



## Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Minutes – Tuesday, October 19, 2021 at 7:00 p.m.

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

**7:00 p.m. – Regular Meeting**

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

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

Meeting ID: 784 604 1861

Passcode: 01082

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

**Absent:** None

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

**Meeting Opened by Chairman Kruckas at 7:00 PM.**

**Opening Remarks, Announcements, and Agenda review by Chair**

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

### **Consent Agenda**

- **Approval of October 5, 2021 Meeting Minutes**
- **Retroactive Approval of One-Day Liquor License: Workshop 13- October 15, 2021, from 7-10 PM**
- **Toll Road Application: Ware Business & Civic Association Presents the Holiday Flair Fundraiser, November 6 and 7, 2021, from 8AM-Noon**
- Selectman Barnes remarked that he had some issues with the October 5 minutes.

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

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

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

- **Approval of Addition to Tax Bills**

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

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

### **Scheduled Appearances**

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

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

## Old Business

- **ARPA**

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

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

## New Business

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

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

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

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

### **Citizen Comments/Concerns**

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

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

### **Town Manager Report**

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

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

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


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

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

### **Adjournment**

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

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

Attest:   
**Christopher J. Nolan**  
**Executive Assistant to Town Manager**

