REVIEWED BY TOWN MANAGER: _____



TOWN OF WARE

Town Manager

126 Main Street
Ware, MA 01082
413-967-9648 x100

Town Manager Report February 7, 2023

Upcoming dates

February 6 – Community Development Authority Hearing on CDBG application

February 21 – Comcast Ascertainment Hearing

March 1 – Budget to Finance Committee

Working with Nicole, town departments sold two former police vehicles and the fire truck being removed from service with the arrival of the new truck.

ARPA funds. Met with the Community Development Corp about needs of businesses and setup. Meeting with Senior Center staff about possible funding for fuel assistance or other programs.

The Hospital Review Committee met with the project architect and discussed the scope of the feasibility study for the Mary Lane site. They will review the buildings and site, conduct public outreach sessions, look at costs and assist with environmental review.

On Monday, February 6 at 6:30, the Community Development Authority will hold a hearing to gather public input for the CD Block Grant application. This could include infrastructure improvements, housing rehabilitation, and social services. The Town will be eligible for \$1.35 million.

Department budgets have been submitted. Meetings with each department will be held over the next two weeks. The Town Manager budget will be submitted to the Finance Committee before March 1. The Capital Planning process will begin soon with the Capital Planning Committee reviewing requests for the coming year. The focus will be on the review of needed building maintenance.

Town emails. Working with the IT director to accommodate the requests for committee Town email addresses. Anticipate that 18-20 new emails will be needed.

Senator Markey and MassDOT announced that the Town was awarded a road safety grant. (\$40,500). This will be used to review safety improvements along West Street. This fits well with a larger grant (RAISE) application to be filed by the end of February for the full design of West Street including infrastructure.

Pickleball has been well attended for the first two weeks. The schedule for playing nights and weekends is on the town website under the Parks Commission.

The Historical Commission's information session on the Scenic Roads bylaw was moved to March 27.

The IT department is offering training to Town Departments on the Town's website to prepare for upcoming updates and improvements.

The HR Director and department heads have been able to conduct interviews and fill the following positions: Admin Assistant in the Assessors office, Admin Assistant in the Building Department, Financial Assistant in the Council on Aging, and drivers for the Quaboag Connector.

