



## Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Minutes – Tuesday, January 18, 2022, at 7:00 p.m.

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

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

Meeting ID: 784 604 1861

Passcode: 01082

Phone: 929-205-6099

**Present:** Selectman Thomas H. Barnes, Vice-Chairman John J. Morrin, Selectman Caitlin M. McCarthy, Town Manager Stuart B. Beckley, Executive Assistant Christopher J. Nolan, Police Chief Shawn Crevier, Fire Chief/EMS Director Christopher Gagnon, DPW Director Chuck Niedzweicki, Lynn Nenni, Ken Willette, Terrance Smith, Devin Peterson, Catherine Cascio, Jennifer McMartin, Jack Cascio

**Absent:** Chairman Keith J. Kruckas, Selectman Nancy J. Talbot

**Present via Zoom:** Human Resource Director Justine Caggiano, Planning & Community Development Director Rob Watchilla, Eileen Kennedy from Ware River News, Stanley Ciukaj from Ware Community Television, Maxwell Williams

Meeting Opened by Vice-Chairman Morrin at 7:00 pm.

Opening Remarks, Announcements, and Agenda review by Chair

Selectman Barnes thanked the Fire Department for their response to several recent calls.

Selectman McCarthy recommended that residents visit Memorial Field off South Street for ice skating, which was recently opened.

Vice-Chairman Morrin wished good health to the two absent Board members.

### Consent Agenda

- Approval of January 4, 2022 Meeting Minutes

Selectman Barnes made the motion to approve the Consent Agenda. Selectman McCarthy seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Selectman Kruckas, Selectman Talbot).

### Scheduled Appearances

- Approval of Appointment of HR Director, Justine Caggiano

- Mr. Beckley introduced Ms. Caggiano to the Board, stating that she had a very successful interview and was chosen as the best candidate for the job. If her appointment was approved, she would be set to begin working the next day.

**Selectman Barnes made the motion to approve the appointment of Ms. Justine Caggiano to the position of HR Director. Selectman McCarthy seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Selectman Kruckas, Selectman Talbot).**

#### **Old Business**

- **Discussion on ARPA Funds, COVID-19 Rapid Test Kits, Essential Worker Bonuses**
  - Selectman McCarthy began by presenting her case that recent decisions by the Board had been made too hastily, and without public input.
  - Selectman McCarthy argued that the Board too willingly gave handouts to well-compensated employees from a small number of Departments, despite federal guidance on ARPA recommending that hazard pay, if approved, should be reserved for lower-income essential workers.
  - Chief Crevier argued that the Board had already approved the hazard pay to be applied retroactively, and therefore it needed no further consideration.

**Selectman McCarthy made the motion for the Board to re-consider its previous vote on approving hazard pay stipends for Police, Fire, and Custodial workers in order to seek further public input. The motion was not seconded.**

- Selectman McCarthy remarked that she stands alone on wanting to gather public input.
- Mr. Beckley directed the Board to a memo written by Mr. Nolan, encouraging the Board to approve spending \$16,000 in ARPA funds to purchase 864 COVID-19 Rapid Test Kits from the state as part of its new program.
- Vice-Chairman Morrin interjected that the federal government had launched a free program delivering these tests to citizens, and these could be requested for delivery from the Postal Service through the website; [special.usps.com/testkits](https://special.usps.com/testkits).
- Mr. Nolan noted that the memo had been written before the federal government's announcement, and that he would be comfortable with the Board tabling this discussion to be revisited at a future meeting as needed.

**Selectman Barnes made the motion to table the discussion on ordering COVID-19 rapid test kits from the state with ARPA money. Selectman Morrin seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Selectman Kruckas, Selectman Talbot).**

- Vice-Chairman Morrin expressed displeasure with the issue at hand being framed as 'bonuses,' on the agenda, preferring them to be referred to as 'hazard pay.'
- He explained that hazard pay is meant to reward employees who put themselves at risk each day throughout the pandemic to serve the community, including Police, Fire, EMTs, Quaboag Connector drivers, and more.
- He also emphasized the importance of distinguishing which employees faced the most risk, versus which ones were at the least risk.
- Mr. Peterson noted that all Town personnel who were employed throughout the pandemic were expected to do their jobs at the same standard as usual.
  - Vice-Chairman Morrin interjected that not all jobs involve direct interaction with the public.
- Mr. Peterson stated that individuals do not live in bubbles, and that the mere act of entering a public building during the pandemic should be considered hazardous.

- Vice-Chairman Morrin retorted that hazard pay is only meant to compensate for the COVID-related risks that they faced at work as part of the expectations of their job.
- Ms. McMartin expressed that all personnel who were expected to work on-site at all throughout the duration of the pandemic should be entitled to hazard pay.
  - Mr. Peterson agreed, accusing the Board of giving preferential treatment toward some departments over others, which is potentially disastrous for the morale of those departments which do not receive special treatment.
- Chief Crevier argued that while the pandemic was challenging for everyone, the daily risk faced by members of the Police and Fire Departments was unmatched anywhere else.
- Ms. McMartin added that COVID transmission rates so far in 2022 are still reaching all time highs not seen at any point during 2020 or 2021.
- Mr. Smith noted that the Board voted in accordance with the State's Fiscal Recovery Fund, which also details that a very substantial portion of the Town's personnel could be considered eligible for such premium pay. He accused the Board of 'opening Pandora's box,' in the previous meeting by approving the first round of hazard pay for a small number of departments.
- Mr. Smith openly inquired whether the hazard pay risked affecting the retirements and pensions of awarded workers.
  - Vice-Chairman Morrin responded that he did not believe there would be any impact on employee pensions or retirement from the premium pay stipends.
- He also made the argument that the Finance Committee had specifically advised the Board of Selectmen against using ARPA funds toward hazard pay for Town employees.
  - Selectman McCarthy expressed agreement, stating that the Board had rushed its decision at the previous meeting without seeking adequate public input.
- Chief Crevier disputed this, arguing that the decision was not rushed when he has been arguing for it on behalf of his Department since July 2021.
- Ms. Cascio expressed her confusion over why Chairman Kruckas and Vice-Chairman Morrin were so vocally hesitant about approving ARPA spending on infrastructure at the Wastewater Treatment Plant in a previous meeting, but were more than willing to approve this controversial allotment toward hazard pay.
  - Vice-Chairman Morrin argued that his hesitation around approving large sums toward the WWTP project comes from his belief that there are other sources of funding which should be used for capital improvements before contributing ARPA money toward them.
- Ms. Cascio recognized that the Town's personnel were essential in sustaining the community through the pandemic, but that the Town's numerous infrastructure needs should be a higher priority. She additionally argued that it was unfair to grant one department hazard pay but not others who also had essential workers.
- Mr. Smith brought up a 150-page document released by the federal government which analyzes the definition of an 'essential' worker, and pointed out that the document states that municipalities using ARPA money to fund premium pay for such workers must seek public input.
- Mr. Smith noted that employees who earn above a certain salary level will need approval from the US Treasury before their hazard pay can be lawfully approved.
  - Vice-Chairman Morrin countered that the aforementioned document stated that approval from the Treasury for the premium pay of frontline workers in specific occupations would be justifiable and straightforward.
- Mr. Smith accused the Board of glazing over these numerous intricate details of federal policy concerning ARPA spending before they made their decision.
- Selectman McCarthy argued that the risks associated with an individual's job are accounted for in their regular pay, and that Town employees who work in hazardous situations are already compensated accordingly.
- She also expressed the wish to prioritize using ARPA funds in ways that will benefit the community's struggling residents and small businesses.
- Chief Gagnon reiterated that COVID posed a risk for a wide variety of workers, but that its effect

- on Police, Fire, and EMTs was high to an unprecedented level.
- Chief Gagnon expressed his support for funding premium pay for all Town personnel who faced the risks associated with working on-site every day.
  - Chief Gagnon also expressed support for broadening the dates of eligibility for receiving such pay, reminding the room that the pandemic is still ongoing.
  - He stated that the Town has the obligation to financially appreciate its public servants, arguing that they are just as important to the community's wellbeing as any physical infrastructure.
    - Selectman McCarthy interjected that she was not opposed to providing hazard pay for essential personnel, but felt that the Board had approved too much, too quickly at the previous meeting. She expressed displeasure with other Board members' refusal to reconsider the decision.
  - Chief Gagnon disagreed that the Board's decision had been made too hastily, describing the events leading up to the decision's approval.
    - Selectman McCarthy retorted that though hazard pay had been a topic of discussion for some time, the amount (\$7,500/employee), had been arrived at hastily as an impromptu compromise at the previous meeting between Chief Crevier's request (\$10,000/employee), and Chairman Kruckas' suggestion (\$5,000/employee).
  - Vice-Chairman Morrin noted that the Board's previous decision had already been made, and that its best path forward was to work with the model set by it to equitably distribute hazard pay to remaining essential personnel.
  - Selectman Barnes argued that the Board needed Mr. Beckley to provide a more comprehensive matrix outlining Town employees categorized by risk level to viral exposure.
    - Mr. Beckley interjected that he had already provided the Board with the matrix they had requested, and that he was not sure what the Board would like to see changed from his current version.
    - Vice-Chairman Morrin questioned why the Quaboag Connector's van drivers were grouped with the 'Moderate' risk category instead of 'High' risk.
      - Mr. Beckley answered that he thought the Board had restricted the 'High' risk category to those groups who had been awarded premium pay at the previous meeting.
      - Vice-Chairman Morrin replied that this was not the case.
  - Vice-Chairman Morrin emphasized that hazard pay should be awarded to all personnel who worked on-site at any point during the months legally defined as the 'pandemic,' with allotment size based on the level of risk involved and the amount of time spent working on-site.
  - Vice-Chairman Morrin also argued that as soon as the federal government's mask mandate ended in the Spring of 2021 in response to the availability of vaccines, the pandemic should be officially considered over, regardless of current transmission rates.
    - Mr. Peterson remarked that Vice-Chairman Morrin's model for determining who is entitled to hazard pay was illogical, referring to it as simultaneously 'stratified,' while also 'overly black and white.'
  - Mr. Smith asserted that the Finance Committee's recommendations were completely ignored.
    - Vice-Chairman Morrin threatened to have Mr. Smith removed from the meeting if he continued speaking.
  - Mr. Niedzweicki cited the work of the DPW, which has continually involved its employees needing to work in spaces together where social distancing is not possible. He argued that his workers deserve compensation for this risk.
    - Vice-Chairman Morrin emphasized the importance of evaluating the risk level of all employees in question by determining how much close exposure to others their occupation gave them.
  - Mr. Smith continued to criticize the Board of Selectmen for making their decision regarding hazard pay hastily and without proper care.
    - Mr. Peterson encouraged Mr. Smith to calm down.

- Mr. Beckley cited 'Lost Revenue,' as the most flexible category of potential ARPA spending, stating that it could be considered applicable to almost any government service.
- Vice-Chairman Morrin argued in favor of using some of the money for covering the payroll for employees who called out using 'COVID Sick' time.
- Vice-Chairman Morrin also noted the possibility of funding COVID Sick time, even for periods of time after the mask mandate (and eligibility for hazard pay) ended.
  - Mr. Beckley emphasized the importance of ensuring that no 'post-COVID' employees would be included in this scenario.
- Chief Gagnon inquired about the possibility of using ARPA funding for the cost of ambulance calls that were directly related to COVID.
  - Vice-Chairman Morrin responded that this was an idea worth exploring.
- **Finance Committee, ARPA, Request for Community Meeting**
- Ms. Nenni noted that the Board of Selectmen held the authority to spend the Town's ARPA money as it saw fit, but that due to the size and scope of the money at hand, the Finance Committee would like to see them consider public input through scheduling a hearing.
- Mr. Peterson agreed, stating that the Board's decision at the previous meeting had proven to be highly unpopular with residents.
- Vice-Chairman Morrin expressed the wish for Mr. Beckley to provide an improved list of personnel based on risk exposure.
  - Selectman McCarthy retorted that Mr. Beckley had already provided the Board with all they needed from him, and that what they needed instead was to hear public input.
- Mr. Peterson reminded the Board of the Finance Committee's list of recommendations made to them regarding ARPA spending, and that hazard pay was explored as an option under the 'Still Looking' category, but not as a priority.
- Vice-Chairman Morrin insisted that Mr. Beckley provide the Board with a refined version of his list at the following meeting.
- Ms. McMartin asked if this list could be made public at the next meeting.
  - Mr. Beckley stated that he would ensure this happened.
- Selectman McCarthy argued that the public hearing needed to take place in a separate meeting, not part of a regular Board meeting.
- Vice-Chairman Morrin responded that he may support scheduling a public hearing by the next meeting if he felt he had received a better list from Mr. Beckley.
- Mr. Beckley pointed the Board to a spreadsheet provided to them designed by Mr. Nolan which outlined the approved ARPA spending so far. He noted that a major change since last time is its inclusion (in red) of a placeholder representing the ~\$1.5 million for the construction of the WWTP Influent Screen, which though not yet approved, is anticipated for approval.
- Vice-Chairman Morrin emphasized to Mr. Beckley that he would like to find and utilize alternative funding sources for the WWTP screen.
- Mr. Beckley reminded the Board that with what has been approved so far, the Town has \$2.2 million remaining in ARPA funds.
- He added that so far, three items had been approved for funding from ARPA.
  - The design phase of the Influent Screen Project at the WWTP (\$265,000)
  - The hiring of a Grants Coordinator (\$150,000)
  - The awarding of hazard pay to Police, Fire/EMS, and Custodial Staff who worked through the pandemic (\$296,250)

**Selectman Barnes made the motion to table the discussion on ARPA, the Finance Committee, and the possibility of scheduling a Public Hearing to the February 1<sup>st</sup> meeting. Selectman McCarthy seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Selectman Kruckas, Selectman Talbot).**

## **New Business**

### **• Review of Dumpster Fees (527 CMR Section 34)**

- Chief Gagnon appeared before the Board to give a brief description of the Town's current policies regarding dumpsters.
- He noted that legally, dumpsters over 6 yards require a permit if they are placed for over 14 days.
- Chief Gagnon stated that in most cases, the commercial properties that utilize these larger dumpsters simply pay the \$50 annual fee and have no issues.
- However, the Town has suffered some disasters resulting from overutilized dumpsters igniting fires which then spread to other structures.
- Chief Gagnon informed the Board that the Fire Department annually brings in anywhere from \$1500-\$3500 from its Dumpster Permit fees.
- Chief Gagnon remarked on the importance of the Town keeping its regulations in line with the State and other municipalities.
- He also noted that most permanently-placed dumpsters are problem-free, but temporary placements performed by contractors tend to be more troublesome and violate codes.
- Mr. Beckley stated that the reason this item was on the agenda was because of a request from Chairman Kruckas to waive the \$50 annual fee, while keeping the remainder of the permitting process the same.
- Vice-Chairman Morrin stated that this request did not make much sense, as the current fee charged seems to be working fine.

**Selectman Barnes made the motion to keep the current Dumpster fee and permitting process in place. Selectman McCarthy seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Selectman Kruckas, Selectman Talbot).**

### **• PCD Director Recommendations on Plowing and Sanding Unfinished Subdivision Roads- Winter 2021/22**

- Mr. Beckley noted that Mr. Watchilla was present via Zoom, and Mr. Niedzweicki was in the meeting room, both of whom could answer any questions the Board had on this subject.
- Selectman Barnes asked Mr. Watchilla why he advised that Bel Air Drive be sanded this winter, but not plowed.
  - Mr. Watchilla answered that this road appears to have not had repairs in quite some time.
- Mr. Beckley emphasized that these recommendations help ensure that emergency vehicles can safely access all residents during winter weather, even if they live on private streets.

**Selectman Barnes made the motion to approve the PCD Director's Recommendations on Plowing and Sanding Unfinished Subdivision Roads. Selectman McCarthy seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Selectman Kruckas, Selectman Talbot).**

## **Comments and Concerns of Citizens**

- Ms. Cascio expressed to the Board her support for the Police and Fire Departments, but argued that their personnel are already well-compensated and did not need the hazard pay approved by the Board.
- Ms. Cascio asked if the allocation of ARPA funds for providing hazard pay to essential workers was in any way mandated.
  - Mr. Beckley replied that this spending was not in any way mandated or required.
- Ms. Cascio asked if it was possible to use the Town's ARPA money on the projects and needs of the school system.
  - Mr. Beckley answered that it was theoretically possible, but seen as unnecessary since the Schools received their own large pool of ARPA money.

- Ms. Cascio asked when the deadlines for allocating and spending the Town's ARPA money were.
  - Mr. Beckley responded that the money needs to be allocated by 2024, and spent by 2026.
- Ms. Cascio asked what the Finance Committee's statement had expressed regarding hazard pay.
  - Selectman McCarthy answered that the Finance Committee had advised against issuing hazard pay.
- Ms. Cascio asked if the decisions of the Board of Selectmen and the Finance Committee conflicted with one another.
  - Mr. Beckley replied that this was not the case, as the Board was still using the recommendations of the Finance Committee for guidance, and that the Finance Committee recognized the Board as having the final authority.
- Ms. Nenni expressed that the Finance Committee wished to prioritize using ARPA money to support the Town's infrastructure needs.
- Ms. Cascio asked if approving hazard pay for Town personnel meant that the Town risks having insufficient funds for other priorities expected to be funded by ARPA.
  - Vice-Chairman Morrin argued that this would not be the case, as the Town would responsibly allocate the \$2.9 million provided by ARPA.
  - Selectman McCarthy retorted that \$2.9 million was the initial amount, and that the Town no longer had this much money to allocate.
- Ms. Cascio expressed general discontentment with the Board for approving hazard pay at the previous meeting.
- Selectman Barnes announced that due to notification from State Senator Gobi and State Representative Smola that the Town could expect federal infrastructure money in the near future, the decision had been made to dissolve the Water Resources Committee.

**Selectman Barnes made the motion to dissolve the Water Resources Committee until further funding becomes available. Selectman Morrin seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Selectman Kruckas, Selectman Talbot).**

- Mr. Smith interjected to protest this vote, arguing that it is counter-productive to dissolve this committee when a large incoming grant is expected involving the topic.
- Mr. Smith expressed general frustration and dissatisfaction with the leadership of the Board of Selectmen, and removed himself from the meeting.
- Selectman Barnes commented on the book he recently received from the Assessor's Office detailing the assessed values of each residential property in the Town.
  - Mr. Beckley added that in the case of a fire, the Town has well-established procedures for dealing with the finances and insurance.
- Selectman Barnes asked about the status of upgrading the East Street underpass sidewalk to meet ADA compliance guidelines.
- Mr. Beckley responded that the Town received one quote on this project for \$30,000, and that the project was anticipated, though not in winter.
- Selectman Barnes remarked that he continued to feel as though too much of Mr. Beckley's schedule was spent handling the operations of the Quaboag Connector transportation system.
  - Mr. Beckley responded that the hiring of Transportation Operations Supervisor Michael Dambrosio had significantly helped to shift the daily operations of this system out of the Town Manager's office, and that Mr. Dambrosio would continue to take on more and more of the tasks previously handled by that office.


## **Town Manager Report**

- Mr. Beckley stated that the Town had received a highly favorable bid of \$30,000 from Regional Resource Group Inc. to continue assisting in the Assessor's Office, as the Principal Assessor position has been vacant for several months.
- COVID-19 transmission rates in the community continue to be extremely high, as the outbreak fueled by the emergence of the Omicron variant has still not peaked. Mr. Beckley recommended that residents log on to [www.covidtest.gov](http://www.covidtest.gov), where they can sign up to have free COVID rapid-test kits delivered to their homes by the US Postal Service.
- Mr. Beckley reminded residents that the increased water and sewer rates approved by the Board of Selectmen at their November 16, 2021 meeting, will take effect for the February bill.
- The East Street bridge/underpass is a challenge for winter maintenance, but the DPW is focused on pedestrian safety at this site.
- A structural inspection recently found the North Street bridge over Muddy Brook to be in a state of disrepair. A replacement of the bridge is planned for construction in the same fashion that the bridge on Old Belchertown Road recently was.
- Budget season is fast approaching, and Town Departments will be responsible for submitting their budget proposals in the near future.
- The Parks Commission would like to attend the February 1<sup>st</sup> meeting of the Board of Selectmen to discuss pool options, including the location of the site and whether an indoor or outdoor facility is preferred.
- Town Hall had repairs performed on its heating system the previous day, which would greatly improve its performance.
- Selectman Barnes asked for an update on the investigation regarding whether the Mary Lane Hospital facility will become taxable as Baystate continues to close down its on-site medical operations.
  - Mr. Beckley responded that the consultant working in the Assessor's Office had been set back due to an illness, but that he was working to explore this question with the Board of Assessors.
- Selectman McCarthy asked about the hours of operation for the skating rink at Memorial Field.
  - Mr. Beckley responded that free skate is open all day, while pickup hockey games generally take place from 7-10 PM.

## Adjournment

Selectman Barnes made the motion at 8:22 p.m. to Adjourn the Regular Meeting. Selectman McCarthy seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Selectman Kruckas, Selectman Talbot).

Attest:

  
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Christopher J. Nolan  
Executive Assistant to Town Manager