

Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Notice Agenda – Tuesday, June 7, 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

Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda

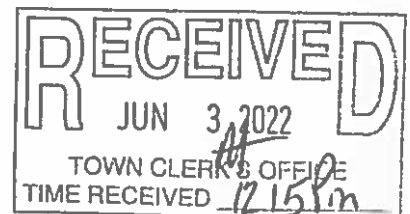
- Approval of May 3, 2022 and May 17, 2022 Meeting Minutes
- Approval of One-Day Liquor License: Workshop 13, Tuesday, June 14, 2022 from 6:00-9:00PM @ 13 Church Street
- Approval of One-Day Liquor License: Hardwick Winery, Saturday, June 18, 2022 from 10:00AM-9:00PM @ Grenville Park
- Approval of One-Day Liquor License: Stevens Strong LLC, Saturday, June 18, 2022 from 10:00AM-9:00PM @ Grenville Park
- Approval of One-Day Liquor License: Workshop 13, Saturday, June 18, 2022 from 1:00-9:00PM @ Grenville Park
- Approval of One-Day Liquor License: Progression Brewing Company, Thursday, June 23, 2022 from 5:00-10:00 PM @ Memorial Field
- Approval of One-Day Liquor License: Progression Brewing Company, Friday, June 24, 2022 from 5:00-10:00 PM @ Memorial Field
- Approval of One-Day Liquor License: Progression Brewing Company, Saturday, June 25, 2022 from 5:00-10:00 PM @ Memorial Field
- Special Event Permit Application: Carnival at Memorial Field, Thursday, June 23, 2022 – Saturday, June 25, 2022 from 5:00-10:00 PM all three days

Scheduled Appearances

- Continue Public Hearing for National Grid/Verizon Pole Petition #30365815 (Coffey Hill Road, Sherman Hill Road, Sczygiel Road, Webster Road) (recommended to be tabled to June 21, 2022 Meeting)
- Police Chief Shawn Crevier: Request for New Sergeant Position
- Presentation of Age & Dementia-Friendly Ware Report

Old Business

- Update on Quarry Street Flood Mitigation
- Update on Main Street Construction
- Update on Solar PILOT vs. Real Value
- Update on Board/Committee Raise Calculations
- Discussion on Effect of Solar Battery Moratorium on Existing Solar Projects
- Update on East Street Underpass, Discussion on Grate Change versus Relocation of Stormwater Beehive
- Update on Kiosks for Rail Trail



(CONTINUED ON PAGE TWO)

New Business

- **Approval of Appointment to ADA Commission: Ruth McGrath**
- **Approval of Re-appointment to Historical Commission: Claudia Kadra**
- **Presentation of Host Community Agreement: Pineapple Express, LLC**
- **Signing of East Quabbin Land Trust Conservation Restriction**
- **Discussion on Concerns Involving Culvert at Lamcotec Warehouse (247 West Street)**
- **Update on Drone Training**
- **Discussion on Country Bank Building Donation, Possible Uses, Process, and Timetable**

Comments and Concerns of Citizens

Town Manager Report

Adjournment



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, May 3, 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: Chairman John J. Morrin, Vice-Chairman Caitlin M. McCarthy, Selectman Thomas H. Barnes, Selectman Joshua A. Kusnierz, Town Manager Stuart B. Beckley, Executive Assistant Christopher J. Nolan, Town Moderator Kathleen Coulombe, Town Accountant Tracy Meehan, Interim DPW Director Chuck Niedzweicki, Parks Director John Piechota, Building Commissioner Anna Marques, Fire Chief Christopher Gagnon, Ken Willette, Lynn Nenni, Devin Peterson, William Imbier, Kimberly Swarts, Alex Bergeron

Absent: Selectman Keith J. Kruckas

Present via Zoom: Planning & Community Development Director Rob Watchilla, Stanley Ciukaj from Ware Community Television, Paula Ouimette from Ware River News

Meeting Opened by Chairman Morrin at 7:00 PM.

Opening Remarks, Announcements, and Agenda review by Chair

Selectman Barnes thanked all who attended the surprise retirement party for Officer Lu-Ann Czapla held the past weekend, and congratulated Officer Czapla on her retirement after nearly forty years of service in the Police Department.

Consent Agenda

- Approval of April 5, 2022 and April 19, 2022 Meeting Minutes

Selectman McCarthy made the motion to approve the Consent Agenda.

- Selectman Kusnierz asked why the April 5th Minutes were tabled at the previous meeting.
 - Mr. Nolan responded that Selectman Barnes requested to have the Minutes tabled in response to the omission from the Minutes of his request for an update from Mr. Beckley on the East Street underpass.

Selectman Kusnierz made the motion to approve the April 5, 2022 Meeting Minutes. Selectman McCarthy seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Kruckas).

- Chairman Morrin asked that in the future, Board members who have issues with the Minutes

should either discuss them with Mr. Nolan and Mr. Beckley before the meeting, or bring a highlighted copy with them to the meeting indicating specific problems.

- Selectman Kusnierz requested to table the April 19th Minutes, stating that he did not make the motion to nominate Thomas Barnes as Clerk, but it was seconded and approved anyway. He also argued that this invalidated the vote on this nomination, which would need to be made again.

Selectman McCarthy made the motion to nominate Thomas Barnes as Clerk. Selectman Morrin seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Kruckas).

Old Business

- **Update on ADA Accessibility for East Street Underpass**
 - Selectman Barnes stated that he noticed the DPW working at the site that afternoon and requested a copy from Mr. Beckley of documents and correspondence regarding this project.
- **Approval of Resubmission: Application for Transfer of Alcohol License #00012-RS-1326 from GNK, Inc. d/b/a Astronaut Pizza House to Yostina Farag d/b/a Adam's Pizza**
 - Mr. Nolan noted that the Board had approved this license transfer during a public hearing on March 15th, but it had been returned with no action by the Alcoholic Beverages Control Commission due to some minor issues with the application, which were included in the Board's documents.

Selectman Barnes made the motion to approve the resubmission of the application for Transfer of Alcohol License #00012-RS-1326 from GNK, Inc. d/b/a Astronaut Pizza House to Yostina Farag d/b/a Adam's Pizza. Selectman McCarthy seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Kruckas).

- **Request for Retiree Town Insurance- Legal Clarification**
 - Mr. Beckley provided the Town Attorney's response to the Board's question on providing health insurance to a former Town employee who was not enrolled in the Town's insurance at their time of retirement. The Attorney indicated that granting an exception was legally fine, but that the Town had no safeguard from creating the precedent that all retired Town employees without coverage could obtain it by simply asking.
 - Selectman Barnes stated that he was not concerned about setting a precedent, as the Town had already approved a similar case in years prior for a retired School Superintendent.
 - Chairman Morrin argued that this case implied the precedent had already been set.
 - Mr. Beckley noted that the Board had already approved providing healthcare coverage to Mr. Paul St. Pierre, after he requested it the previous month, but that it could revisit the discussion on adjusting the specific requirements for retired Town employees to receive coverage at a future meeting.
- **Whistle Blower Line Responsibilities**
 - Chairman Morrin stated that he recalled the Board requesting that the line's answering team would consist of the Chair and Vice-Chair of the Board of Selectmen, in addition to the HR Director.
 - Selectman Kusnierz asked what the intent behind establishing this phone line was, and whether the Town Attorney had been consulted on the matter to analyze potential legal ramifications.
 - Chairman Morrin responded that the line was set up so that employees could anonymously report issues of misconduct concerning Town personnel, with the Town Manager and Human Resources Director following up on any such allegations.
 - Selectman Kusnierz expressed that he felt this phone line represented an overstepping of boundaries, and that it created confusion by working against the established channels for addressing complaints.
 - Chairman Morrin expressed support for the whistle blower line, and requested that its number be

printed on employee pay stubs.

New Business

- **Set Public Hearing Date: National Grid/Verizon Pole Petition #30365815 (Coffey Hill Road, Sherman Hill Road, Sczygiel Road, Webster Road) for Tuesday, May 17, 2022 at 7:10 PM**

Selectman McCarthy made the motion to set the Public Hearing for National Grid/Verizon Pole Petition #30365815 for Tuesday, May 17, 2022 at 7:10 PM. Selectman Barnes seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent.

- **Discussion on Continuation of Solar PILOT Program versus Charging of Taxes**
 - Mr. Beckley stated that the Town's PILOT (payment in lieu of taxes) program was helpful to the applicant, solar companies, and the Town for organizational purposes. He added that PILOT payments are designed to approximate what the tax payment would be based on the assessed value. While switching to a system of charging taxes would likely keep revenue for the Town similar, it may make future solar project development less appealing.
 - Selectman Barnes noted that marijuana generates more revenue for the Town than solar does.
 - Chairman Morrin stated that the Town should pursue whichever option generates more revenue.

Scheduled Appearances

- **7:15 PM- Discussion with Finance Committee and Town Moderator on Annual Town Meeting Articles**
 - (See attached document for full Town Meeting Warrant, including Board of Selectmen, Finance Committee, and Town Manager recommendations)
 - In regard to Article 3, Chairman Morrin expressed his disapproval of purchasing a portable restroom on the grounds that it could delay the construction of permanent restrooms. Vice-Chairman McCarthy disagreed, arguing that the need for restrooms at the Park and the Pumping Station was immediate and urgent.
 - In regard to Article 18, which consists of the FY23 budget, Ms. Nenni stated that the Finance Committee would be introducing an amendment to add \$8,000 to the IT Department budget for computer purchases.
 - In regard to Article 20, Moderator Coulombe stated that the wording should be adjusted, and that rather than rescinding the 2014 bylaw, the change would merely be a modification of the existing bylaw to be combined with a new one.
 - In regard to Article 21, Selectman Kusnierz stated that he felt the Planning Board made its proposed amendments clear and well-defined.
 - In regard to Article 23, Moderator Coulombe asked if it was correct to use the term 'repeal' and suggested that it be treated as merely an amendment.
 - In regard to Article 24, Mr. Beckley stated that the proposed expenditure of \$100,000 would be matched with the same amount by both Palmer and Monson, as well as \$200,000 from the State. The shelter would be located in an existing building in Monson, and the new plan was preferable to the initial one, which would have required \$166,000 from the Town to construct an entirely new shelter.
 - In regard to Article 26, Moderator Coulombe asked if the Town was planning on recreating several positions that were formerly under the DPW. Mr. Beckley responded that this was not the case, and that the article would merely establish the Tree Warden as an officially appointed position.
 - In regard to Article 32, Chairman Morrin stated his opinion that expending \$100,000 to have all of the Town's hydrants replaced was a waste of money, since some of the hydrants are still functional, adding that money could be saved by only replacing those that are no longer operational.
 - In regard to Article 35, Mr. Beckley stated that Cannabis Impact Fees consist of 3% of a marijuana

establishment's total annual sales, and these are paid for the first five years an establishment is open. He added that expenditure of revenue from these fees was required to be tied in some way to marijuana impacts, and accepted uses have included funding for prevention and recovery programs.

- Selectman Kusnierz asked where the oversight on spending these funds came from, describing the requirements as overly vague.
- Vice-Chairman McCarthy stated that the community could benefit from using this revenue to fund drug prevention and recovery programs, adding that drug use was a serious problem in the Town.
- Moderator Coulombe asked Mr. Beckley for more clarification on this article.
- Ms. Nenni asked when proposed amendments would be accepted.
 - Moderator Coulombe stated that these could be presented at the time of the meeting.
- Chairman Morrin stated that he would like to see the possibility of an override be added to the agenda for discussion at the May 17th meeting.

New Business

- **Discussion on School Regionalization Recommendation**

- Selectman Barnes asked Mr. Beckley if he had contacted Granby officials regarding their Finance Committee's recommendation to pursue school district regionalization.
 - Mr. Beckley responded that he had attempted contact with three different Granby officials, and had not yet heard back from any.
- Vice-Chairman McCarthy asked Selectman Barnes if his support for regionalization was driven by the fact that the Superintendent of the Ware Public Schools is leaving her position, and asked if the goal was to regionalize the Superintendent's office.
- Selectman Barnes responded that the goals would be school expansion and educational improvement, stating that the School Business Manager had previously been instructed to investigate regional possibilities.
 - Mr. Beckley added that this conversation did not make it past the initial forum established during the previous attempt.
- Selectman Barnes noted that if Ware were to merge school districts with other local towns, they would only need to collectively pay the salary of one Superintendent. He added that class sizes are no longer growing, meaning the current timing for this conversation is ideal.
- Selectman Barnes noted that he would rather see Ware's current high school become the host for a new regional school, rather than having Ware send its students to another Town.
- Selectman Barnes stated that the Department of Elementary and Secondary Education features a helpful 'dart model' for assessing school district quality, and that Athol was a good example of a Town that had effectively regionalized its schools.
- Vice-Chairman McCarthy argued that it was not the role of the Select Board to be having this conversation, and that this topic was at the discretion of the School Committee.
- Selectman Barnes added that in most regionalized school districts, each Town still hosts its own elementary school, but they share middle and high schools.
- Mr. Bergeron asked which schools would end up shutting down in the event of regionalization. He added that Ware's high school was hurt by not including any courses in the trades.
- Selectman Barnes argued that his argument for regionalization comes from the Town being \$1.3 million over net school spending.
- Selectman Kusnierz cautioned against overinvesting in trade programs for the Ware Public Schools when the Town is already part of the district for Pathfinder Regional Vocational Technical High School.
- Mr. Willette noted that Ware's schools were recently ranked twelfth in the Springfield area, which places the Town higher than most of its neighbors for school district quality. He argued that Superintendent Dr. DiLeo has been very effective at implementing a number of new policies and projects to improve the Town's schools, and that they have made tremendous progress over the last several years. He argued against risking this progress on a rushed effort to regionalize.

- Vice-Chairman McCarthy agreed, stating that this discussion should be had among the School Committee before any decision could be made.
- **Discussion on Town Record-Keeping**
 - Selectman Barnes requested that this personnel matter be tabled for discussion at a future meeting.
- **Carnival Announcement**
 - Chairman Morrin announced that donations and volunteers were needed for the Carnival, which would be held at Memorial Field. Proceeds would go to charities benefitting Veterans, and a committee was being established for specific expenditure planning regarding this event.
 - Ms. Meehan noted that some financial details for the event still needed to be straightened before this could happen.
- **Cost of Living Raises for Boards**
 - Chairman Morrin argued on behalf of extending Cost-of-Living-related increases in salaries to members of Town boards and committees.
 - Selectman Kusnierz disagreed, stating that personal financial gain should not be the objective of individuals serving on boards and committees for the Town, and that the money they received was merely a stipend rather than a salary.
 - Mr. Beckley stated that most Town boards have been at the same rate of pay for the past 15-20 years.
 - Mr. Willette noted that a challenge with the Town form of government is that matters like these are allowed to sit for extended periods without regular review.

Selectman McCarthy made the motion to review the topic of living raises for Boards and table the discussion to a future meeting. Selectman Morrin seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Kruckas).

Comments and Concerns of Citizens

- Selectman Barnes asked if the Town's Transportation Operations Supervisor for the Quaboag Connector could be at the May 17th meeting to take questions from the Board.
 - Mr. Beckley responded that Mr. Dambrosio would be in attendance.
- Selectman Barnes asked about the status of enrolling relevant department personnel in drone training.
 - Mr. Nolan stated that he had recently attended the FHWA's virtual seminar on the various uses and guidelines for operating a drone, and that he had taken notes that would be sent along with the seminar's supplementing documents to any personnel who may be operating a drone for the Town.
- Selectman Kusnierz asked if Board members could opt to not have physical copies of the document packets for meetings assembled for them, viewing them digitally instead.
 - Mr. Nolan stated that the Town already possessed MacBooks for this purpose, and that he would check with each individual Board member over whether they would rather have their packets digitally on a MacBook or physically on paper.
- Chief Gagnon stated that a new hire at the Fire Department had recently fallen through, and that an updated Civil Service list was needed.

Selectman Barnes made the motion to authorize a Civil Service candidate list to fill a vacancy at the Fire Department. Selectman Morrin seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Kruckas).

Adjournment

Selectman McCarthy made the motion at 8:18 p.m. to Adjourn the Regular Meeting. Selectman Barnes seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Kruckas).

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



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, May 17, 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: Chairman John J. Morrin, Selectman Thomas H. Barnes, Selectman Keith J. Kruckas, Selectman Joshua A. Kusnierz, Town Manager Stuart B. Beckley, Executive Assistant Christopher J. Nolan, Transportation Operations Supervisor Michael Dambrosio, Department of Public Works Director Geoff McAlmond, Robert Swift from CHA Consulting, Ken Willette, Shaun K. Robinson, Ana Burgos, Antonio Porter, Sandy Zebrowski, Kal McCoy, Alex Bergeron, Paul Krasnecky, Gregory Giles

Absent: Vice-Chairman Caitlin M. McCarthy

Present via Zoom: Human Resource Director Justine Caggiano, Stanley Ciukaj from Ware Community Television, Paula Ouimette from Ware River News, Sheila Cuddy from Quaboag Valley Community Development Corporation (QVCDC), Jen Healy from QVCDC

Meeting Opened by Chairman Morrin at 7:00 PM.

Opening Remarks, Announcements, and Agenda review by Chair

Selectman Barnes thanked the Ware Fire Department for their response to a number of recent brush fires.

Chairman Morrin encouraged residents to attend the Memorial Day parade.

Consent Agenda

- Approval of April 19, 2022 Meeting Minutes

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

Old Business

- Update of Quarry Street Flood Mitigation
 - Mr. Beckley noted that the resident who wished to speak on this topic had a conflict and would not be present at the meeting.

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

- **Kiosk Update for Rail Trail**

- Mr. Beckley announced that kiosks were being constructed for both ends of Ware's segment of the Mass Central Rail Trail (one at the Gibbs Crossing entrance, the other at the Robbins Road entrance), which were estimated to be completed in 4-6 weeks.
- Mr. Steven Hawk had generously offered to fund the purchase and installation of the kiosks.
- Selectman Barnes noted that one acceptable expenditure of ARPA funds is for projects involving recreation, and that the Board should approve this use to avoid asking Mr. Hawk to spend his own money.

- **Update on Granby Finance Committee, School Regionalization**

- Mr. Beckley stated that he had attempted contact with the Granby Finance Committee but had not yet heard back. However, he did speak with a member of the Granby School Committee who stated that their Town is currently considering several options to determine which will be the most beneficial in the long term.
- Chairman Morrin requested that Mr. Beckley continue trying to contact the Granby Finance Committee.

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

New Business

- **Approval of Appointment of Alice Atkinson-Bonasio to Historical Commission**

Selectman Barnes made the motion to appoint Alice Atkinson-Bonasio to the Historical Commission. Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

- **Approval of Appointment of Ana Burgos to Housing Authority**

Selectman Barnes made the motion to appoint Ana Burgos to the Housing Authority. Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

- **Request for Replacement of Town Hall Flagpole and Flag**

- Selectman Kusnierz noted that the flagpole outside of Town Hall is rusty, which causes the flags that are hung on it to have rust stains. He requested that after Memorial Day, the current flag be removed, and that a new one not be installed until the pole is replaced.
- Mr. Beckley noted that he had discussed replacing that flagpole with the Parks Director, but while this was planned, there was no estimate on when the Town could expect to have a new one.
- Mr. Porter asked if the current flagpole could be painted to alleviate the issue.
 - Selectman Kusnierz responded that painting the pole would not solve the underlying problem, and that it would ultimately be a waste of money and effort.
- Selectman Kruckas expressed disagreement with the proposal to leave the pole bare after Memorial Day, arguing that the current flag should be kept up until the pole is eventually replaced.
- Chairman Morrin stated that overall, the Board agreed the flagpole required replacement as quickly as possible.

Selectman Barnes made the motion to table the discussion on flagpole replacement to the June 7th meeting. Selectman Morrin seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

Scheduled Appearances

- **7:10 PM- Public Hearing: National Grid/Verizon Pole Petition #30365815 (Coffey Hill Road, Sherman Hill Road, Sczygiel Road, Webster Road)**
 - Mr. Robert Swift from CHA Consulting introduced himself as the meeting's representative for National Grid.
 - He stated that this pole petition calls for a number of pole replacements and installations for the purpose of transporting electricity from a new solar farm development on Monson Turnpike Road.
 - Chairman Morrin asked if any of the poles that were being replaced currently had streetlights on them, and if they did, if National Grid would be re-attaching any streetlights they removed during the process.
 - Mr. Swift responded that National Grid could not re-attach lights that are the Town's property.
 - Selectman Kruckas expressed frustration over the Town needing to pay to reconnect its streetlights each time National Grid completed work on its poles.
 - A resident asked why she had received a notification in the mail for a public hearing regarding Bumpy Hill Road.
 - Mr. Swift responded that he was not familiar with what she was describing, and that it must have been in relation to a public hearing for a separate project.
 - Selectman Kusnierz asked about the size of the proposed new poles in relation to the current ones.
 - Mr. Swift responded that the new poles would be slightly taller.
 - Chairman Morrin stated that the Board would only approve the petition if National Grid agreed to move any lights located on poles that were being taken down to their new respective poles.
 - Mr. Paul Krasnecky asked for clarification that the locations where National Grid had placed stakes in the ground earlier that day were the places they planned to install poles, as he had one placed directly in his front yard.
 - Selectman Kruckas emphasized that the Town did not want poles placed in residents' front yards.
 - Mr. Swift confirmed that the stakes indicated where new poles were proposed.
 - Mr. Krasnecky asked if it would be possible to have this particular pole placement adjusted.
 - Mr. Swift responded that this would involve a full redesign of the plans.
 - Chairman Morrin requested that National Grid redesign the proposal before the public hearing was continued.

Selectman Barnes made the motion to continue the pole petition hearing at the June 7th meeting, after National Grid had conducted a redesign. Selectman Morrin seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

- **Approval of DPW Director Appointment: Geoff McAlmond**
 - Mr. Beckley introduced Mr. McAlmond, who was the chosen candidate for the DPW Director position selected by the Town Manager, Human Resource Director, and DPW Supervisors. He spoke highly of Mr. McAlmond's experience in handling water, wastewater, and highway-related matters.
 - Chairman Morrin asked Mr. McAlmond if he also had experience in Facilities Maintenance, as this was another component of his position laid out in the Town Charter.
 - Mr. McAlmond affirmed that he had experience in this matter as well, and was prepared for all aspects of the position.

Selectman Kruckas made the motion to approve the appointment of Geoff McAlmond to the position of DPW Director. Selectman Kusnierz seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

- **Discussion on Quaboag Connector with Transportation Operations Supervisor Michael Dambrosio**
 - Selectman Barnes commented that based on the description of his own position that Mr. Dambrosio

submitted to the Board, his tasks are quite varied, and he asked if Mr. Dambrosio was ever required to drive passengers himself in the absence of a regular driver.

- Mr. Dambrosio responded that he had occasionally filled in for drivers during extreme circumstances, but that this did not happen often.
- Mr. Dambrosio stated that he was currently working on coordinating the necessary training for each driver to be certified in CPR, First Aid, and wheelchair lift operation.
 - Chairman Morrin asked if that meant the Quaboag Connector was currently behind the standards it needed to meet for driver training.
 - Mr. Dambrosio responded that after the current week's training, all drivers would be up-to-date on their certifications.
- Selectman Barnes asked Mr. Dambrosio why, despite his hiring, Mr. Beckley was still spending up to 8 hours per week managing operations for the Connector.
 - Mr. Dambrosio responded that the Connector was an intensive operation with several moving parts.
- Selectman Barnes expressed confusion over why the Town held so much responsibility for the Amherst-Worcester Bus Route B79, rather than the PVRTA being solely responsible for the route. He also asked why neighboring communities served by the Connector, such as Palmer, did not contribute more to assist with operations.
 - Mr. Dambrosio responded that the B79 was operated as part of a partnership where the bus, fuel, and insurance are the responsibility of the transit system at UMass Amherst, while the bus operators who drive the route are employees of the Town of Ware.
 - Selectman Barnes stated that he felt the B79 should be operated entirely from one of the PVRTA's regular garages.
- Mr. Beckley noted that the Quaboag Connector had grown significantly since its launch five years ago.
 - Mr. Dambrosio noted the upcoming launches of two new Connector services; the Route 9 Shuttle, which will be a fixed route running from Belchertown to Spencer, and the Baystate Shuttle, which will travel from Ware to Baystate Wing Hospital in Palmer. The former service had already been through the testing phase, while the latter was simply waiting on some signing of contracts.
- Selectman Barnes asked about the possibility of the Town activating the Sunset Clause of its agreement with the QVCDC to terminate its share of the Connector.
 - Mr. Beckley stated that the Sunset Clause would not be activated within the foreseeable future.
- Chairman Morrin stated that the Board wished to pry Mr. Beckley away from managing the daily operations of the Connector as much as possible.
- Selectman Kruckas argued that his issue with the Connector was that financially, it was costing Ware a disproportionate amount of money to run, despite serving several other Towns that gave little back in return.
 - Mr. Beckley noted that the Town received annual stipends from Palmer and Monson to assist with Connector operations.
- Selectman Barnes asked Mr. Dambrosio for data on his salary.
- A resident stated that he was a regular B79 passenger for three months, and his only issue with the service was it not running frequently enough to meet the needs of residents.
- Chairman Morrin asked if the frequency of runs on this route could be increased.
 - Mr. Beckley responded that the upcoming Route 9 shuttle would help alleviate this issue.
- Mr. Dambrosio noted that the Route 9 shuttle was designed to fill a gap between the service areas of the Worcester Regional Transit Authority and the Pioneer Valley Transit Authority.
- Selectman Barnes stated that on his frequent trips West on Route 9 toward Belchertown and Pelham, he never sees the designated PVRTA bus stops being used.
- A resident noted that the B79 only makes one stop in each of the nine communities it travels through, and argued that this was insufficient.

- Mr. Dambrosio stated that the Route 9 shuttle would also alleviate this issue by having a much higher quantity of stops available.
- Selectman Kruckas argued that he still felt the \$9 universal fare to ride the B79 was a bargain for trips as far as Worcester. He also argued that other Towns covered by the Connector should financially contribute to Mr. Beckley's salary, given his amount of time spent managing the service.
- Mr. Dambrosio noted that 60% of the Connector's riders are Ware residents.
 - Selectman Kruckas responded that Ware's taxes are already too high, and that if 40% of passengers come from other Towns, then these other Towns should be contributing to 40% of the Connector's operating costs.
- Selectman Barnes asked about fuel costs for the buses.
 - Mr. Dambrosio confirmed that the buses used on the B79 are fueled at the UMass bus garage at no expense to the Town.
- Selectman Kruckas asked about the chain of command for the Connector on weekends, stating that he met a confused QC driver the past Saturday who claimed he was scheduled to work but had no rides set up, and no supervisor was reachable via phone.
 - Mr. Dambrosio confirmed that he knew about the situation in question, and that it had been resolved after being caused by a scheduling error.

Old Business

- **Update on Allocation of ARPA Funds**

- Mr. Beckley cited Grants Coordinator Jay Mooney's work on an application for the first round of money from the State Revolving Fund. These were set to be awarded in July of 2024 and the Spring of 2025. Due to the timing, these were agreed to not be an ideal funding source for the influent screen project at the Wastewater Treatment Plant, as this would push project completion back to 2026.
- Chairman Morrin expressed hesitation with devoting ARPA funds to this project, arguing that it would take too large a share.
 - Selectman Barnes expressed that it would be far more costly if the sewer were to fail due to unnecessary delays, or if the Town were to accumulate fines for environmental violations at the WWTP.
 - Selectman Kruckas expressed agreement with this point, arguing that the risk of sewer failure meant the Town needed to complete this project quickly.
- Mr. Beckley confirmed that the Town could find other uses for the State Revolving Fund revenue.
- Chairman Morrin disagreed, noting that since an alternative to funding the project with ARPA money had emerged, the Town should pursue it, despite the delayed timing.
- Selectman Kruckas argued that inflation was another motivating factor convincing him to support expediting the process with ARPA funds.
- Chairman Morrin objected to spending this large a portion of the Town's ARPA funds on a single project, and asked Mr. Beckley for his recommendation.
 - Mr. Beckley responded that the Board needed to decide on proposed Revolving Fund allocations by July, and he suggested that the WWTP screen be funded through ARPA instead.
- Chairman Morrin recommended waiting until the next meeting when all five Board members are present to vote on approving this expenditure from ARPA, and stated that this topic was to be tabled.
- Mr. Beckley directed the Board to multiple letters that had been received from residents concerned about the rising Cost of Living, and requesting that the Board consider providing some type of relief for struggling residents through ARPA.

- Selectman Kruckas responded that Ware's taxes are too high, which is causing long-time residents to leave. He accused Mr. Beckley of ignoring their plight.
- Chairman Morrin cited specific examples from one resident letter where the writer claimed she was being forced to consider leaving Town because the cost of living had become too high, claiming that surrounding Towns were more financially appealing. Chairman Morrin argued that the Town's rising taxes needed to stop.
- Selectman Kruckas stated that despite the rising taxes, the Town's Police and Fire Departments were still understaffed and under-resourced, and expressed support for a temporary freeze on the establishment of any new Town positions that are not under one of these two departments.
- Selectman Kruckas stated that he was honestly considering leaving due to how expensive living in Ware had become. He argued that when the Town voted to start accepting grant money 35 years ago, it had not considered that grants would also be funded with their tax dollars.
- Chairman Morrin argued that the override process could be the Town's best opportunity to mitigate the problem of rising taxes.
- Selectman Barnes cited a memo he had received from the Massachusetts Municipal Association regarding the guidelines for municipalities to issue premium pay to their essential personnel using ARPA funds.
- Selectman Kruckas defended this use, stating that first responders are currently facing higher demand than they ever have before.
- Selectman Kruckas accused Mr. Beckley of apathy toward residents suffering from Ware's high Cost of Living.
 - Mr. Beckley responded that according to data from the State Department of Revenue, Ware's Cost of Living is lower than average for Massachusetts communities, and its tax rate is merely average.
 - Selectman Kruckas accused Mr. Beckley of using incorrect data, arguing that his income and lack of residence in the Town made him out-of-touch with the plight of Ware taxpayers, and insisting that long-time residents are leaving in response to unaffordability.
 - Chairman Morrin echoed that several people who were born and raised in Ware were leaving for financial reasons.
- A resident argued that himself and other renters suffered from the Town lacking any rent control, and stated that contrary to popular belief, he was paying more in rent to live in Ware than he would in Greater Boston cities such as Cambridge.
 - Selectman Barnes expressed agreement that he knew of communities in Eastern Massachusetts that charged less in taxes, while also offering more services to their residents than Ware.
- Mr. Beckley noted that ARPA could provide relief for the community through funding business expansion, capital improvements, housing costs, and housing repairs, but that it could not be used to pay residents' taxes.
- Selectman Kruckas argued that due to the volatile economy, the Town should fund the WWTP screen, then be very careful about spending the remainder of its ARPA funds.
- Selectman Kusnierz asked how other Board members proposed the Town award its ARPA funds in an equitable fashion.
- One resident suggested using seniority as a basis for decisions involving ARPA money.
- Selectman Kusnierz argued that there was no ethical way of distributing ARPA funds to certain residents or businesses but not others. He stated that he would be abstaining on any vote that called for this, and proposed that ARPA funds be used exclusively to fund Town infrastructure projects.
- Selectman Kusnierz stated that many of the community members who are in most dire need of assistance will never approach the Town to request it, due to personal pride.
- Mr. Beckley noted that while much deliberation had taken place on potential uses for the remainder of its ARPA funds, there was currently no detailed plan for the Town on this matter.
- Selectman Kruckas suggested the Board find a way to purchase a bulk amount of baby formula to distribute to residents in need, citing the current shortage.

- Mr. Beckley confirmed that if the Board approved the funding of the WWTP screen with ARPA, that would leave approximately \$600,000 remaining.
- Selectman Kruckas stated that grant opportunities continued to open for applications to be submitted by Jay Mooney, the Town's Grant Coordinator.
- Selectman Kusnierz expressed appreciation for Mr. Mooney, noting that the Town Planner spoke very highly of him.
- Chairman Morrin requested that Mr. Beckley work on developing an allocation plan for the Board's next meeting concerning the remainder of the Town's ARPA funds.
- **Update on Whistleblower Hotline**
 - Mr. Beckley updated the Board that the number for the whistleblower line was ready to be printed on the next round of employee paychecks, which would go out the following Thursday.
 - Selectman Kusnierz objected to the existence of the whistleblower line, arguing that it was inappropriately set up by the Board for the purpose of hearing complaints against Mr. Beckley.
 - Chairman Morrin ordered Selectman Kusnierz to stop speaking, declaring him out of order.
 - Mr. Beckley cited the Massachusetts General Law regarding whistleblower phone lines.
 - Selectman Kruckas argued that the line was set up due to the observation that accountability for wrongdoing by Town officials only occurs when the issue comes before the Selectmen during an Executive Session.
 - Mr. Beckley stated that the number for the line would be included on the following week's paychecks to Town personnel, which would also include an attached sheet explaining how the line works.
- **Update on East Street Underpass**
 - Mr. Beckley updated the Board that the project to bring the sidewalk of the East Street underpass up to ADA compliance was in progress and expected for completion by the end of June.
- **Discussion on Board/Committee Members' Salaries**
 - Chairman Morrin stated that the list of Towns Mr. Beckley had provided with comparisons of salaries received by Board and Committee members did not entirely consist of Towns that were comparable in size to Ware. He requested that a new list be made, and that Ware's compensation paid to Board and Committee members should be at least average compared with similar-sized Towns.
 - Mr. Beckley asked if the Board was still requesting an annual adjustment be made to these salaries based on changes in cost of living.
 - Chairman Morrin answered that they were.
- **Discussion on Solar PILOT versus Real Value of Equipment**
 - Mr. Beckley stated that the Assessors Office had gathered the data on three of the Town's four solar projects, with the installations at Canadian Tree Expert being too new to have data.
 - Selectman Kruckas stated he had noticed that two of the three sites had almost identical amounts that were paid through the PILOT (Payment in Lieu of Taxes) agreement with the Town as would have been if charged on real value, but the third paid \$6,000 less to the Town through PILOT than it would have through taxation.
 - Mr. Beckley confirmed that this was correct.
 - Chairman Morrin asked if this issue could be corrected for the Town to maximize revenue.
 - Selectman Kruckas agreed that this was vital.
 - Mr. Beckley noted that the PILOT amount for the site in question on Palmer Road was determined based on having the same value per Megawatt as the site on Upper Church Street. He added that the Department of Revenue requires PILOT agreements to match their real value equivalents as closely as possible, and that abandoning the use of PILOT agreements would likely not have a notable impact on the Town's revenue compared with continuing them.

- Selectman Kruckas expressed suspicion with the finances surrounding the solar development located on Palmer Road, stating that he wants to hear the Town Attorney provide counsel on this situation within two meetings.
- Mr. Beckley stated that an adjustment should be able to be made, and that the PILOT had been arranged with an underestimate of the personal property value for the project.
- Chairman Morrin agreed that this situation needed to be addressed as quickly as possible.
- Selectman Kruckas stated that he is not inherently against solar development but opposes large solar farms that contribute to deforestation of land in Town, arguing that they devalue adjacent properties and can destroy entire neighborhoods.
- Selectman Barnes expressed agreement, noting that marijuana is more profitable for the Town than solar.
- Mr. Giles asked for clarification on the purpose of cannabis mitigation funds.
 - Selectman Kruckas noted that Curaleaf MA Ware Adult-Use currently contributes a certain percentage of their annual revenue to the Town, and that other cannabis retail stores will do the same after opening.
 - Mr. Beckley added that these funds were meant to address the impacts of marijuana, and helped fund a youth substance use prevention program, as well as a recovery center. In the future, these fees may also help fund the water use costs associated with any cultivation facilities that open.

New Business

- **Review of Override Process**

- Chairman Morrin voiced support for the override process, arguing it was the most guaranteed way to slow rising taxes.
- Mr. Beckley explained that with an override, the Town could opt to remove a given amount of money from its revenue sources after funding its stabilization and reserve funds.
- The amount of money would increase 2.5% per year.
- Chairman Morrin argued that the Town could choose to decrease the amount per year.
- Mr. Beckley noted that the decision on whether to exercise the override could be a ballot question for voters during either a Regular or Special Election.
- Selectman Barnes asked if approving the override could cause an override to be needed in future years.
 - Mr. Beckley responded that this was not the case.
- Mr. Beckley clarified that the money would increase 2.5% on a smaller quantity of money in future years.
- Selectman Kruckas voiced support for the override, stating that it could help stop the exodus of residents from Ware.
- Chairman Morrin expressed the importance of allowing the voters to decide on whether to use the override, but also noted that he did not feel a Special Election was necessary.

Old Business

- **Update on Granby Finance Committee, School Regionalization**

- Selectman Barnes argued in favor of regionalizing the Town's school system for financial benefit.
- Chairman Morrin argued that the Schools Department should consider awarding premium pay to its teachers for serving as essential workers throughout the pandemic.
- Mr. Beckley noted that the Town was recently awarded a grant to purchase a digital sign for placement Downtown that would display events and important messages. He thanked Town Planner Rob Watchilla for his work toward his work securing this grant for the Town.

New Business

- **Drone Donation and Training for All Relevant Departments**

- Mr. Nolan informed the Board that he had placed his notes taken while attending the Federal Aviation Administration's virtual seminar on drone piloting in their packets, and these notes would

also be forwarded to all personnel who would be operating a drone for Town business.

- Selectman Kruckas cautioned against entrusting too many Departments with drone operations, suggesting they be limited to a small number, such as Fire and Conservation.

- **ADA Concerns Regarding Poles in Sidewalks**

- Selectman Barnes stated that many utility poles in Town are positioned in the sidewalk in a position that does not accommodate people who use wheelchairs, and that Ware risked being sued by the Department of Justice, which he claimed recently happened to the City of Somerville.
- Selectman Barnes called for all poles in violation of ADA requirements to be adjusted, citing South Street and Morse Ave as two prominent examples.
- Selectman Barnes also noted that the ADA Commission was seeking a third member.
- Mr. Beckley acknowledged that some poles present chronic issues, and asked if the ADA Commission would be interested in conducting a survey to determine the poles of highest concern.
- Selectman Barnes asked if it would be possible to request the utility providers move their poles in the Town's sidewalks to meet ADA compliance.
- Selectman Barnes asked if the poles along a section of West Street met the requirements.
 - Mr. Beckley answered that according to their measurements, these were in compliance, although it was very close to the minimum space required.
 - Selectman Barnes expressed doubt as to the accuracy of Mr. Beckley's data.

- **New Large Retail Chain Store Considerations**

- Mr. Beckley noted that the proposal in question was for a Tractor Supply store on West Street, on a piece of land zoned for Residential Business, which would not currently allow such an operation.
- The Planning Board had instructed the Town Planner to determine what zoning changes would be necessary to allow for the store. Any proposed zoning amendments would require approval by a two-thirds majority at Town Meeting.
- Selectman Barnes noted that an area of concern which had been brought up contained the wetlands that lay in between properties on Malboeuf Road and the property where the store was proposed.
- Mr. Beckley explained the process that the proposal must go through, which begins with the Planning Department drafting zoning amendments, which would be sent to the Board of Selectmen along with specific recommendations from both the Planning Board and Conservation Commission. The Board of Selectmen then approve the Planning Board to hold a public hearing on the proposal, before it is sent to the final step of approval by Town Meeting.
- Mr. Beckley also noted that if approved, use of the site would require MassDOT to perform a curb cut.

- **Request for Water/Sewer Bill Abatement**

- Mr. Beckley directed the Board to a memo from DPW consultant and former Director Mr. Gilbert St. George-Sorel recommending abatement of a specific property's water and sewer bill, citing an error on the part of the Town.

Selectman Kruckas made the motion to approve the abatement as recommended by Mr. St. George-Sorel. Selectman Morrin requested that an abatement be approved containing an extra \$1,000, to apologize to the property owner for the hassle. Mr. Beckley explained that this was not possible. Selectman Kusnierz seconded the original motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

Chairman Morrin asked why abatements like this one needed to be approved by the Board at all, and suggested the policy be changed.

- **Consideration of Lower Quorum for May 23 Town Meeting**

- Mr. Beckley confirmed that the Town had been notified by its Attorney that it was still eligible to lower the quorum for Annual Town Meeting under rules that took effect due to the COVID-19

pandemic.

- Chairman Morrin objected to the idea of lowering the quorum.
- Selectman Kruckas argued that the previous four Town Meetings have been shameful, referring to them as a 'disgrace.' He accused the Town Moderator of a 'power trip,' argued that this was why it is difficult to gather enough residents to meet quorum, and asserted that Ware Town Meetings were a dictatorship rather than a democracy.
- Chairman Morrin noted the request for a special meeting of the Board just before Annual Town Meeting to vote on whether to lower the quorum.
- Chairman Morrin stated that alternative forms of governance should be considered.
 - Selectman Barnes asked if switching to a ballot system for residents could be more effective than calling them to a meeting in a specific place and time.
 - Chairman Morrin clarified that he felt Representative Town meeting should be explored as an option.
 - Selectman Kusnierz noted his disagreement, stating that Open Town Meeting is a type of government worth preserving, and while ideally the Town would have no issues meeting its quorum, he argued in favor of lowering the quorum to 50 for this Town Meeting, while working to increase citizen participation in local government moving forward.

Selectman Barnes made the motion to keep the quorum at 100 voters for Town Meeting. Selectman Morrin seconded the motion. The motion passed on a vote of 2 Yes (Selectmen Barnes, Morrin), 1 No (Selectman Kusnierz), 1 Absent (Selectman McCarthy), 1 Abstain (Selectman Kruckas).

Comments and Concerns of Citizens

- Selectman Barnes asked at what temperature the Senior Center was required to open to the public as a cooling center.
 - Mr. Beckley answered that there was no law mandating the Senior Center serve as a cooling center, but the Town typically opened it as one during heatwaves, which are defined regionally as three or more sequential days with high temperatures at or above 90 degrees.
- Selectman Barnes stated that he was recently surprised to see the Senior Center closed when he drove by during the early afternoon.
 - Mr. Beckley responded that there was only one recent instance of the Senior Center being closed unexpectedly, and that it is otherwise open for its full schedule.
- Selectman Barnes asked for an update on Chapter 70 education funding from the State.
 - Mr. Beckley responded that the Town was expecting a \$1 million increase in Chapter 70 funding compared with the prior year. Chapter 70 makes up about half of the budget for the Ware Public Schools.
- Selectman Kruckas asked why the school system was being given an additional \$400,000-\$500,000.
 - Mr. Beckley responded that of the Town's approximately \$32 million budget, roughly \$17 million goes to the Ware Public Schools, while \$1.2 million goes to the Pathfinder Regional Vocational Technical School District, and another \$1.7 million goes to school transportation.

Town Manager Report

Mr. Beckley noted three important dates in the near future. Town Meeting would be held on May 23rd. The Massachusetts Environmental Policy Act office would be hosting a virtual meeting to discuss the ReSource Waste expansion project on May 26th at 6PM. Finally, the Memorial Day Parade would be held on May 30th.

On Thursday, the Planning Board would be hearing a proposal for a cannabis delivery operation by Pineapple Express, LLC. This would be followed by a Community Outreach meeting on June 2nd, then the presentation of a Host Community Agreement at the Select Board Meeting on June 7th.

A graduation ceremony for the Literacy Project would be held on May 28th at Grenville Park.

Synchronization of the traffic signals on Main Street had been tweaked, but still needed some improvement, which could be anticipated shortly.

Mr. Beckley commended Fire Chief Chris Gagnon for his work organizing a table-top exercise workshop with the Massachusetts Emergency Management Agency to review the Town's emergency management plan.

COVID cases were spiking in the community and across the region.

New Director of the Quabbin Health District Andrea Crete had just started in her role, and one of her early initiatives was to resume the Town's search for a public health nurse.

Selectman Barnes called for a copy of documents on the State's Winter Recovery Assistance Program that were unintentionally omitted from the Board's packets for discussion on the underpass.

Selectman Kruckas asked about procedures for the record-keeping of Town documents, and who was responsible for overseeing this. Mr. Beckley answered that record-keeping for the Town was ultimately under his control as Town Manager.

Chairman Morrin requested that Mr. Beckley be more communicative of personnel matters with the Board, citing their lack of awareness that another Administrative Assistant had given notice of her resignation in the prior week.

Mr. Beckley noted a last-minute addition by Police Chief Shawn Crevier for the Board to approve his request for an updated Civil Service list in order to fill two vacancies in the department.

Selectman Morrin made the motion to call for an updated Civil Service list for the purpose of hiring two new officers. Selectman Barnes seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

Mr. Bergeron asked why some of the lower-corner traffic lights had been removed from intersections downtown, stating that these were helpful when solar glare made it difficult to see the ones that sit higher up. He stated that he had specifically noticed this at the light for cars travelling Westbound on Route 9 at Church Street. Mr. Beckley stated that he would investigate this.

Mr. Giles voiced concerns about his property being given a lien during the pandemic which was sold to a company called Tallidge. Mr. Beckley noted that a lien auction happens once per year, and that Tallidge frequently wins them. Mr. Giles argued that as a struggling single father, he felt the Town had not cooperated with him to work out a payment plan for his outstanding tax payments. Mr. Beckley noted that the Town had already agreed to a payment plan with him, but Mr. Giles had consistently refused to meet its conditions. Selectman Kruckas stated that this represented another example of complaints from residents not being communicated to the Selectmen by Mr. Beckley. Mr. Beckley stated that he would provide the Board with the reports concerning Mr. Giles' tax payments and agreements reached, but he did not feel a Board meeting was an appropriate forum for this discussion.

Adjournment

Selectman Barnes made the motion at 9:18 p.m. to Adjourn the Regular Meeting. Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman McCarthy).

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

ONE-DAY LIQUOR LICENSES

General Information and Rules and Regulations of the Board of Selectmen TOWN OF WARE

The Board of Selectmen is the issuing authority for so-called "One-Day Liquor Licenses" under Mass. General Laws Chapter 138, Section 14. These licenses are available to profit and non-profit organizations (beer and wine only to profit organizations; all alcohol or beer and wine to non-profit organizations). All general laws relating to the service of alcoholic beverages must be complied with in the exercise of this license.

APPLICATION

Please submit an application for each event at least twenty-one (21) days in advance of the event. Selectmen reserve the right to take no action on applications which arrive after this deadline.

HOURS

Licenses will be granted for service between the hours of 10AM and 12 midnight on weekdays and Saturdays. Sunday service hours will be noon to 12 midnight. In NO case will hours be granted which are not in conformity with Mass. General Laws Chapter 138.

SERVERS

The licensee must provide on the application the names of all bartenders (servers) for the event. If these names are not known at the time of application, the names must be provided, in writing, to the Board of Selectmen not less than five (5) days in advance of the event. Failure to register the servers five (5) days in advance will result in automatic revocation of the license.

INSURANCE

Each licensee shall have liability insurance for the service of alcohol in the amount of at least \$250,000. An insurance certificate shall be delivered with the license application or at least five (5) days prior to the date of license request, stating the value, the premise insured, and the dates the insurance is in force.

RESPONSIBLE SERVICE

The Board of Selectmen encourages all licensees to have responsible servers. It is the licensee's responsibility to ensure that intoxicated individuals are not served alcohol. Any licensee or their agent who serves alcohol to an intoxicated person may, after a hearing held on the matter, be denied any further one-day licenses for a period of two (2) years.

RAFFLES AND GAMING

All licensees are advised that special permits are required for raffles and for gambling with "casino games". Organizations planning such events should contact Town Clerk Nancy Talbot for appropriate permits in advance. Your cooperation in advising such groups is appreciated.

POLICE

Selectmen reserve the right to require that police officers be assigned to duty by the Police Chief at events covered by one-day licenses. The licensee shall pay all costs of police details required for the event. Licensees may voluntarily arrange for police coverage at any event.



TOWN OF WARE

SPECIAL EVENT CHECKLIST & APPLICATION PACKET

Thank you for considering Ware as the venue for your organization's special event. While every Town has different procedures, they are typically driven by State regulation. Ware has developed the following Special Event Checklist and Permit Application Packet to help you plan out the logistics of your event. Event sponsors are responsible for obtaining all proper licenses and permits, and abiding by the rules listed on said licenses. It is our hope that this checklist will enlighten you about the permitting process and the various Town Departments involved in event planning.

A *Special Event* is any activity that occurs upon public or private property that affects the ordinary use of parks, playgrounds, beaches, fields, buildings, public streets, right-of-way, or sidewalks and it may feature entertainment, amusements, food and non-alcoholic or alcoholic beverages. Examples of a *Special Event* include (but are not limited to) festivals, road races, Farmer's Markets, block parties, carnivals and parades.

Once you have received the application packet, the best practice is to begin by reading through the Special Event Checklist to determine what is needed for your event. Permits, licenses and inspections may be required for your event. Please check all of the applicable boxes in each section of the checklist. Complete the application packet (the checklist and the permit application) and return it to the Board of Selectmen's office at Town Hall.

Your application packet will be time stamped and forwarded to all departments for DEPARTMENT SIGN OFF AND APPROVAL/COMMENTS. Once all departments have reviewed your application, it will be placed on an upcoming agenda for final approval by the Board of Selectmen.

The authorized special event permit must be posted in a visible location at your event.

THE SPECIAL EVENT PERMIT IS SUBJECT TO ANY AND ALL LAWS, REGULATIONS, STANDARDS, GUIDELINES AND POLICIES OF THE TOWN OF WARE AND DEPARTMENT OR BODY OTHERWISE HAVING JURISDICTION AND FURTHER SUBJECT TO THE SPECIFIC TERMS, CONDITIONS AND RESTRICTIONS PRINTED OR WRITTEN HEREINBELOW OR ATTACHED AND MAY BE VOIDED OR REVOKED AT ANY TIME IF ANY REGULATION, STANDARD, GUIDELINE OR POLICY OF THE TOWN OF WARE ARE VIOLATED.

THIS PERMIT IS GRANTED UPON THE CONDITION THAT THE PERSON OR PERSONS TO WHOM IT IS ISSUED SHALL FULFILL ALL REQUIREMENTS OF THE REGULATIONS GOVERNING OF THE TOWN OF WARE AND SHALL NOT BE TRANSFERRED, ASSIGNED OR CONVEYED.

PEASE NOTE: Contents of this checklist are presumed accurate. All information is subject to change.

Listed below are general items that could apply to any department's requirements for an event:

ADA AWARENESS:

- ☐ Special events should be accessible to people with disabilities. Building Inspections will assist you in ensuring that your event is accessible.

INSURANCE

- ☐ When alcohol is served or sold, an insurance rider in the amount of \$1,000,000 per occurrence with a \$1,000,000 aggregate is required. Be aware that such coverage usually requires a thirty-day lead time.
- ☐ When renting Town property, an insurance rider in the amount of \$500,000 per occurrence with a \$1,000,000 aggregate is required.
- ☐ The vendor must submit an insurance certificate for all coverage, listing the Town of Ware as an additional insured, to the Town Manager's office prior to the event.

NEIGHBOR NOTIFICATION

- ☐ If the special event will require street closings, traffic or bus route changes or other features that will affect the public, the event planner must notify all abutting neighbors and prepare and distribute a press release and a site map to local media outlets ten days before the event.

OVERTIME COSTS

- ☐ Overtime charges *may* be passed along to event organizers requiring inspection services outside of normal business hours.

RAIN DATE / PLAN CHANGES

- ☐ Event organizers must anticipate – and include in their application – changes in plans due to foul weather or other calamities.

TRASH COLLECTION AND REMOVAL

- Event sponsor may be responsible for trash collection and removal. Review details with property owner / manager.
- ☐ Dumpster permits are issued by Fire Department.

UTILITIES – ELECTRIC, PLUMBING, GAS

- Review requirements with property owner / manager.
- ☐ Temporary electrical accommodations require services of Wire Inspector (Building Inspection Department-see below) to prevent overloading or other unsafe conditions.
- Each vendor will be restricted to one electrical appliance.
- ☐ Temporary use of gas or propane will require permits from the Plumbing & Gas Inspector and Fire Department (Building Inspection Department & Fire Department-see below).

TOWN DEPARTMENTS/CONTACTS AND REQUIREMENTS

Parks & Recreation Dept. Grenville Park, 413-531-3879

Office Hours: 8:00am to 3:00pm

TOWN PARKS

- ☐ Use of Town Parks requires permission from the Park Commission. The Park Commission meets the first Monday of every month. Requests for park use should be filed 30 days prior to event date.

Health Department (967-9648 x110) Town Hall, 126 Main Street

Office Hours: Monday through Friday from 8:00am to 4:00pm

FOOD AND BEVERAGES

- ☐ All vendors that handle, prepare, transport, and/or serve food, non-alcoholic beverages, and pre-packaged retail food must file an application with the Ware Board of Health.
- ☐ All food must be prepared in a Board of Health certified kitchen and transported to event in accordance with all applicable regulations and laws.

SANITARY FACILITIES

- Please specify the restroom facilities that will be used for food service vendors.
- Provisions for safe food handling practices with ready to eat foods include hand-washing stations, disposable gloves, etc.

DPW (967-9620) 4 ½ Church Street

Office Hours: Monday through Friday from 8:00am to 4:00pm

- ☐ See “Venues” for buildings, parks, school buildings & school grounds
- ☐ Buildings, parks, school buildings & school grounds have separate paperwork and may have fees.

You will need to make arrangements for special requests (bathrooms needing to be opened, etc.)

GROUND PENETRATION

- ☐ Make arrangements with property owner / manager if penetrating the ground (tent stakes, etc.), and call Dig Safe at 1-888-Dig-Safe (344-7233), which covers gas, electric and telephone utilities. A report from Dig Safe is required prior to permit approval. Contact Public Works & Utilities for water, sewer and storm water information.
- ☐ Approval is required from the department of Public Works & Utilities.

SIDEWALK CLOSURE / OBSTRUCTION

- ☐ A permit is required from Public Works for sidewalk sales or other obstructions.

Building Inspection Department (967-9648 x114) Located at 126 Main Street

Office Hours: Monday through Friday from 8:00 a.m. to 4:00 p.m.

- ☐ Some events requiring entertainment license (i.e. carnivals) will require Board of Selectmen approval and may also require Building Inspector services.
 - o All amusement rides, including climbing walls, require permits and inspection by State Building Inspectors

OCCUPANCY ISSUES

- ☐ Events utilizing space for purposes other than what the space was designed for (i.e. using a vacant storefront for an entertainment venue) constitutes change of use. Any building in excess of 35,000 cubic feet requires an architect evaluation for change of use. Review proposal (including sketches) with Building Inspector.
- ☐ In a building that has a current certificate of inspection for a place of assembly, the maximum number of people that can occupy the room or space is posted on the certificate.

TENTS

- ☐ Events that gather people outside in a tent or other structures that cover an area **in excess of 120 square feet**, including all connecting areas or spaces with a common means of egress or entrance which are used or intended to be used for the gathering together of ten or more persons will be required to obtain a permit from the Building Inspection Department.
- ☐ Organizers are encouraged to have the tent rental company secure necessary tent permits.
- ☐ All tents, regardless of size, must be properly secured or weighted.

SIGNAGE

- ☐ Review with property owner / manager and Building Inspector.

Fire Department (967-5901) 200 West Street

CONCESSION TRAILERS

- ☐ A concession trailer fire safety inspection is required during or prior to the event. A cooking suppression system check is required (certification must be current within 6 months prior). If deep frying is used, you must have a K-Type fire extinguisher. For all other cooking, you must have a 10ABC or larger fire extinguisher.

FIREWORKS / BONFIRES

- ☐ Permit required from Ware Fire Department.
Review with property owner.

GRILLS / PROPANE TANKS

- ☐ Permits required from Plumbing & Gas Inspector and Fire Department for the use of propane tanks or grilling at any public event including concession trailers. The Fire Department needs to know the number and size of propane tanks.

STREET CLOSURES OR DETOURS

- ☐ Notify Fire Department of street closures or detours 24 hours in advance. Also requires approval of the Board of Selectmen

DUMPSTERS

- ☐ Dumpster permits are issued by Fire Department.

Police Department (967-3571) 22 North Street

STREETS/PUBLIC WAYS – BLOCK PARTIES

NOISE – Hours of operation 8 a.m. to 10 p.m. – Strictly enforced.

- ☐ Notify Ware Police Department if event may exceed acceptable noise levels.

PARKING

- ☐ Review with property owner / manager
- ☐ May require permission from Ware Police Department.

STREET CLOSURE

- ☐ Permission is required from Ware Police Department for any street closures or detours.

SECURITY DETAILS –

- ☐ Ware Police Department. _____ # of Officers Needed

Board of Selectmen (967-9648) Located at Town Hall

Office Hours: Monday through Friday from 8:00am to 4:00pm

ENTERTAINMENT LICENSE

- ☐ Outdoor concerts, carnivals, circus, fairs, etc., require permit from Board.
- ☐ Alcoholic beverages served or sold require license from Board.

RAFFLE – Town Clerk – Non-profit organizations only may receive a raffle permit – proof required

- ☐ A Permit good for one year is required from Town Clerk for any raffle.

SALES / CONCESSIONS (Hawker & Peddler License)

- ☐ State and Licensing Board permits are required for the planned sales or concessions.

WEB LINKS

Links to this document and all of the relevant Town departments are available at: www.TownofWare.com

VENUES

Town Parks

Greenville Park including Bandshell and Pavilion

Veterans Memorial Park and Lot

Memorial Field

Town Hall Auditorium – Capacity 400

Ware Senior Center, Robbins Road

School Buildings

Auditoriums

Cafeteria

Gyms

Classrooms

School Grounds

SPECIAL EVENT PERMIT APPLICATION- TOWN OF WARE

(To be posted or made available at event)

Return to: Board of Selectmen, Town of Ware, 126 Main Street, Ware, MA 01201

Application packet must be received no later than 30 days prior to the event.

Event Name: Carnival at Memorial Field Event Producer: John Morrin

Primary Contact Information:

Primary Contact Name: John Morrin Fax: _____

Non-Profit Organization / Event: Yes X No _____

Day Phone: 413-949-0716 Cell Phone: _____

E-mail: johnmorrin13@gmail.com Website: _____

Event Information:

Event Address / Location: Memorial Field, Monroe St.

Starting Date: 6/23/22 Time: 5:00 p.m. Ending Date: 6/25/22 Time: 10:00pm
_____:____ M

Total attendance expected: 1500 Rain plan: _____

List any streets to be closed for special event: Gilbert Ct.

Summary of Event - Please describe the special features of the event within the box below.

3 Day carnival The 23 rd , 24 th , 25 th at Memorial field in Ware, from 5pm-10pm all 3 days.

RELEASE/HOLD HARMLESS AGREEMENT (REQUIRED FOR USE OF TOWN PROPERTY ONLY):

I, John Morris, a representative from Ware Carnival at Memorial Field does hereby acknowledge that in the course of its use of property owned by the Town of Ware, namely Memorial Field located at Monroe St., Ware, Massachusetts, for the purpose described above, and more particularly by virtue of the presence of its agents, servants, employees and invitees, (hereinafter collectively referred to as _____), in any manner whatsoever shall operate at its own risk on said property of the Town of Ware.

For and in consideration of the use of Memorial Field, Monroe St. does for itself and on behalf of its agents, servants, employees and invitees, hereby, jointly and severally, remise, release and forever discharge the Town, its agents, servants and employees (hereinafter collectively referred to as the "Town"), of and from all debts, demands, actions, and any and all claims or demands whatsoever of any kind for damages or injuries to property or person, which may arise by virtue of the Carnival's use of Memorial Field.

John Morris further agrees to defend and indemnify and hold harmless the Town from and against any claims of any nature whatsoever and the cost and expense, including, but not limited to, attorney fees and legal costs arising out of any claim in connection with its use of Memorial Field.
Said indemnification shall not include claims arising from intentional malfeasance by the agents or employees of the Town of Ware.

Signed this 13 day of May, 2022, on behalf of The Ware Carnival by John Morris, its Coordinator.
X _____ Date: May 13, 2022
Signature of the agent duly authorized by the Special Event Permit applicant to bind it.

****This application packet (the checklist and the permit application) will be reviewed by each department for sign-off. Once all sign-offs have been received, this application packet will be placed on an upcoming agenda for final approval by the Board of Selectmen.****

Review & Submission for Sign-Offs Provided By Departments
Please note – Departments may provide additional comments below their sign-off

Parks and Recreation _____ **Date:** _____

Health Department _____ **Date:** _____

Department of Public Works _____ **Date:** _____

Building Inspections _____ **Date:** _____

Fire Department _____ **Date:** _____

Police Department _____ **Date:** _____

of Officers (if applicable) _____

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Review & Submission for Sign-Offs Provided By Departments
Please note - Departments may provide additional comments below their sign-off

Parks and Recreation _____ Date: _____

Health Department _____ Date: _____

Department of Public Works [Signature] Date: 6/3/2022

Building Inspections [Signature] Date: 6/3/2022

Mtg Required to review layout / scope and setup of tents

Fire Department [Signature] Date: 6-3-2022

Police Department [Signature] Date: 5/24/2022

of Officers (if applicable) 3



Memo

To: Board of Selectmen

From: Chris Nolan, Executive Assistant to Town Manager & Select Board

Date: June 3, 2022

Re: Pole Petition Update

Selectmen- After coordinating with multiple representatives from National Grid, we have been alerted that the full redesign of Pole Petition #30365815 (Coffey Hill Road, Sherman Hill Road, Sczygiel Road, and Webster Road) is not yet complete. National Grid has requested that the Board table the continuation of the public hearing for this petition to its June 21st meeting.

MARCH 2022

Age and Dementia Friendly Ware

Community Assessment and Action Plan
Executive Summary



Presented To
The Town of Ware



Executive Summary

The Age and Dementia Friendly Ware Community Assessment and Action Plan was developed with assistance from the Pioneer Valley Planning Commission through the Age Friendly Pioneer Valley Initiative funded by the Tufts Health Plan Foundation.

Residents of the Ware community and key stakeholders, or people who work in municipal or nonprofit organizations that serve older adults, were engaged in this Community Assessment in three ways: through an Age and Dementia Friendly Working Group, administration of a Ware Livable Community Survey (a shorter version of the AARP Livable Community Survey), and listening sessions held during already scheduled social events attended by many older residents of the community – Bingo night at Highland Village, and Pitch Night at the Ware Senior Center.

According to the survey results, most older adults would like to remain in the community as they get older, and most would like to remain in their own homes. However, if their health condition changes, many older residents would like the opportunity to downsize and move to a senior independent or assisted living community or into subsidized housing.



The Age and Dementia Friendly Ware Community Assessment and Action Plan provides analysis of the feedback gathered from older adults in the Ware Livable Community Survey and at public forums and provides recommendations for improvements to the social and built environments that can address the needs of older residents and create a more livable community for people of all ages.

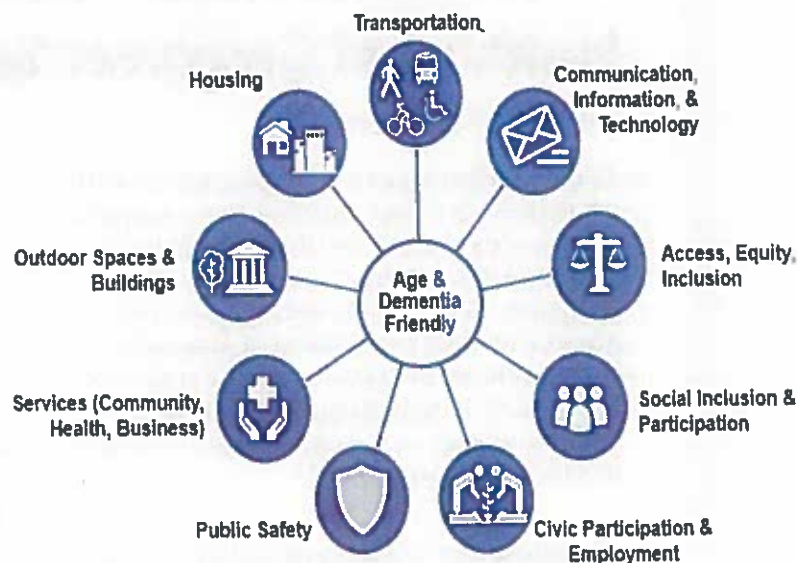
Why be Age and Dementia Friendly?

Populations worldwide are becoming older as people are living longer and having fewer children. Before the pandemic, it was estimated that by 2035 the number of people over the age of 65 would exceed the number of children under the age of 18. [add graphic]

The Town of Ware has a population of 9,811, of which 2,433 or 24.8% are 60 or over. The number of older adults who are veterans of military service is higher (26.3%) than the state (18.8%), and 33.8% of people over 65 live alone (compared to 30.2% in the state as a whole). More than 15% of residents over 65 are diagnosed with deafness or hearing impairment and 3.7% have self-reported vision difficulty. Over 20% of people over 65 have self-reported ambulatory difficulties while 3.3% are diagnosed with mobility impairments, and 11.1% of people over the age of 65 have been diagnosed with Alzheimer's or Dementia (compared to 13.6% in the state).

The Domains of an Age and Dementia Friendly Community

The Ware Community Assessment and Action Plan is organized around nine Domains of an Age and Dementia Friendly Community. Actions benefitting people with dementia and their care partners are interspersed throughout each Domain, and a separate section on Planning for a Dementia Friendly Community highlights specific actions for building awareness, acceptance, and support for people with dementia and their care partners.



Planning for a Dementia Friendly Community

As people are living longer, it is expected that a growing percentage of people over 65 will be diagnosed with Alzheimer's or other forms of dementia, and estimates show that one-third of people over the age of 85 have some form of dementia.



Key Actions

- Develop a committee of the Age and Dementia Friendly Ware Working Group to implement trainings and a public awareness campaign about dementia in Ware.
- Recruit volunteers to become Dementia Friends Champions who will provide trainings for community groups and neighbors.
- Encourage trainings on how to recognize signs of dementia and communicate with people with dementia for all municipal staff.
- Work with the Triad Program partners (Police, Fire, Emergency Services) to encourage residents to register on a list of people living with dementia or other health concerns.
- Identify and reach out to family care givers to connect them with support programs and opportunities for meeting with other caregivers of people with dementia.
- Meaningfully engage people with dementia in developing programs and services such as support groups or memory cafes at the Senior Center and other locations in the community.

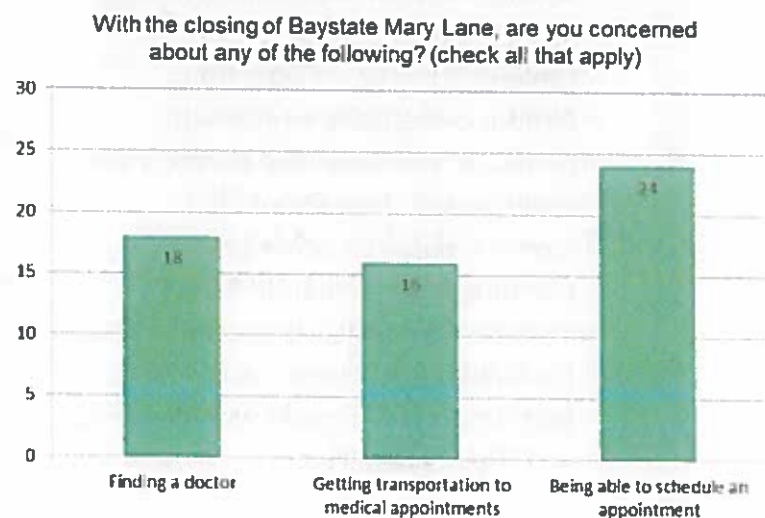
Health and Caregiver Services

Community Concerns

Access to health care and assistance with basic tasks and home repair were some of the greatest concerns of older adults in Ware. Many survey respondents and participants in forums were concerned about the planned closure of Baystate Mary Lane both in terms of being able to find a doctor, schedule an appointment, or getting access to transportation to get to medical appointments.

As people age in place, personal home care may be needed through family, friends, or professional care providers.

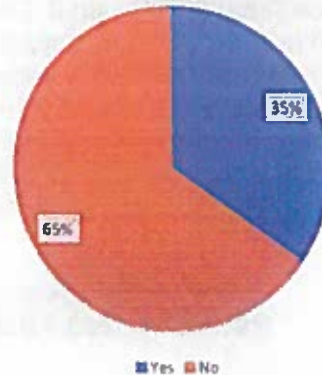
Many survey respondents said that they needed caregiver services due to mobility impairments (18), psychological conditions or dementia (14), or chronic disease (14). It is important to ensure that people have access to professional caregiving services and that family caregivers have the support that they need to maintain their own health.



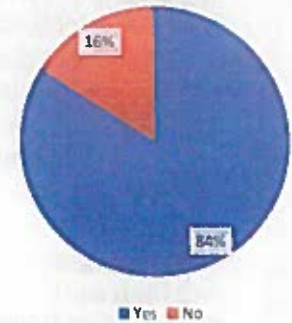
AGE AND DEMENTIA FRIENDLY WARE

WestMass Elder Care and Greater Springfield Senior Services offer, personal home care (for income eligible older adults) and support for family caregivers, options counseling, respite care, and money management services; and the Quaboag Valley Community Development Corporation (QV CDC) offers pickup of groceries and prescriptions and running basic errands for income eligible older adults. However other tasks such as shoveling, yard work, and basic home maintenance is an area of need that has not been filled.

Do you need help with basic tasks or errands (e.g., changing a light bulb, shopping, shoveling snow)? (check all that apply)



Do you have a friend, neighbor or relative within 30 minutes you could ask for help if you needed assistance with a minor task or errand (e.g., changing a light bulb, shopping, shoveling snow)?



A volunteer-based Village model or Neighbors program, where people can offer help or ask for help, is one way that some communities in the region have addressed the need for help with basic tasks such as snow shoveling or grocery pickup. Working with schools to engage students in service activities may be another way that the Town could meet the needs of older adults in this area.

Food insecurity was another problem for many vulnerable populations during the COVID-19 pandemic but was especially prevalent among older adults who relied on senior center meals or transportation services to obtain food.



Top Priorities

- Catalogue existing community, social and health service programs in town and work with key service providers to disseminate information to residents via municipal channels, using a variety of media.
- Work with Baystate Wing to publicize Convenient Care walk-in clinic and to provide orientation on changes associated with closure of Baystate Mary Lane.
- Work with Quaboag Connector and PVT A and area hospitals to ensure all people who need rides to medical appointments can access transportation services.
- Support the expansion of QV CDC's Senior Services Program which offers grocery and pharmacy delivery and help with basic tasks through additional funding and/or recruitment of volunteers to provide these and other services that allow people to age in place.
- Work with elder care organizations, health care providers and the Alzheimer's Association to educate service personnel and first responders about concerns specific to older adults, including those with dementia or other cognitive or physical challenges.

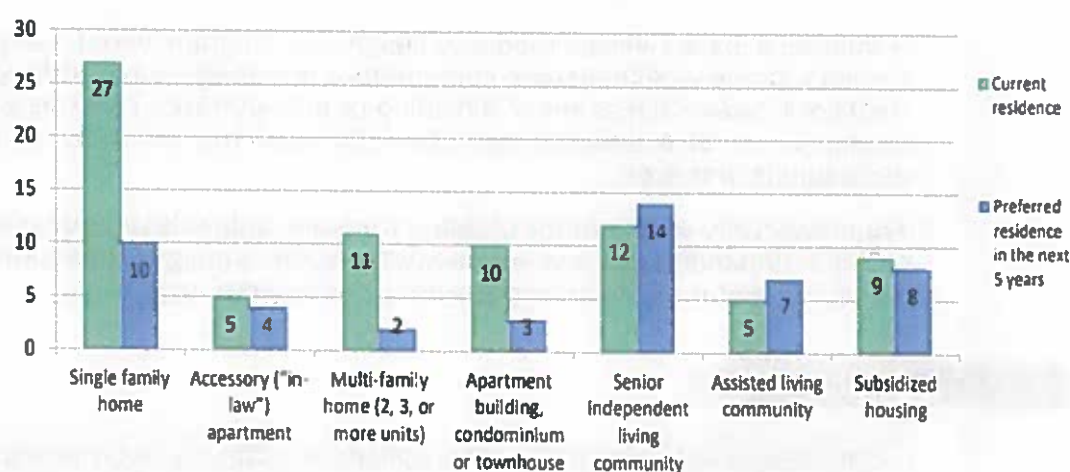
Housing

Community Concerns

A majority of survey respondents (89%) said it was either extremely important (64%) or very important (25%) to remain in their own homes as they age, either independently or with a caregiver. However, although a majority of respondents currently live in single-family homes (27), the most preferred residence in the next five years if one's health conditions change was senior independent living community (14), followed by single family home (10), subsidized housing (8), and assisted living (7). This speaks to the need for Ware to offer a variety of housing options, as well as services for those who choose to remain in their own homes.

Ware has a shortage of affordable housing for people with lower incomes. Wait times for affordable apartments in Housing Authority properties are reportedly 18 months to two years.

Which of the following best describes your current place of residence? In the next 5 years if a change of health requires that you move, what type of housing would you prefer?



Top Priorities

- Assist homeowners in accessing programs that assist with financing and finding contractors for home modification or rehabilitation to improve safety, accessibility, and basic upkeep and maintenance.
- Develop a Housing Need Assessment or Housing Production Plan that includes an inventory of the existing housing stock and engages older adults in determining the types of housing desired in order for them to be able to stay in community.
- Explore alternative living models such as shared housing, co-housing, and intergenerational housing to expand the housing options for older adults looking for a supported living environment.
- Develop planning and zoning tools to prioritize and incentivize housing development models that provide for a mix of housing types.

Transportation and Streets

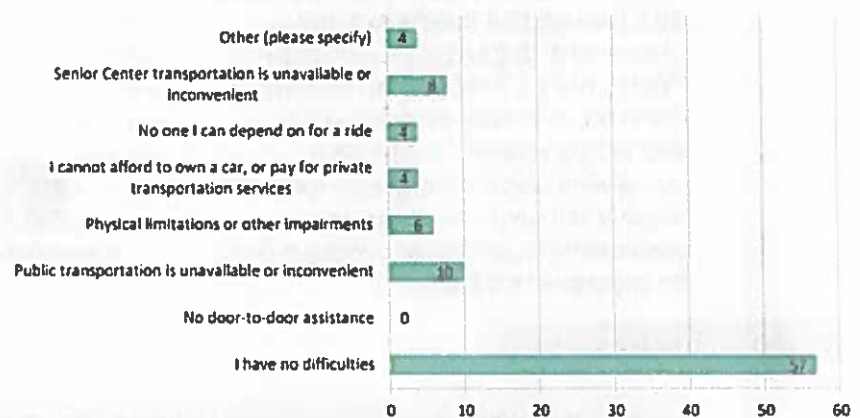
Community Concerns

The decision to stop driving oneself can be one of the most difficult transitions that comes with aging. Slower reaction times, difficulty seeing at night, and cognitive impairments are only a few of the challenges that people face as they age, and that make driving more difficult and potentially dangerous.

Services such as public transportation, senior center vans, and private transportation services are important to have in place when older adults in the community lose the ability to drive or the resources to maintain a personal automobile. Transportation services available in Ware include limited fixed route bus service and on-demand van rides through the Pioneer Valley Transit Authority (PVTa), and van transportation offered through the Ware Senior Center and the Quaboag Connector.

Challenges with PVTa buses and on demand van services according to survey respondents were that the services were not available or inconvenient. Many people don't know about the services available or bus routes and could benefit from an orientation on transportation services.

What kind of difficulties do you have in getting the transportation that you need? (check all that apply)



Infrastructure improvements for walking and biking as well as using transit services is discussed in Ware's Complete Streets Prioritization Plan. The Prioritization Plan includes a list of projects that will improve accessibility and safety (including re-timing or replacement of signals at pedestrian crossings), adding sidewalks to create a connected pedestrian network, installing ADA compliant ramps installations where necessary, and adding speed radar signs along key municipal roadways. Projects that will create the most positive impacts for older adults include sidewalks on West Street to connect the Senior Center to downtown. Forum participants also mentioned the need for benches or covered waiting areas for buses at Walmart.

When surveyed about the primary ways residents meet their transportation needs, 7 respondents reported they walk and only 2 selected biking or e-biking.

Top Priorities

Transportation Services

- Expand van service (Quaboag Connector) for older adults to provide medical transportation as needed to Baystate Wing hospital in preparation for the closure of Baystate Mary Lane.
- Add bus shelters at stops near senior housing and encourage retail establishments to install shelters near bus stops on their property

Transportation Infrastructure

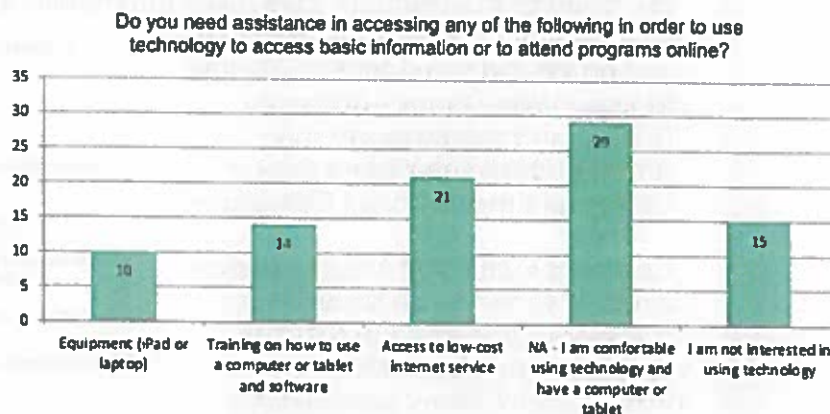
- Improve sidewalk connectivity and maintenance in neighborhoods within ½ mile of services.
- Add dementia friendly design elements when completing infrastructure improvements including audible cues and appropriate timing on crosswalks, and separation from traffic on sidewalks (as feasible).

Communication, Information and Technology

Communication access to technology as a means for getting information is essential to the success of all of the domains of an Age and Dementia Friendly Community, as residents must know how to access information about programs, services, and places that are age and dementia friendly in order to use and appreciate these resources. The COVID-19 pandemic highlighted the need for technology to communicate with one's community, shop for groceries and other products, and participate in fitness programming and telehealth services when the Senior Center, businesses, and restaurants and cultural venues were closed.

Community Concerns

The Ware Livable Community Survey 2021 brought to light just how prominent the Digital Divide is in Ware, with 15 respondents saying they are not interested in using technology at all. In addition, communication challenges exist for people with visual or hearing impairments, and those whose first language is not English.



Top Priorities

- Ensure that every household in Ware has access to affordable high-speed internet.
- Assist older adults in acquiring equipment and training on how to use it and provide assistance with accessing low cost or free broadband service.
- Provide accommodations for vision and hearing impaired on Town website and in spaces used for public meetings (closed captioning, interpreter).

Buildings and Outdoor Spaces

The amount of physical activity that people engage in is related, in part, to the availability of safe and convenient places to walk and ride a bike. During the pandemic, parks and open spaces were vital places for people to meet with friends or to get exercise while buildings and gyms were closed. According to the Ware Livable Community survey, parks or outdoor space (42 respondents) were second to restaurants or cafés (48 respondents) for places where people liked to spend their free time prior to the pandemic and remained the two most popular places to visit since COVID-19. Parks with accessible walking trails, sidewalks, bike paths and bike lanes, accessible buildings and restrooms are all facilities that are important for inviting active transportation, recreation, and social interaction. Amenities such as benches, shaded resting spots, and lighting all support older adults, people with disabilities, and people of all ages.



AGE AND DEMENTIA FRIENDLY WARE

There are existing trails within Grenville Park and the Quabbin Reservoir Park, and the Ware River Valley Rail Trail connects Robbins Road to the Walmart/Lowes parking lot to the south providing a walking, biking or rolling route to popular stores including Walmart and Lowes.

Community Concerns

The inaccessibility of many trails due to a lack of maintenance, parking facilities, signage, and trail markers was noted in the 2016 Ware Master Plan and 2016 Open Space and Recreation Plan (OSRP). The OSRP recommended finding additional indoor spaces for recreational programming. Currently the Ware Senior Center and activity rooms at Hillside Village and Valley View provide spaces for indoor programming.

Only 8 respondents of the Livable Community Survey said they participated in gym or fitness classes prior to COVID-19, with only 2 attending classes in person since COVID-19 shutdowns began ending.

Top Priorities

- Work toward making public buildings, parks and sidewalks in Ware Dementia Friendly & ADA accessible.
- Ensure that the Ware River Trail is wheelchair accessible at all entries and road crossings; and add amenities to make the trail more comfortable for older adults including benches and signage pointing to nearby public restrooms (Senior Center, Walmart).
- Assess/solicit feedback from older residents on desired outdoor recreational opportunities to inform future expenditures on parks and recreation.
- Encourage creation of trails, parks and bikeways close to centers of population and/or where public transportation is available.
- Develop a map of safe walking and biking routes for people of all ages and abilities and make it available throughout town in print and in digital form on the Town website. Provide information on levels of difficulty and whether or not they are ADA compliant and/or accessible to people in wheelchairs.

Social Participation and Inclusion

Participation in social activities, either formal or informal, is important to one's mental health. Conversely, social isolation and loneliness can cause poor health outcomes. Research shows that loneliness and social isolation can increase the risk of premature death and has been associated with a 50% increased risk of dementia as well as increased risk of heart disease and stroke, depression, anxiety, and suicide.

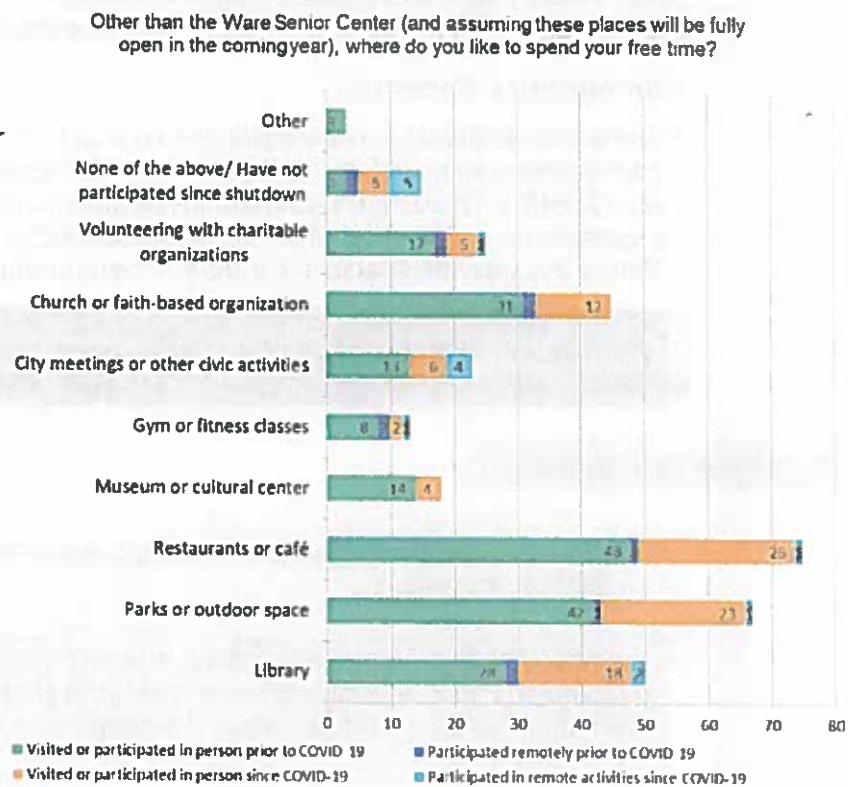


AGE AND DEMENTIA FRIENDLY WARE

Community Concerns

The pandemic increased concern of social isolation among survey respondents as many of the places where people would normally socialize were closed or were forced to limit their capacity. The Ware Livable Community Survey illustrates the concern about social isolation with nine respondents having concerns prior to the pandemic and 16 respondents saying that they were concerned about social isolation after the state-mandated stay-at-home order. The chart below illustrates the change in the number of places where people spent their free time during the pandemic.

The survey also showed that a lot of older adults use the Ware Senior Center for the daily lunch program, social activities, exercise programs, and counseling about retirement. Most of those who said that they did not use the Senior Center said that they did not know what kind of programming was available.



People with dementia are at high risk of social isolation as they may not be able to drive or may become confused or agitated when they are out in public spaces. Providing activities such as memory cafes or support groups for people with dementia and their care partners could ensure a welcoming space for socializing. Also, trainings for staff of the library, volunteers at town-wide events, and the broader community can ensure that people with dementia are treated with respect and supported by the community. Planning and outreach of events or programming should include people with dementia as well as other sectors at risk of social isolation including veterans; people who are not fluent in English; people with vision, hearing or mobility impairments; and people of all racial and ethnic backgrounds.

Top Priorities

- Continue to collaborate with Ware Community Television and other senior centers to offer online and hybrid social and fitness programming that can be taped and accessed online or re-broadcast on Cable Access TV.
- Work with partners such as Cedarbrook Village to provide staffing for a Memory Café and other activities for people with dementia and their caregivers (adult day programs, creative arts/music, intergenerational connections, outings/group activities).
- Continue to work with Ware Public Schools to facilitate intergenerational conversations and engagement.

Employment and Civic Engagement

Most of the respondents (84%) to the Ware Livable Community Survey are retired, while 5% said that they do not anticipate ever fully retiring. No survey respondents said that they needed help finding employment, and only two respondents said that they needed help finding volunteer opportunities.

Community Concerns

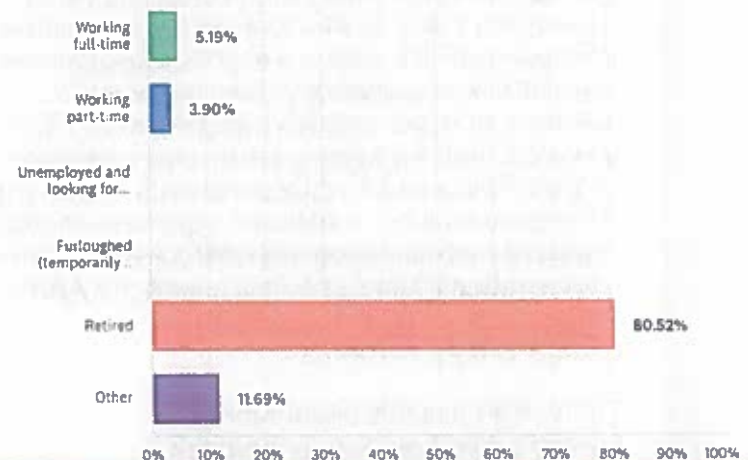
Financial security was one of the most important areas that survey respondents said that the Town should focus on to make Ware a more Age and Dementia Friendly Community, and many participants at the listening sessions thought that there should be lower property taxes for older adults in the community.

While few survey respondents said that they needed help finding employment or volunteer opportunities, it is important that those who do need these services know where to find them.

The Ware Senior Center works with the Retired Senior Volunteer Program (RSVP) to place people in volunteer positions where they get credit toward property tax abatements (if financially eligible). As property taxes were an issue of concern for participants in the forums, expanding and publicizing this program could offer relief to some homeowners.

What is your employment status? (check all that apply)

Answered: 77 Skipped: 1



84% of survey respondents are retired in Ware

Top Priorities

- Increase awareness among employers in town on the benefits of hiring older workers, including the use of flexible work schedules attractive to older or second-career workers, i.e. "flex time", part-time, work at home, job sharing, etc.
- Connect older adults with volunteer programs (such as RSVP), and expand opportunities for property tax reduction in exchange for volunteer time.
- Provide flexible options for people with dementia to volunteer and provide training, recognition, guidance and compensation for personal costs.
- Expand programs on financial literacy to people on fixed incomes (social security).
- Create an "age friendly business" recognition program in the community.

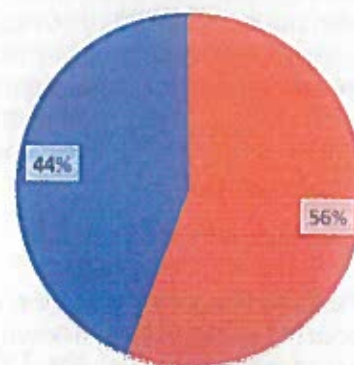
Public Safety

Police, Fire, and other emergency service providers are closely involved with the safety of older adults as they are often the ones that people call when they are not feeling safe or have had a fall. The Fire Department maintains a Persons at Risk finder, a list of individuals who are at risk of wandering due to dementia, autism, or other cognitive impairments. The Ware Council on Aging participates with the Ware Police and Fire Departments in the Triad Program which is a national organization initially started by the National Sheriffs' Association, the International Chiefs of Police, and the AARP.

Community Concerns

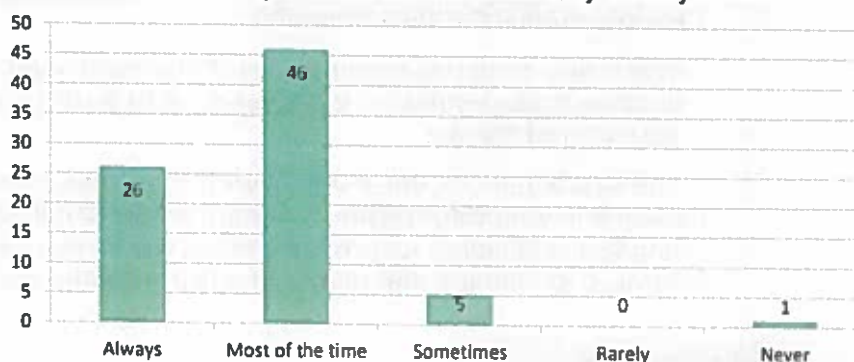
The Ware Livable Community Survey asked how safe people felt living in the community. For those who gave responses for times when they did not feel safe in the community, some of the reasons were poor lighting and police patrols on Main Street, concern about high drug and alcohol use of other residents, and a need for more patrols in Greenville Park. Nineteen percent of survey respondents said that they did not feel informed about what to do in the event of a weather or other emergency.

Do you or a family member have a "File of Life" in your home in case of emergency?



■ Yes ■ No

How often do you feel safe in the community where you live?



Top Priorities

- Post information on the TRIAD or SALT programs on both the Senior Center and Police Department websites to educate residents about the File of Life and Persons at Risk Finder.
- Provide regular trainings for all emergency personnel on recognizing the signs of dementia and how to communicate with people with dementia.
- Educate older adults about what to do in the case of emergency and about the Town's Critical Incident Management Plan (CIMP).

Access, Equity and Inclusion

Access, equity and inclusion are concepts that should be considered in all of the domains of an Age and Dementia Friendly Community to ensure that no one is left out of important information about resources and programming for older adults. In Ware, some groups may include non-English speakers, veterans, people living in poverty, and people with disabilities. Inclusion of older adults and representatives from other sectors should be considered in order to ensure that everyone's needs are met.

Community Concerns

The Access, Equity and Inclusion domain, although placed at the end of this Community Assessment report should be considered throughout all of the domains of an Age and Dementia Friendly Community. Improvements that allow people who may be living with a disability or with dementia can benefit the whole community.

"Healthy Aging for All" factors to consider:

- Race/Ethnicity
- Age
- Behavioral Health
- Country of Origin
- Dementia
- Disability
- Economic Security
- Gender
- Geographic Area
- Language
- LGBTQIA
- Religion
- Residential Setting
- Substance Use Disorder
- Veterans

Top Priorities

- Create Community learning projects, e.g. community gardens; multi-cultural festivals or other forums/events, to encourage dialogue and understanding.
- Encourage active and healthy aging educational programs, such as book study groups, for all community members to increase awareness and understanding.
- Develop an outreach program that includes people at an increased risk of social isolation including CALD, A&TSI, LGBTI, living alone and homeless to remain engaged in their community.





TOWN OF WARE

Town Manager

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

June 7, 2022

To : Selectboard
From : Stuart Beckley, Town Manager
Subject: Quarry Street

Representative Smola put forward an earmark for the study and engineering of solutions to the flooding along Quarry Street. The attached agreement with Tighe and Bond will complete the first step of Analysis. Once complete, Tighe and Bond will design improvements for bidding.

32-21330-P032
November 30, 2021

Mr. Stuart Beckley, Town Administrator
Town of Ware
126 Main Street
Ware, MA 01082

Re: Proposal - Quarry Street Culvert Report Updates

Dear Stuart:

As requested by the Town, we have prepared this proposal to update the Quarry Street Drainage Study report, developed and issued by Tighe & Bond in 2006. It is our understanding that the Town would like to update this report to investigate the current conditions and capacities of the existing culverts, and ultimately replace them in the future. This proposal includes engineering services to analyze the existing conditions and flow through the culverts, provide updated recommendations, and prepare an Opinion of Probable Project Costs (OPPC) for the four culvert replacement options.

Project Understanding

With the recent heavy precipitation throughout the region this year, combined with beaver activity located upstream in the watershed above Quarry Street, the Town has experienced flooding and roadway failures within the Quarry Street neighborhood. These rain events resulted in a significant stormwater discharge through the unnamed stream that flows under a private driveway, Quarry Street, Morse Avenue, Ross Avenue, Route 32, and the adjacent railroad tracks. The significant stormwater flows overtopped and washed out the private driveway and Quarry Street, deposited significant amounts of sediment within the stream bed and on private properties, and posed flooding risks to several of the neighboring houses. Two private land owners adjacent to the stream installed sandbags to divert water in case of a similar event in the future.

Concerned about the potential for a similar event, the Town has requested Tighe & Bond update the 2006 report to include an evaluation of the current capacity of the stormwater conveyance system. The report will be updated with modern analysis methods and software to depict the present-day conditions. Additionally, the Town is requesting recommendations to prevent a recurrence of the flooding events and the costs associated with the recommendations.

Tighe & Bond has developed the following scope of services to provide the Town with an updated stormwater hydrologic and hydraulic study of the watershed, develop a technical memorandum summarizing our findings, and provide recommendations and associated costs for potential improvements.

Scope of Services

The following scope of services outlines the tasks associated with updating the 2006 report with current methods of analysis:

1. Hydraulic and Hydrologic Modeling

Update the hydrologic model of the drainage area contributing stormwater to the culvert crossings at the private driveway, Quarry Street, Morse Ave, and Ross Ave. This model will include watershed area, Natural Resource Conservation Service (NRCS) Soil Classifications, land slope, and ground covers as required to model the stormwater runoff within this drainage area.

Update the hydraulic model of the stormwater conveyance system from the private driveway crossing to the final discharge point at the Ware River including the Quarry Street culvert crossing. This model will include sizes and slopes of all drainage piping as well as cross-sectional areas and slopes of all open channels within this reach.

Prepare stormwater routing calculations for the 2, 10, 25, 50, and 100-year storm events using the National Oceanic and Atmospheric Administration (NOAAA) Atlas 14 Point Precipitation frequency for the watershed. The stormwater runoff calculations will be developed using the Soil Conservation Service (SCS) TR-20 methodology.

2. Technical Memorandum

Update the technical memorandum summarizing the results of the stormwater modeling. The memorandum will discuss the hydraulic capacity of the stormwater conveyance system and provide recommendations to mitigate any future incidents. The recommendations for the four culvert repairs will include OPPC's.

Exclusions

In an effort to provide you with a reasonable budget for the desired services, we have prepared a detailed scope of services based upon our understanding of your needs. In this same regard, the following section describes those services that are not included in the development of our budgetary estimate. If these services are required, we will modify our proposal accordingly to meet your needs.

- Field Evaluation / CCTV inspection of culverts
- Evaluation of the Route 32/Railroad Track culvert
- Topographic Survey
- Preparation of design drawings
- Historical/archeological surveys, including an intensive locational survey
- Environmental permitting
- Environmental site or hazardous materials assessment
- Permit application fees
- Cost of police details required for data collection or design activities
- Preparation of land acquisition plans or documentation

Fee

Tighe & Bond will perform these services for a lump sum fee of \$9,300, invoiced monthly based on percentage complete. In the event that the scope of work is increased for any reason, the lump sum fee to complete the work shall be mutually revised by written amendment. Our attached Terms and Conditions is part of this letter agreement.


Schedule

Tighe & Bond will undertake the proposed work upon formal acceptance of the scope of services and budget with an estimated delivery to the Town within 8 weeks of authorization to proceed.

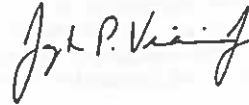
If you have any questions or comments, please contact Alex Bouthillette (413.572.3229, AGBouthillette@tighebond.com) or Dan Holmes (413.572.3255, DSHolmes@tighebond.com).

Very truly yours,

TIGHE & BOND, INC.



Daniel Holmes, PE, LEED AP
Senior Project Manager



Joseph P. Viamari Jr., PE, LEED AP
Vice President

Enclosures: Terms and Conditions

ACCEPTANCE:

On behalf of the **Town of Ware** the scope, fee, and terms of this proposal are hereby accepted.



Authorized Representative

Date

"CLIENT" is defined in the acceptance line of the accompanying proposal letter or the name the proposal is issued to; Tighe & Bond, Inc. is hereby referenced as "CONSULTANT"; "PROJECT" is defined in the accompanying proposal letter

1. SCHEDULE OF PAYMENTS

1.1 Invoices will generally be submitted once a month for services performed during the previous month. Payment will be due within 30 days of invoice date. Monthly payments to CONSULTANT shall be made on the basis of invoices submitted by CONSULTANT and approved by CLIENT. If requested by CLIENT, monthly invoices may be supplemented with such supporting data as reasonably requested to substantiate them.

1.2 In the event of a disagreement as to billing, the CLIENT shall pay the agreed portion.

1.3 Interest will be added to accounts in arrears at the rate of one and one-half (1.5) percent per month (18 percent per annum) or the maximum rate allowed by law, whichever is less, of the outstanding balance. In the event counsel is retained to obtain payment of an outstanding balance, CLIENT will reimburse CONSULTANT for all reasonable attorney's fees and court costs.

1.4 If CLIENT fails to make payment in full within 30 days of the date due for any undisputed billing, CONSULTANT may, after giving seven days' written notice to CLIENT, suspend services and retain work product until paid in full, including interest. In the event of suspension of services, CONSULTANT will have no liability to CLIENT for delays or damages caused by such suspension.

2. SUCCESSORS AND ASSIGNS

2.1 CLIENT and CONSULTANT each binds itself, its partners, successors, assigns and legal representatives to the other parties to this Agreement and to the partners, successors, assigns and legal representatives of such other parties with respect to all covenants of this Agreement. CONSULTANT shall not assign, sublet or transfer its interest in this Agreement without the written consent of CLIENT, which consent shall not be unreasonably withheld.

2.2 This Agreement represents the entire and integrated Agreement between CLIENT and CONSULTANT and supersedes all prior negotiations, representations or Agreements, whether written or oral. This Agreement may be amended only by written instrument signed by both CLIENT and CONSULTANT. References to this agreement include these Terms & Conditions, any accompanying proposal or description of services, as well as any other documents referenced or incorporated therein. In the event one or more provisions of any of the foregoing documents conflict with the provisions of these Terms & Conditions, the provisions of these Terms & Conditions shall control.

2.3 Nothing contained in this Agreement shall create a contractual relationship or cause of action in favor of a third party against CLIENT or against CONSULTANT.

3. STANDARD OF CARE

3.1 In providing services, CONSULTANT will use that degree of care and skill ordinarily exercised under similar circumstances by individuals providing such services in the same or similar locality for similar projects.

4. TERMINATION

4.1 This Agreement may be terminated by either party upon seven days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. In addition, CLIENT may terminate this Agreement for its convenience at any time by giving written notice to CONSULTANT. In the event of any termination, CLIENT will pay CONSULTANT for all services rendered and reimbursable expenses incurred under the Agreement to the date of termination and all services and expenses related to the orderly termination of this Agreement.

5. RECORD RETENTION

5.1 CONSULTANT will retain pertinent records relating to the services performed for the time required by law, during which period the records will be made available upon reasonable request and upon reimbursement for any applicable retrieval/copying charges.

5.2 Samples - All soil, rock and water samples will be discarded 30 days after submission of CONSULTANT's report, unless mutually agreed otherwise or unless CONSULTANT's customary practice is to retain for a longer period of time for the specific type of services which CONSULTANT has agreed to perform. Upon request and mutual agreement regarding applicable charges, CONSULTANT will ship, deliver and/or store samples for CLIENT.

6. OWNERSHIP OF DOCUMENTS

6.1 All reports, drawings, specifications, computer files, field data, notes, and other documents, whether in paper or electronic format or otherwise ("documents"), are instruments of service and shall remain the property of CONSULTANT, which shall retain all common law, statutory and other reserved rights including, without limitation, the copyright thereto. CLIENT's payment to CONSULTANT of the compensation set forth in the Agreement shall be a condition precedent to the CLIENT's right to use documents prepared by CONSULTANT.

6.2 Documents provided by CONSULTANT are not intended or represented to be suitable for reuse by CLIENT or others on any extension or modification of this PROJECT or for any other projects or sites. Documents provided by CONSULTANT on this PROJECT shall not, in whole or in part, be disseminated or conveyed to any other party, nor used by any other party, other than regulatory agencies, without the prior written consent of CONSULTANT. Reuse of documents by CLIENT or others on extensions or modifications of this project or on other sites or use by others on this PROJECT, without CONSULTANT's written permission and mutual agreement as to scope of use and as to compensation, if applicable, shall be at the user's sole risk, without liability on CONSULTANT's part, and CLIENT agrees to indemnify and hold CONSULTANT harmless from all claims, damages, and expenses, including attorney's fees, arising out of such unauthorized use or reuse.

6.3 Electronic Documents - CONSULTANT cannot guarantee the authenticity, integrity or completeness of data files supplied in electronic writeable format. If CONSULTANT provides documents in writeable electronic format for CLIENT's convenience, CLIENT agrees to waive any and all claims against CONSULTANT resulting in any way from the unauthorized use, alteration, misuse or reuse of the electronic documents, and to defend, indemnify, and hold CONSULTANT harmless from any claims, losses, damages, or costs, including attorney's fees, arising out of the unauthorized use, alteration, misuse or reuse of any electronic documents provided to CLIENT.

Town	Select Board Chair	Member	Planning Board	Board of Health	Assessors Chair	Member
Ware	2652	2232	800	654	3800	3100
Monson	1978.92	1828.92			1722.96	1667.04
Palmer	1200	1200	1200			
Ludlow	5238	4109 3747/3123		3300	5316	4172
Barre	600	600			2000	2000
Millbury	4200	3600		2550	2520	2520
Wilbraham	6523	5361		5361	4447	4067
Athol	1735	1446		1446	1735	1446
Rutland	1000	1000	500		500	500
Charlton	2000	2000				
Montague	2365	2140				
Average	2681.083636	2319.72		2662.2	2755.12	2434.005

May 17, 2022

Ruth McGrath
4 Pinecrest Circle
Ware, MA 01082

Town of Ware, MA
ATTN: Christopher J. Nolan
Executive Assistant to the Town Manger & Select Board
126 Main Street
Ware, MA 01082

Dear Mr. Nolan:

My name is Ruth McGrath. I would love to be considered for membership to the ADA Committee here in Ware.

I have many, many years experience with ADA Committees. I served for 10 years on the Disability Commission in Washington, D.C. When I retired from the Federal Government and moved home, I served in Enfield, CT for 3 years. When I met my husband and we moved to Florence, MA, I worked for Northampton and joined their Disability Committee. I served as a member and secretary for 13 years.

In addition to my experience on different Committees I have extensive experience with being disabled. I was blind for over a year, due to an injury to my eyes. I was profoundly deaf until surgery. Now I am deaf in one year but have some hearing in my left ear. I can sign and have interpreted for the Northampton Disability Commission when no certified interpreters were available. I spent 10 years in a wheel chair. I now wear a brace on my left leg. All these issues have led me to experience and solve many of the difficulties disabled people face.

I would love to share what I can with Ware. Please consider me for membership to the Ware Disability Committee. If you require any additional information or would like some references, please let me know. My contact information is below.

Thank you,



Ruth E. McGrath
4 Pinecrest Circle
Ware, MA 01082
(413) 277-0419 (h)
(413) 636-4103 (c)
Ruth4now@comcast.net

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

Claudia Kadra
84 Osborne Road
Ware MA 01082

Re: Ware Historical Commission Reappointment Request

May 20, 2022

Dear Ware Select Board:

My term as a member of the Ware Historical Commission expires in June 2022.

It has been my honor to represent the town of Ware, and I respectfully request to be reappointed to the Commission for another three year term.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Claudia Kadra". The ink is dark and the signature is fluid.

Claudia Kadra

COMMUNITY BENEFIT AGREEMENT

THIS AGREEMENT is entered into this ____ day of June 2022 by and between Pineapple Express, LLC, a Massachusetts limited liability company with a mailing address of P.O. Box 895, West Springfield, MA 01090 ("PEX") and the Town of Ware, a Massachusetts municipal corporation with a principal address of 126 Main Street, Ware MA 01082 ("the Town").

WHEREAS, PEX wishes to become a Marijuana Delivery Operator in the Town in accordance with regulations issued by the Commonwealth of Massachusetts' Cannabis Control Commission (CCC); and

WHEREAS, PEX intends to provide certain benefits to the Town in the event that it is licensed to operate an Adult-Use Delivery Operator establishment and receives all local approvals;

NOW THEREFOR, in consideration of the provisions of this Agreement, PEX and the Town agree as follows:

A. Term

1. This Agreement shall take effect on the date set forth above and shall continue in effect for 5 years.

B. Community Impact Fee

1. PEX shall pay to the Town annually a sum equal to 3.0% of the total gross annual sales less the cost of goods sold limited to the wholesale acquisition of products offered for sale from the Ware marijuana delivery operator establishment. PEX agrees to furnish to the Town records demonstrating total gross annual sales and the wholesale cost of products purchased.
2. All payments shall be made annually at the end of each 12 months of operation and shall continue for a period of 5 years, the maximum duration in accordance with G.L.c.94G, §3 of the Massachusetts state law.
3. The Town shall use the above referenced payments in its sole discretion but shall make a good faith effort to allocate said payments for traffic mitigation measures in connection with the operation of the Marijuana Delivery Operator establishment, community wellness programs, and other efforts and initiatives for the support of patient health.

C. Annual Charitable/Non-Profit Contributions

1. PEX, in addition to any funds specified herein, shall annually contribute to public local charities/non-profit organizations in the Town (examples include Quaboag

Valley Community Development Corporation's Education to Employment program, Ware's Council of Aging, and Angels Answer Inc.) an amount no less than \$5,000, said charities/non-profit organizations to be determined by the Town in their reasonable discretion. The first payment will be made after the issuance of final licensure from the CCC and the delivery operator establishment opening for business and each anniversary thereafter.

D. Local Vendors and Employment

1. To the extent such practice and its implementation are consistent with federal, state, and municipal laws and regulations, PEx will make every effort in a legal and non-discriminatory manner to give priority to local businesses, suppliers (ex: Ware farmers with an adult-use Cultivator or Craft Marijuana Cooperative license), contractors, builders and vendors in the provision of goods and services called for in the construction, maintenance and continued operation of the Marijuana Establishment when such contractors and suppliers are properly qualified and price competitive and shall use good faith efforts to hire Town residents in coordination with local groups such as Education to Employment.

E. Security

1. To the extent requested by the Town's Police Department, and subject to the security and architectural review requirements of the CCC, or such other state licensing or monitoring authority, as the case may be, PEx shall work with the Town's Police Department in determining the placement of exterior security cameras.
2. PEx agrees to cooperate with the Town's Police Department, including but not limited to periodic meetings to review operational concerns, security, delivery schedule and procedures, cooperation in investigations, and communications with the Police Department of any suspicious activities at or in the immediate vicinity of the Facility, and with regard to any anti-diversion procedures.
3. To the extent requested by the Town's Police Department, PEx shall work with the Town's Police Department to implement a comprehensive diversion prevention plan to prevent diversion, such plan to be in place prior to the commencement of operations at the Facility.

F. No Joint Venture

1. The Parties hereto agree that nothing contained in this Agreement or any other documents executed in connection herewith is intended or shall be construed to establish the Town, or the Town and any other successor, affiliate or corporate entity as joint ventures or partners.

G. Agreement

1. This Agreement shall be binding upon and shall inure to the benefit of the parties and their permitted successors and assignees.
2. The obligations of PEx and the Town recited herein are specifically contingent upon PEx becoming a Marijuana Delivery Operator and obtaining a Delivery Operator license type per the 2022 Adult-Use of Marijuana Program regulations, for operation of a delivery operator establishment in the Town and PEx's receipt of all necessary local approvals to locate, occupy, and operate a delivery operator location for adult-use in the Town.

EXECUTED this ____ day of June 2022.

TOWN OF WARE

PINEAPPLE EXPRESS, LLC

By: _____
Stuart Beckley, Town Manager

By: _____
Kaily Hepburn, Managing Member

By: _____
John J. Morrin, Board of Selectmen Chair

By: _____
Caitlin M. McCarthy, Board of Selectmen Vice Chair

By: _____
Thomas H. Barnes, Board of Selectmen Clerk

By: _____
Keith J. Kruckas, Selectman

By: _____
Joshua A. Kusnierz, Selectman

Pineapple Express Cannabis Delivery

Community Outreach Meeting

June 2, 2022

Zoom Login Information

Thursday, June 2, 2022 at 6:30 p.m.

<https://us02web.zoom.us/j/9516316664?pwd=d0hHTGM5OThtWjR5RZlWbVhoYXQzZz09>

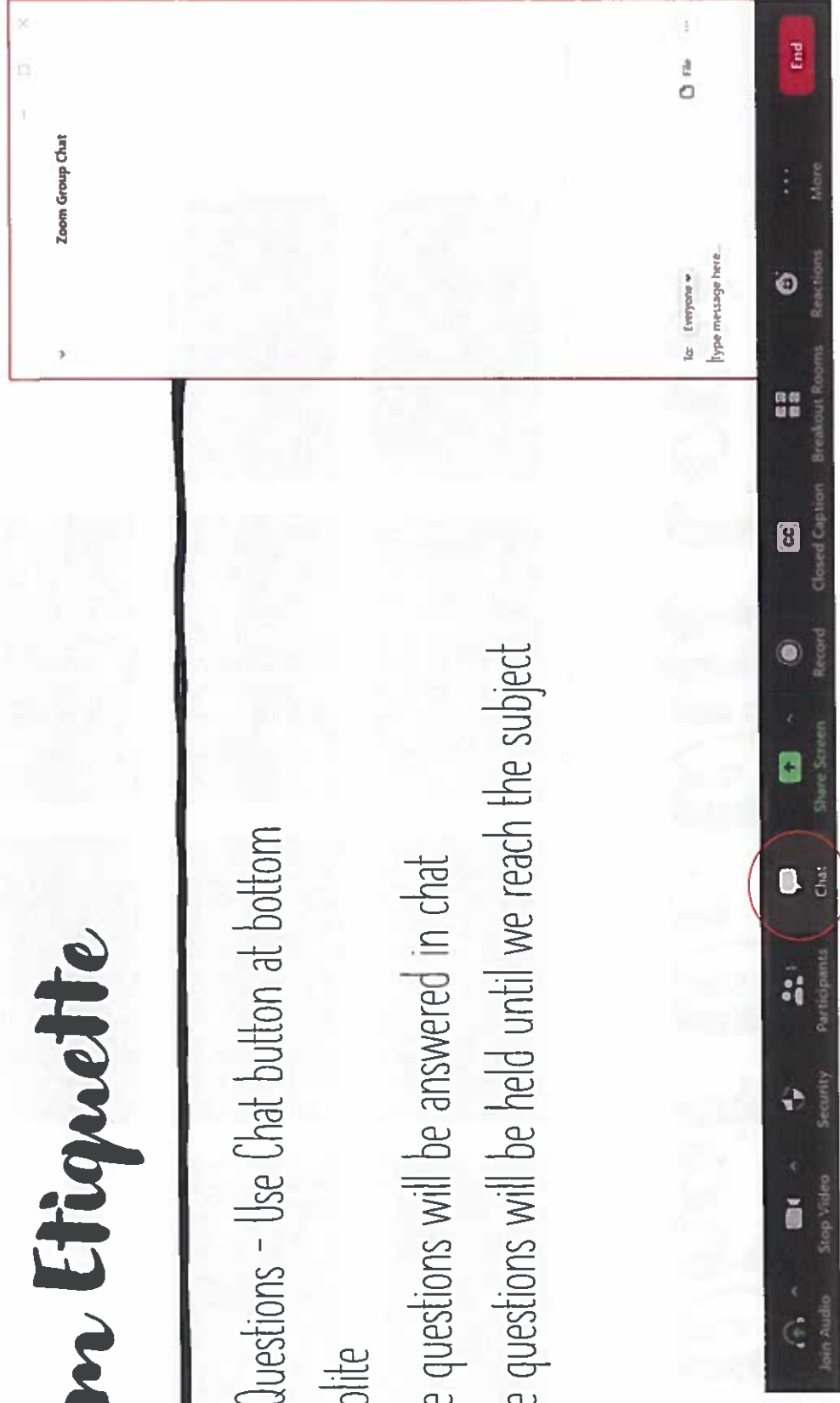
Meeting ID: 951 631 6664

Passcode: 1q2w3e

One Tap Mobile: +16468169923,9516316664# *572109#

Zoom Etiquette

- Ask Questions - Use Chat button at bottom
- Be polite
- Some questions will be answered in chat
- Some questions will be held until we reach the subject



What We Will Cover

Team Introductions	Location	Zoning Compliance, Buffers, Local Permitting & Regulations	Type of Marijuana Establishment & Property Structure
Security	Diversion Prevention	No Nuisance	Positive Impact Plan
	Host Community Agreement	Licensing Process & Anticipated Timeline	

Team Introductions

Location

- 124 West Street, Unit C
- Ware, Massachusetts
- Parcel 56-0-94
- Leased Space



124 West Street
Ware, MA 01082



Zoning Compliance, Buffers & Local Permitting



Zone Highway Commercial (HC)



Delivery is allowed with Site Plan Approval and a Special Permit from the Planning Board



Buffers: Our establishment is not less than 300 feet from a park, playground, elementary, middle or high school, or state-licensed child day care center.

Type of Establishment:

HOME DELIVERY

Pineapple Express will operate a Delivery Operator License from the Cannabis Control Commission.

The Delivery Operator License allows us to purchase marijuana and marijuana products wholesale from licensed cultivators, manufacturers, craft cooperatives and microbusinesses and warehouse at our site.

We will take orders online and over the phone and prepare items for delivery

Deliveries will occur daily from our warehouse to consumer residences in approved towns across the state.

We will not invite or allow customers at the warehouse.

Security

- Our security plan is compliant with state and local laws, will be vetted by the Police and Fire Chiefs and will be designed and implemented by American Alarm, an expert in the field who has designed multiple systems across all license types.
- Some highlights include:
 - Commercial-grade, nonresidential locks
 - Security alarm system that is continuously monitored and provides an alert
 - Video cameras at all points of entry and exit, in parking areas and any place that will contain marijuana
 - 24-hour motion recordings
 - The ability to remain operational during a power outage
 - Emergency response training and procedures

Vehicle & Delivery Security

- Vehicles will be registered and inspected in Massachusetts, garaged in Ware and will feature:
 - Safes to store product and cash
 - Built in GPS
 - Alarm system
- Drivers will make deliveries in pairs with a third employee monitoring from the office
- Drivers will inspect pre-verified identification and signatures
- Detailed delivery manifests will be maintained
- Deliveries will be captured on body cameras

Prevention of Diversion to Minors

We are dedicated to ensuring that cannabis is accessible to only adults over age 21 and certified medical patients.

Diversion prevention plans are vetted by local police, the CCC, our security team and internal operations.

We will have a comprehensive security plan designed to prevent diversion to minors. The policies include strict adherence to identification and visitor badge requirements to ensure there are never underage or unauthorized individuals on premises.

The security system and compliance with the METRC seed to sale tracking program will ensure inventory policies are followed and will prevent and quickly detect any instances of theft or product discrepancy.

Any instances of diversion will be immediately reported to the CCC and a responsible agent will be terminated.

All marketing will be geared towards those 21+.

No Nuisance: Nuisances commonly feared from cannabis businesses are largely absent in a delivery operator company

ODOR: All products come to Pineapple Express in child-resistant sealed packages and remain unopened. No on-site consumption is permitted.

NOISE: Our business buys sealed packages, takes orders online and over the phone and delivers them to customers. There is no noise above a regular online retailer.

VISUAL IMPACT: The exterior of the leased building will not change, and we will not have signs identifying the company on site.

TRAFFIC: We will have four to seven employees in the first year with one to two delivery vehicles making daily trips. There will be no consumer traffic.

UTILITIES: Our utility usage will not be over that of other customary business tenants. We will keep the warehouse at customary office temperatures.

Positive Impact Plan

- Positive Impact Plans are designed to positively impact those disproportionately harmed by cannabis prohibition.
- The five Commission-designated groups are:
 - Residents of 'areas of disproportionate impact' identified by the Commission
 - Certified Economic Empowerment Priority recipients
 - Social Equity Program participants
 - MA residents with past drug convictions
 - MA residents with a parent or a spouse with a past drug conviction

Positive Impact Plan Implementation

GOALS
<ul style="list-style-type: none">• Reduce barriers to entry in the commercial adult-use cannabis industry• Promote sustainable, socially and economically reparative practices in the commercial cannabis industry in Massachusetts

PROGRAMS
<ul style="list-style-type: none">• Pineapple Express will fund an annual record sealing workshop in Ware. The workshop will teach which records can be sealed and how to seal them and will assist individuals through the process with the courts or probation department.• We will donate to charitable causes.

MEASUREMENTS
<ul style="list-style-type: none">• We will track participation and collect surveys regarding how participants felt they benefitted and how the workshop could improve.• We will maintain records of charitable donations.

Benefits to Our Community: We strive to have a net positive impact on the Town of Ware

Host Community Agreement

- Community Impact Fee designed to pay for the impacts of our facility on the Town to bring our net impact to zero
- \$5,000 donations to Town identified charitable causes

Positive Impact Plan

- Host an annual record sealing workshop in the Town
- Fund a charity dedicated to serving those disproportionately harmed by cannabis prohibition enforcement

Diversity Plan

- Implement hiring goals so that a percentage of our workforce identifies as belonging to diverse groups
- Fund or host training programs to foster career advancement

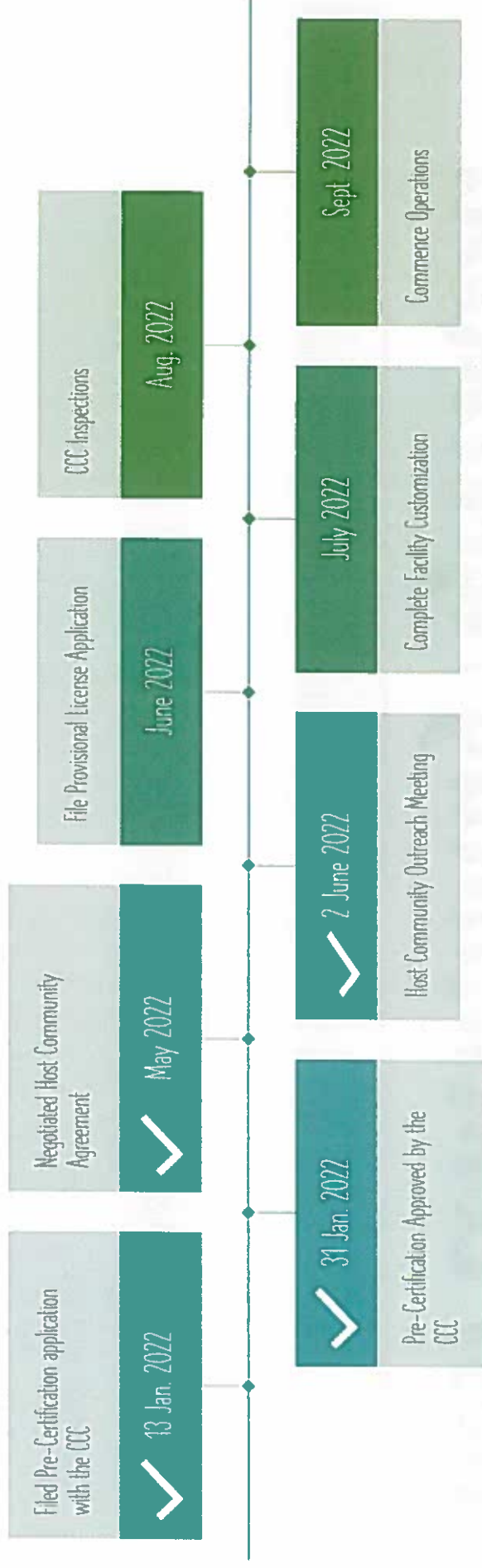
Operations

- Property Taxes
- Excise Taxes
- Local Hiring
- Local contracting

Host Community Agreement

- The HCA is the main contract between the licensee and the Town which lays out the respective obligations of and benefits to each party.
- The HCA is valid for five years by statute.
- Common elements include:
 - Up to 3% of annual gross sales paid to the Town as a Community Impact Fee to be used to offset direct impacts to the Town from cannabis operations
 - Local hiring and sourcing
 - Educational component

Licensing Process & Application Timeline



QUESTIONS?

Kaily Hepburn

(413) 478-7878

PineappleXMA@gmail.com

GRANTOR: East Quabbin Land Trust, Inc.

GRANTEE: Town of Hardwick, Conservation
Commission

ADDRESS OF PREMISES: Old Stagecoach Road,
Ware MA 01082

FOR GRANTOR'S TITLE SEE: Hampshire County
Registry of Deeds at Book _____, Page _____.

GRANT OF CONSERVATION RESTRICTION

I. STATEMENT OF GRANT

East Quabbin Land Trust, Inc., with an address of 120 Ridge Road, PO Box 5, Hardwick MA 01037 [, being the sole owner of the Premises as defined herein, constituting all of the owner(s) of the Premises as defined herein, for its successors and assigns ("Grantor"), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, grant, with QUITCLAIM COVENANTS, to the Town of Ware acting by and through its Conservation Commission, with an address at 126 Main Street, Ware MA 01082, by authority of Section 8C of Chapter 40 of the Massachusetts General Laws,, their permitted successors and assigns ("Grantee"), for nominal consideration, IN PERPETUITY AND EXCLUSIVELY FOR CONSERVATION PURPOSES, the following Conservation Restriction on land located in Ware containing the entirety of a 25.11-acre parcel of land ("Premises"), which Premises is more particularly described in Exhibit A¹ and shown in the attached reduced copy of a survey plan in Exhibit B², both of which are incorporated herein and attached hereto.

II. PURPOSES:

This Conservation Restriction is defined in and authorized by Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws and otherwise by law. The purposes of this Conservation Restriction ("Purposes") are to ensure that the Premises will be maintained in perpetuity in its natural, scenic, or open condition and available for forestry use, wildlife habitat, passive outdoor recreational use, and agricultural use, and to prevent any use or change that would materially impair the Conservation Values (as defined below).

¹ The Legal Description of a CR must contain metes and bounds measurements pursuant to MGL c. 184 s. 26(c) – this requirement can be satisfied with a narrative metes and bounds description OR with a reference to a recorded plan that contains metes and bounds measurements. When using a plan, identify the following: the name or label for the pertinent parcel or CR area, the title of the plan, etc.

² If a recorded plan is being used as the legal description, attach a reduced copy of the recorded plan in Exhibit B. The CR area and any excluded areas or building envelopes must be clearly marked.

The fee interest in the Premises was acquired utilizing, in part, assistance from the Conservation Partnership program which requires, pursuant to Section 2A of Chapter 286 of the Acts of 2014, the conveyance of this Conservation Restriction.

The Conservation Values protected by this Conservation Restriction include the following:

- Open Space. The Premises contributes to the protection of the scenic and natural character of Ware and the protection of the Premises will enhance the open-space value of these and nearby lands. The Premises abuts land already conserved, including *the East Quabbin Land Trust's Hyde Woodland Preserve*
- Soils and Soil Health. The entirety of the Premises includes Prime Forestland Soils as identified by the USDA Natural Resources Conservation Service. The protection of the Premises will promote healthy soils and healthy soils practices as such terms are defined in Chapter 358 of the Acts of 2020, which added definitions of these terms to Section 7A of Chapter 128 of the Massachusetts General Laws.
- Public Access. Public access to the Premises will be allowed for passive outdoor recreation, education and nature study.
- Water Quality. Protection of a Forest Core area or other large, forested landscape can help maintain water quality for public drinking water; protection of a riparian corridor can help maintain water quality critical to cold water fisheries;
- Working Farmland and/or Forest Land. The protection of the Premises will ensure that the forests contained on the Premises will be permanently available for forest management that is consistent with the Purposes.
- Climate Change Resiliency. The Premises is identified as an area of above average Terrestrial Resilience according to The Nature Conservancy's (TNC) Resilient Land Mapping Tool, including 1.37SD in Landscape Diversity and 0.69SD in Local Connectedness. TNC's Resilient Land Mapping Tool was developed in order to map 'climate-resilient' sites that are 'more likely to sustain native plants, animals, and natural processes into the future.' The protection of these climate resilient sites is an important step in both reducing human and ecosystem vulnerability to climate change and adapting to changing conditions.

- Consistency with Clearly Delineated Federal, State, or Local Governmental Conservation Policy. Conservation of the Premises meets community goals for expanding passive recreational opportunities and establishing a town-wide greenway system which are enumerated in the 2016 Open Space and Recreation Plan for the Town of Ware. In addition, creating diverse types of trails across the Commonwealth is a key goal of the 2017 Statewide Comprehensive Outdoor Recreation Plan.
- Historic and Archaeological Resources. Conservation and appropriate management of the Premises has an important public benefit by preserving historic and archeological resources within the Premises.

III. PROHIBITED and PERMITTED ACTS AND USES

A. Prohibited Acts and Uses

The Grantor will not perform or allow others to perform the following acts and uses which are prohibited on, above, and below the Premises:

1. Structures and Improvements. Constructing, placing, or allowing to remain any temporary or permanent structure including without limitation any building, tennis court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, graveled area, roads, sign, fence, gate, billboard or other advertising, antenna, utilities or other structures, utility pole, tower, solar panel, solar array, conduit, line, septic or wastewater disposal system, storage tank, or dam;
2. Extractive Activities/Uses. Mining, excavating, dredging, withdrawing, or removing soil, loam, peat, gravel, sand, rock, surface water, ground water, or other mineral substance or natural deposit, or otherwise altering the topography of the Premises;
3. Disposal/Storage. Placing, filling, storing or dumping of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, tree and other vegetation cuttings, liquid or solid waste or other substance or material whatsoever;
4. Adverse Impacts to Vegetation. Cutting, removing, or destroying trees, shrubs, grasses or other vegetation;
5. Adverse Impacts to Water, Soil, and Other Features. Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, natural habitat, archaeological conservation, or ecosystem function;
6. Introduction of Invasive Species. Planting or introducing any species identified as invasive by the Massachusetts Invasive Plant Advisory Group or identified as invasive in such recognized inventories as the Massachusetts Introduced Pests Outreach Project, the Northeast Aquatic Nuisance Species Panel, or other such inventories, and any successor list as mutually agreed to by Grantor and Grantee;

7. Motor Vehicles. Using, parking, or storing motorized vehicles, including motorcycles, mopeds, all-terrain vehicles, off-highway vehicles, motorboats or other motorized watercraft, snowmobiles, launching or landing aircraft, or any other motorized vehicles, acknowledging that vehicles necessary for public safety (i.e., fire, police, ambulance, other government officials) may have a legal right to enter the Premises;
8. Subdivision. Subdividing or conveying a part or portion of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted), it being the Grantor's and Grantee's intention to maintain the entire Premises under unified ownership;
9. Use of Premises for Developing Other Land. Using the Premises towards building or development requirements on this or any other parcel;
10. Adverse Impacts to Stone Walls, Boundary Markers. Disrupting, removing, or destroying stone walls, granite fence posts, or any other boundary markers;
11. Residential or Industrial Uses. Using the Premises for residential or industrial purposes;
12. Inconsistent Uses. Using the Premises for commercial purposes that are inconsistent with the Purposes or that would materially impair the Conservation Values, or for any other uses or activities that are inconsistent with the Purposes or that would materially impair the Conservation Values.

B. Permitted Acts and Uses

Notwithstanding the Prohibited Acts and Uses described in Paragraph III.A., the Grantor may conduct or permit the following acts and uses on the Premises, provided they do not materially impair the Purposes and/or Conservation Values. In conducting any Permitted Act and Use, Grantor shall minimize impacts to the Conservation Values to ensure any such impairment thereto is not material.

1. Vegetation Management. Maintaining vegetation, including pruning, trimming, cutting, and mowing, and removing brush, all to prevent, control, and manage hazards, disease, insect or fire damage, and/or in order to maintain the condition of the Premises as documented in the Baseline Report (see Paragraph XV.);
2. Non-native, Nuisance, or Invasive species. Removing non-native, nuisance, or invasive species, interplanting native species, and controlling species in a manner that minimizes damage to surrounding, non-target species and preserves water quality;
3. Composting. Stockpiling and composting stumps, trees, brush, limbs, and similar biodegradable materials originating on the Premises.;

4. Natural Habitat and Ecosystem Improvement. With prior written approval of the Grantee, conducting measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, ecosystem function, or rare or endangered species including planting native trees, shrubs, and other vegetation;
5. Indigenous Cultural Practices. With prior written notice to the Grantee, allowing indigenous peoples to:
 - a. Conduct cultural land ceremonial uses. Cultural practices are defined, for the purposes of this Conservation Restriction, as including traditional spiritual ceremonies, seasonal celebrations, offerings, and cultural, educational, and interpretive programming; and
 - b. Harvest plant-life for traditional cultural practices, using methods which, ensure sustainable populations of the harvested species within the Premises, including regrowth and replanting;
6. Archaeological Investigations. Conducting archaeological activities, including without limitation archaeological research, surveys, excavation and artifact retrieval, but only in accordance with an archaeological field investigation plan, which plan shall also address restoration following completion of the archaeological investigation, prepared by or on behalf of the Grantor and approved in advance of such activity, in writing, by the Massachusetts Historical Commission State Archaeologist (or appropriate successor official) and by the Grantee. A copy of the results of any such investigation on the Premises is to be provided to the Grantee;
7. Trails. Maintaining and constructing trails as follows:
 - a. Trail Maintenance. Conducting routine maintenance of trails, which may include widening trail corridors up to eight (8) feet in width overall, with a treadway up to six (6) feet in width.
 - b. New Trails. With prior written approval of the Grantee, constructing new trails or relocating existing trails, provided that any construction or relocation results in trails that conform with the width limitations above.
 - c. Trail Features. With prior written approval of the Grantee, constructing bog bridging, boardwalks, footbridges, railings, steps, culverts, benching, cribbing, contouring, or other such features, together with the use of motorized equipment to construct such features;
8. Signs. Constructing, installing, maintaining, and replacing signs and informational kiosks with respect to the Permitted Acts and Uses, the Purposes, the Conservation Values, trespass, public access, identity and address of the Grantor, sale of the Premises, the Grantee's interest in the Premises, boundary and trail markings, any gift, grant, or other applicable source of support for the conservation of the Premises;

9. Motorized Vehicles. Using motorized vehicles by persons with mobility impairments provided however the manner of such vehicle use complies with Grantors policy and approved in advance by Grantee, and as otherwise permitted herein.
10. Outdoor Passive Recreational and Educational Activities. Hunting, trapping hiking, horseback riding, cross-country skiing, snowshoeing, nature observation, nature and educational walks and outings, outdoor educational activities, and other non-motorized outdoor recreational and educational activities;

11. Forest Management

- a. Permitted Activities. Conducting sound silvicultural uses of the Premises, including the right to harvest forest products (as such term may be defined from time to time in Section 1 of Chapter 61 of the Massachusetts General Laws, or successor law) or conduct other forest management activities, reestablish historic woods roads and establish new woods roads, and the use of motorized vehicles, all as necessary to conduct such activities ("Forestry Activities"), provided that any Forestry Activities are carried out pursuant to a Forest Stewardship Plan (as defined below). All Forestry Activities shall avoid any stone structures or historical and cultural resources and shall prevent damage thereto to the extent feasible. All commercial cutting operations shall be supervised by a licensed forester.
- b. Requirement of a Forest Stewardship Plan. Before any Forestry Activities occur on the Premises, Grantor shall submit a Forest Stewardship Plan to the Grantee, the Massachusetts Department of Conservation and Recreation ("DCR") or appropriate successor agency, and to any other required state agencies for their approval. The Forest Stewardship Plan shall:
 - i. be prepared by a forester licensed through DCR and shall follow the "Directions for the Preparation of the Chapter 61 Forest Management Plans and Forest Stewardship Plans" (as such guidelines may be amended by DCR or its successor agency) and such statutes, regulations and directions in effect at the time of the approval of said Forest Stewardship Plan; and
 - ii. include provisions designed to comply with the recommended activities and guidelines and required best management practices established in the Massachusetts Forestry Best Management Practices Manual (Catanzaro, Fish & Kittredge, University of Massachusetts, Amherst & DCR; 2013) and subsequent versions as may be approved by the Massachusetts Bureau of Forest Fire Control and Forestry ("Forestry BMPs"); and
 - iii. address how the Forest Stewardship Plan complies with this Paragraph II.B.10; and
 - iv. be effective for a ten (10) year period and shall be resubmitted once every ten (10) years as necessary if additional Forestry Activities are desired.

- c. Harvesting For Personal Use. The sustainable cutting of trees only for the Grantor's personal use, not to exceed one (1) cords or equivalent volume, shall not require a Forestry Plan provided that any such cutting complies with the Forestry BMPs.

12. Agricultural Activities.

- a. Permitted Activities. "Agricultural Activities" are collectively defined as "Animal Husbandry" and "Horticulture," defined below:
 - i. Animal Husbandry. Raising animals, including but not limited to dairy cattle, beef cattle, poultry, sheep, swine, horses, ponies, mules, goats, and bees, for the purpose of using, consuming, or selling such animals or a product derived from such animals in the regular course of business; or when primarily and directly used in a related manner which is incidental thereto and represents a customary and necessary use in raising such animals and preparing them or the products derived therefrom for use, consumption, or market.
 - ii. Horticulture. Raising fruits, vegetables, berries, nuts, and other foods for human consumption, feed for animals, flowers, trees, nursery or greenhouse products, and ornamental plants and shrubs, all for the purpose of selling such products in the regular course of business; or when primarily and directly used in raising forest products under a Forest Stewardship Plan designed to improve the quantity and quality of a continuous crop for the purpose of using, consuming, or selling these products in the regular course of business; or when primarily and directly used in a related manner which is incidental to those uses and represents a customary and necessary use in raising such products and preparing them for use, consumption, or market.
- b. Requirement to Follow Best Agricultural Practices. Agricultural Activities shall be conducted in a manner consistent with generally accepted best management practices for sustainable farming as those practices may be identified from time to time by appropriate governmental or educational institutions such as the USDA Natural Resources Conservation Service (NRCS), UMass Extension, Northeast Organic Farming Association (NOFA), Massachusetts Department of Agricultural Resources, and the like, (collectively, "Best Agricultural Practices") and in a manner that promotes healthy soils and healthy soil practices, as such terms are defined in Chapter 358 of the Acts of 2020, which added definitions of these terms to Section 7A of Chapter 128 of the Massachusetts General Laws ("Healthy Soils and Practices"), and in a manner that does not hinder the ability of future generations to engage in Agricultural Activities on the Premises;
- c. Requirement for a Farm Conservation Plan. Agricultural Activities shall require a farm conservation plan, such as an NRCS Conservation Plan ("Farm Conservation Plan"), prepared for the Premises, and approved in writing by the Grantee. The Farm Conservation Plan shall be developed in accordance with

generally-accepted Best Agricultural Practices, and shall, at a minimum, address the following:

- i. establish wetland buffers and/or filter strips to prevent adverse impacts to the water quality of existing wetlands and waterways;
 - ii. in the event animal husbandry activities are proposed, establish and govern the type and number of each type of animal unit permitted on the Premises, and analyze the pasturage potential of the Premises and establish and govern the cycling of pasturage, and any other measures necessary to ensure the carrying capacity of the Premises is not exceeded in order to protect water quality, prevent soil erosion, and otherwise protect the Conservation Values; and
 - iii. describe how Agricultural Activities will maximize soil and water conservation, and promote Healthy Soils and Practices.
- d. Agricultural Structures and Improvements. Constructing and maintaining structures and improvements to conduct Agricultural Activities, provided:
- i. The total footprint (as defined herein) of all permanent structures and any temporary structures (as defined below) that have a roof shall not exceed two percent (2%) of the total area of the Premises in the aggregate. For the purposes of this Conservation Restriction, the term “footprint” shall mean that measurement encompassing the enclosed ground floor area, as measured from the exterior, at the point of contact with the ground.
 - ii. Grantor must obtain prior written approval from the Grantee for the following improvements:
 1. Wells, including but not limited to artesian wells, and any irrigation structures that require subsurface installation;
 - iii. The following improvements are permitted without prior approval from the Grantee:
 1. Temporary Structures. Constructing, using, maintaining, repairing, and/or replacing temporary structures and improvements directly related to or in support of Agricultural Activities, including, but not limited to, fencing, hayracks, “run-in” shelters or other three-sided shelters, hoop houses (also known as “high tunnels”), and the like. For the purposes of this Conservation Restriction, the term “temporary” shall mean any improvement without a foundation that can be constructed or removed without significant disturbance of the soil;
- e. Agri-tourism. The use of the Premises for “Agri-tourism” activities, which activities shall be defined as ancillary commercial activities and events that support the financial viability of the use of the Premises for Agricultural Activities, which activities shall be limited to farm-based entertainment such as harvest festivals and farm-based education addressing the subjects of

sustainable agriculture, food production and nutrition, and/or environmental conservation and ecology; with prior approval of the Grantee, Grantor may host unrelated educational activities such as painting or yoga classes, and the like, and up to four (4) recreational events, weddings, or similar types or scale of events per year, provided that said events shall be incidental and subordinate to the primary use of the Premises for Agricultural Activities.

13. Green Energy. With prior written approval of the Grantee, constructing energy producing structures and associated transmission lines that produce negligible or no pollution or carbon emissions (“Green Energy Structures”) to supply power for any Permitted Acts and Uses on the Premises. In addition to the terms of Paragraph III.E., when considering whether to grant approval, the Grantee will take into consideration the energy needs related to the relevant Permitted Act(s) and Use(s). While it is agreed that some power may be fed back into the public power grid during high production periods, such Green Energy Structures shall be limited to a capacity not higher than that necessary to meet, or exceed by up to 20% at the time of installation, the power requirements of the Permitted Acts and Uses;

C. Site Restoration

Upon completion of any Permitted Acts and Uses, any disturbed areas shall be restored substantially to the conditions that existed prior to said activities, including with respect to soil material, grade, and vegetated ground cover.

D. Compliance with Permits, Regulations, Laws

The exercise of any Permitted Acts and Uses under Paragraph III.B. shall be in compliance with all applicable federal, state and local laws, rules, regulations, zoning, and permits, and with the Constitution of the Commonwealth of Massachusetts. The inclusion of any Reserved Right requiring a permit, license or other approval from a public agency does not imply that the Grantee or the Commonwealth takes any position whether such permit, license, or other approval should be issued.

E. Notice and Approval

1. Notifying Grantee. Whenever notice to or approval by Grantee is required, Grantor shall notify or request approval from Grantee, by a method requiring proof of receipt, in writing not less than sixty (60) days prior to the date Grantor intends to undertake the activity in question, unless a different time period is specified herein. The notice shall:
 - a. Describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity;

- b. Describe how the proposed activity complies with the terms and conditions of this Conservation Restriction, and will not materially impair the Purposes and/or Conservation Values;
 - c. Identify all permits, licenses, or approvals required for the proposed activity, and the status of any such permits, licenses, or approvals.
 - d. Describe any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the Purposes and Conservation Values.
2. Grantee Review. Where Grantee's approval is required, Grantee shall grant or withhold approval in writing within sixty (60) days of receipt of Grantor's request. Grantee's approval shall only be granted upon a showing that the proposed activity will minimize impacts to the Conservation Values and will not materially impair the Purposes and/or Conservation Values. Grantee may require Grantor to secure expert review and evaluation of a proposed activity by a mutually agreed upon party.
3. Resubmittal. Grantee's failure to respond within sixty (60) days of receipt shall not constitute approval of the request. Grantor may subsequently submit the same or a similar request for approval.

IV. INSPECTION AND ENFORCEMENT

A. Entry onto the Premises

The Grantor hereby grants to the Grantee, and its duly authorized agents or representatives, the right to enter the Premises upon reasonable notice and at reasonable times, for the purpose of inspecting the Premises to determine compliance with or to enforce this Conservation Restriction.

B. Legal and Injunctive Relief

1. Enforcement. The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain compensatory relief, and equitable relief against any violations, including, without limitation, injunctive relief and relief requiring restoration of the Premises to its condition prior to the time of the injury (it being agreed that the Grantee will have no adequate remedy at law in case of an injunction). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction.
2. Notice and Cure. In the event the Grantee determines that a violation of this Conservation Restriction has occurred and intends to exercise any of the rights described herein, the Grantee shall, before exercising any such rights, notify the Grantor in writing of the violation. The Grantor shall have thirty (30) days from receipt of the written notice to halt the violation and remedy any damage caused by it, after which time Grantee may take further action, including instituting legal proceedings and entering the Premises to take reasonable measures to remedy, abate or correct such

violation, without further notice. Provided, however, that this requirement of deferment of action for thirty (30) days applies only if Grantor immediately ceases the violation and Grantee determines that there is no ongoing violation. In instances where a violation may also constitute a violation of local, state, or federal law, the Grantee may notify the proper authorities of such violation.

3. Reimbursement of Costs and Expenses of Enforcement. Grantor covenants and agrees to reimburse to Grantee all reasonable costs and expenses (including counsel fees) incurred by the Grantee in enforcing this Conservation Restriction or in taking reasonable measures to remedy, abate or correct any violation thereof. In the event of a dispute over the boundaries of the Conservation Restriction, Grantor shall pay for a survey by a Massachusetts licensed professional land surveyor and to have the boundaries permanently marked.

C. Non-Waiver

Enforcement of the terms of this Conservation Restriction shall be at the sole discretion of Grantee. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

D. Disclaimer of Liability

By acceptance of this Conservation Restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Premises pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws and regulations, or acts not caused by the Grantee or its agents.

E. Acts Beyond the Grantor's Control

Nothing contained in this Conservation Restriction shall be construed to entitle the Grantee to bring any actions against the Grantor for any injury to or change in the Premises resulting from natural causes beyond the Grantor's control, including but not limited to fire, flood, weather, climate-related impacts, and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Premises resulting from such causes. In the event of any such occurrence, the Grantor and Grantee will cooperate in the restoration of the Premises, if desirable and feasible.

V. PUBLIC ACCESS

Subject to the provisions of this Conservation Restriction, the Grantor hereby grants access to the Premises to the general public and agrees to take no action to prohibit or discourage access to and use of the Premises by the general public, but only for daytime use and only as described in Paragraph III.B.10. provided that such agreement by Grantor is subject to the Grantor's reserved right to establish reasonable rules, regulations, and restrictions on such permitted recreational use

by the general public for the protection of the Purposes and Conservation Values. Grantor has the right to control, limit, or prohibit by posting and other reasonable means activities or uses of the Premises not authorized in Paragraph III.B.10. The Grantee may require the Grantor to post the Premises against any use by the public that results in material impairment of the Conservation Values. This grant of public access to the Premises is solely for the purposes described in Section 17C of Chapter 21 of the Massachusetts General Laws and the Grantor and Grantee hereto express their intent to benefit from exculpation from liability to the extent provided in such section.

VI. TERMINATION/RELEASE/EXTINGUISHMENT

A. Procedure

If circumstances arise in the future that render the Purposes impossible to accomplish, this Conservation Restriction can only be terminated, released, or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law after review and approval by the Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, or successor official ("Secretary"), and any other approvals as may be required by Section 32 of Chapter 184 of the Massachusetts General Laws.

B. Grantor's and Grantee's Right to Recover Proceeds

If any change in conditions ever gives rise to termination, release, or extinguishment of this Conservation Restriction under applicable law, then Grantee, on a subsequent sale, exchange, or involuntary conversion of the Premises, shall be entitled to a portion of the proceeds in accordance with Paragraph VI.C., subject, however, to any applicable law which expressly provides for a different disposition of the proceeds, and after complying with the terms of any gift, grant, or funding requirements. The Grantee shall use its share of any proceeds in a manner consistent with the Purposes or the protection of the Conservation Values.

C. Grantee's Receipt of Property Right

Grantor and Grantee agree that the conveyance of this Conservation Restriction gives rise to a real property right, immediately vested in the Grantee, for the purpose of enforcing this Conservation Restriction, but does not entitle Grantee, upon extinguishment, release, or termination, to any proceeds received by the Grantor from the subsequent sale, exchange or involuntary conversion of the Premises. Any proceeds that result from any such extinguishment, release, or termination will be distributed only after complying with the terms of any gift, grant, or other funding requirements.

D. Cooperation Regarding Public Action

Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and Grantee in accordance with Paragraph VI.B. and Paragraph VI.C. If a less than fee interest is taken,

the proceeds shall be equitably allocated according to the nature of the interest taken. The Grantee shall use its share of any proceeds in a manner consistent with the Purposes or the protection of the Conservation Values.

VII. DURATION and ASSIGNABILITY

A. Running of the Burden

The burdens of this Conservation Restriction shall run with the Premises in perpetuity, and shall be enforceable against the Grantor and the successors and assigns of the Grantor holding any interest in the Premises.

B. Execution of Instruments

The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction. The Grantor, on behalf of itself and its successors and assigns, appoints the Grantee its attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the Grantor and its successors and assigns agree themselves to execute any such instruments upon request.

C. Running of the Benefit

The benefits of this Conservation Restriction shall run to the Grantee, shall be in gross and shall not be assignable by the Grantee, except when all of the following conditions are met:

1. the Grantee requires that the Purposes continue to be carried out;
2. the assignee is not an owner of the fee in the Premises;
3. the assignee, at the time of the assignment, qualifies under and 26.U.S.C. 170(h), and applicable regulations thereunder, if applicable, and is eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the Massachusetts General Laws; and
4. the assignment complies with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

VIII. SUBSEQUENT TRANSFERS

A. Procedure for Transfer

The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, including a leasehold interest and to notify the Grantee not less than twenty (20) days prior to the effective date of such transfer. Any transfers shall receive prior approval by Grantee to assure that the Premises is transferred to a qualified conservation organization. Failure to do any of the above shall not impair the validity or enforceability of this Conservation Restriction. If the Grantor fails to reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, then the Grantee may record, in the applicable

registry of deeds, or registered in the applicable land court registry district, and at the Grantor's expense, a notice of this Conservation Restriction. Any transfer will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

B. Grantor's Liability

The Grantor shall not be liable for violations occurring after their ownership. Liability for any acts or omissions occurring prior to any transfer and liability for any transfer if in violation of this Conservation Restriction shall survive the transfer. Any new owner shall cooperate in the restoration of the Premises or removal of violations caused by prior owner(s) and may be held responsible for any continuing violations.

IX. ESTOPPEL CERTIFICATES

Upon request by the Grantor, the Grantee shall, within sixty (60) days execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor's compliance or non-compliance with any obligation of the Grantor contained in this Conservation Restriction.

X. NON MERGER

The parties intend that any future acquisition of the Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and the Grantee agrees that it will not take title, to any part of the Premises without having first assigned this Conservation Restriction following the terms set forth in Paragraph VII.C to ensure that merger does not occur and that this Conservation Restriction continues to be enforceable by a non-fee owner.

XI. AMENDMENT

A. Limitations on Amendment

Grantor and Grantee may amend this Conservation Restriction only to correct an error or oversight, clarify an ambiguity, maintain or enhance the overall protection of the Conservation Values, or add real property to the Premises, provided that no amendment shall:

1. affect this Conservation Restriction's perpetual duration;
2. be inconsistent with or materially impair the Purposes;
3. affect the qualification of this Conservation Restriction as a "qualified conservation contribution" or "interest in land" under any applicable laws, including 26 U.S.C. Section 170(h), and related regulations;
4. affect the status of Grantee as a "qualified organization" or "eligible donee" under any applicable laws, including 26 U.S.C. Section 170(h) and related regulations, and Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws; or
5. create an impermissible private benefit or private inurement in violation of federal tax law, as determined by an appraisal, conducted by an appraiser selected by the Grantee, of the economic impact of the proposed amendment; or

6. alter or remove the provisions described in Paragraph VI (Termination/Release/Extinguishment); or
7. cause the provisions of this Paragraph XI to be less restrictive; or
8. cause the provisions described in Paragraph VII.C (Running of the Benefit) to be less restrictive

B. Amendment Approvals and Recording

No amendment shall be effective unless documented in a notarized writing executed by Grantee and Grantor, approved by the Town of Ware and by the Secretary in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws, and recorded in the applicable registry of deeds or registered in the applicable land court registry district.

XII. EFFECTIVE DATE

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the Massachusetts General Laws have been obtained, and it has been recorded in the applicable registry of deeds or registered in the applicable land court registry district.

XIII. NOTICES

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage pre-paid, addressed as follows:

To Grantor: East Quabbin Land Trust, Inc.
PO Box 5, 120 Ridge Road
Hardwick, MA 01037

To Grantee: Town of Ware, Conservation Commission
126 Main Street
Ware, MA 01082

or to such other address as any of the above parties shall designate from time to time by written notice to the other or, if notice is returned to sender, to an address that is reasonably ascertainable by the parties.

XIV. GENERAL PROVISIONS

A. Controlling Law

The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

B. Liberal Construction

Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in order to effect the Purposes and the policy and purposes of Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the Purposes that would render the provision valid shall be favored over any interpretation that would render it invalid.

C. Severability

If any provision of this Conservation Restriction or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of this Conservation Restriction shall not be affected thereby.

D. Entire Agreement

This instrument sets forth the entire agreement of the Grantor and Grantee with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Conservation Restriction, all of which are merged herein.

XV. BASELINE DOCUMENTATION REPORT

The Conservation Values, as well as the natural features, current uses of, and existing improvements on the Premises, such as, but not limited to, trails, woods roads, structures, meadows or other cleared areas, agricultural areas, and scenic views, as applicable, are described in a Baseline Documentation Report ("Baseline Report") prepared by Grantee with the cooperation of the Grantor, consisting of maps, photographs, and other documents and on file with the Grantee and included by reference herein. The Baseline Report (i) is acknowledged by Grantor and Grantee to be a complete and accurate representation of the condition and values of the Premises as of the date of this Conservation Restriction, (ii) is intended to fully comply with applicable Treasury Regulations, (iii) is intended to serve as an objective information baseline for subsequent monitoring of compliance with the terms of this Conservation Restriction as described herein, and (iv) may be supplemented as conditions on the Premise change as allowed over time. Notwithstanding the foregoing, the parties may utilize any evidence of the condition of the Premises at the time of this grant in addition to the Baseline Report.

XVI. MISCELLANEOUS

A. Pre-existing Public Rights

Approval of this Conservation Restriction pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws by any municipal officials and by the Secretary, is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

B. Release of Homestead

The Grantor attests that there is no residence on or abutting the Premises (including areas excluded from the Premises) that is occupied or intended to be occupied as a principal residence by a spouse, former spouse, or children of the grantor, or a spouse, former spouse, or children of a beneficiary of the trust, if Premises is owned by a trust.

C. No Surety Interest

The Grantor attests that there is no mortgage, promissory note, loan, lien, equity credit line, refinance assignment of mortgage, lease, financing statement or any other agreement which gives rise to a surety interest affecting the Premises.

C. Executory Limitation

If Grantee shall cease to exist or to be qualified to hold conservation restrictions pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws, or to be qualified organization under 26 U.S.C. 170(h), and applicable regulations thereunder, if applicable, and a prior assignment is not made pursuant to Paragraph VII, then Grantee's rights and obligations under this Conservation Restriction shall vest in such organization as a court of competent jurisdiction shall direct pursuant to the applicable Massachusetts law and with due regard to the requirements for an assignment pursuant to Paragraph VII.

D. Prior Encumbrances

This Conservation Restriction shall be in addition to and not in substitution of any other restrictions or easements of record affecting the Premises.

E. The following signature pages are included in this Grant:

Grantor

Grantee Acceptance

Approval of Select Board of Ware

Approval of the Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts.

F. The following exhibits are attached and incorporated herein:

Exhibit A: Legal Description of Premises

Exhibit B: Reduced Copy of Recorded Plan of Premises

WITNESS my hand and seal this ____ day of _____, 2022,

_____, duly authorized
Judith C. Jones, President

_____, duly authorized
George A. Reilly, Treasurer

THE COMMONWEALTH OF MASSACHUSETTS

Hampshire County, ss:

On this ____ day of _____, 2022, before me, the undersigned notary public, personally appeared Judith C. Jones, and proved to me through satisfactory evidence of identification which was personal knowledge to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that s/he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

THE COMMONWEALTH OF MASSACHUSETTS

Hampshire County, ss:

On this ____ day of _____, 2022, before me, the undersigned notary public, personally appeared George A. Reilly, and proved to me through satisfactory evidence of identification which was personal knowledge to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that s/he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

ACCEPTANCE OF TOWN OF WARE CONSERVATION COMMISSION

We, the undersigned, being a majority of the Conservation Commission of the Town of Ware, Massachusetts, hereby certify that at a public meeting duly held on _____, 2021, the Conservation Commission voted to approve and accept the foregoing Conservation Restriction from the East Quabbin Land Trust, Inc. pursuant to Section 32 of Chapter 184 and Section 8C of Chapter 40 of the Massachusetts General Laws and do hereby accept the foregoing Conservation Restriction.

**TOWN OF WARE CONSERVATION
COMMISSION:**

THE COMMONWEALTH OF MASSACHUSETTS

Hampshire County, ss:

On this _____ day of _____, 2021, before me, the undersigned notary public, personally appeared _____, _____, _____, _____, and _____, and proved to me through satisfactory evidence of identification which was _____ to be the persons whose names are signed on the proceeding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

APPROVAL OF TOWN OF WARE SELECT BOARD

We the undersigned, being a majority of the Select Board of the Town of Ware, hereby certify that at a public meeting duly held on _____, 2022, the Select Board voted to approve the foregoing Conservation Restriction from the EAST QUABBIN LAND TRUST to the TOWN OF WARE, BY AND THROUGH ITS' CONSERVATION COMMISSION in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

TOWN OF WARE SELECT BOARD

THE COMMONWEALTH OF MASSACHUSETTS

Hampshire County, ss:

On this _____ day of _____, 2022, before me, the undersigned notary public, personally appeared _____, _____, _____, _____, and _____, and proved to me through satisfactory evidence of identification which was _____ to be the persons whose names are signed on the proceeding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

**APPROVAL OF SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS OF
THE COMMONWEALTH OF MASSACHUSETTS**

The undersigned, Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby approves the foregoing Conservation Restriction from the EAST QUABBIN LAND TRUST, INC to TOWN OF WARE, BY ITS' CONSERVATION COMMISSION in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

Dated: _____, 2022

Kathleen A. Theoharides
Secretary of Energy and Environmental Affairs

THE COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss:

On this _____ day of _____, 2022, before me, the undersigned notary public, personally appeared Kathleen A. Theoharides, and proved to me through satisfactory evidence of identification which was _____ to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

EXHIBIT A

Legal Description of Premises

If you do not have a survey plan for the Premises, or if you choose to provide a written description in addition to the survey plan, insert that written description here.

ALL Building Envelopes and Exclusion areas MUST be defined by metes and bounds.

If providing a written metes and bounds description along with a survey plan, the written metes and bounds and those shown on the survey MUST match.

OR

If Exhibit B is a reduced copy of a survey plan and you will not provide a written metes and bounds description, follow the template provided below. This is the recommended option if you have a survey plan.]

Description of the Premises

The land in [TOWN/CITY, COUNTY], Massachusetts, containing _____ acres, +/-, shown as [Insert parcel name as given on plan, i.e., "Parcel A" or "Lot 10"] on a plan of land titled [Insert Plan Name], dated [Insert Plan Date], by [Insert Plan creator / professional land surveyor / company name, address], recorded at [Insert recording information].

EXHIBIT B

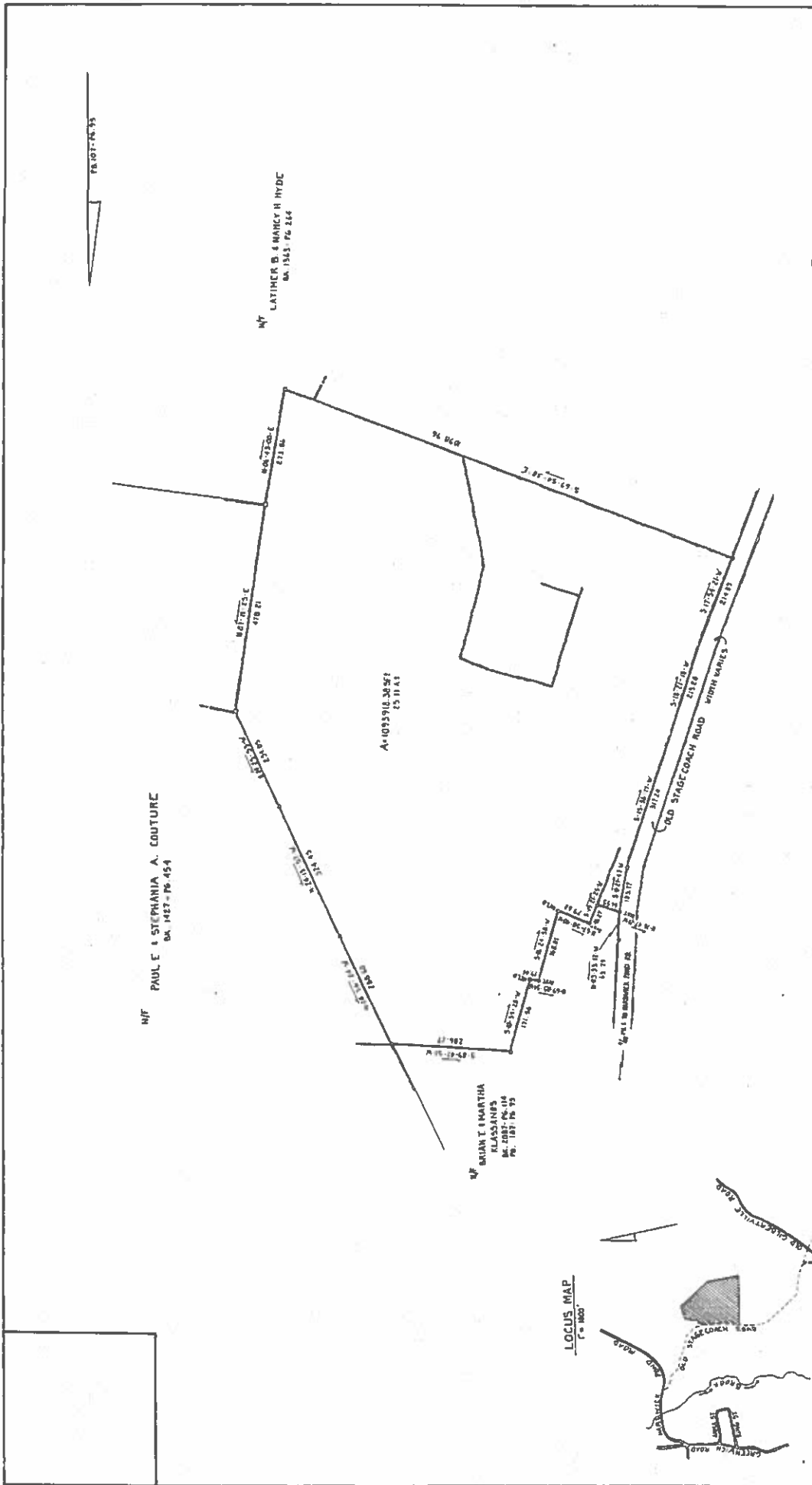
[Reduced Copy of OR Sketch] Plan of Premises

For official full size plan see [enter County] Registry of Deeds Plan Book _____ Page _____

[This plan/map must show the Premises. The CR area and any exclusions or building envelopes must be clearly labeled.]

If a party other than the PLS or other professional preparer of the Plan has added features (e.g., planned trails), this should be labeled as a 'Sketch Plan of Premises' and should clarify which features are not associated with the official copy.

If this is a copy of the full size plan that has not been altered in any way, then it should be labeled as a 'Reduced Copy of Plan of Premises'.]



<p>LEGEND</p> <ul style="list-style-type: none"> • IRON PIN FOUND • DRILL HOLE • STONE BOUND • POINT • STONE WALL 	<p>NOTES</p> <p>1 STREET LINE PER CH. 66, SECT. 2, H.G.L.</p> <p>2 OLD STAGE COACH ROAD IS REFERRED TO AS "THE ROAD LEADING TO THE OLD MARSH HILL" AND "THE ROAD TO THE HOUSE OF FOSTER WOODS" IN THE RECORDS OF THE REGISTRAR OF DEEDS, DA. 13453-PG. 244 AND THEIR PREDECESSORS. THE PRESENT STATUS IS UNKNOWN ALTHOUGH NO RECORD OF DISCONTINUANCE WAS FOUND.</p>	<p>I HEREBY REPORT THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF THE PROPERTY LINES SHOWN ON THIS MAP ARE CORRECT AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES OR WAYS HAVE BEEN ESTABLISHED SINCE THE DATE OF THE LAST SURVEY OF EXISTING OWNERSHIP OF THE PROPERTY SHOWN HEREON. THIS STATEMENT IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRAR OF DEEDS AND IS NOT A GUARANTEE OF THE ACCURACY OF THE PROPERTY LINES OR THE PROPERTY LINES OWNERS OF ADJACENT PROPERTIES ARE SHOWN ACCORDING TO CURRENT ASSESSMENT MAPS.</p>	<p>THIS SURVEY PLAN CONFORMS WITH THE TECHNICAL AND PROCEDURAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS. THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTRAR OF DEEDS.</p>	<p>PLAN OF LAND IN WARE OWNED BY LATIMER B. & NANCY H. HYDE DA. 13453-PG. 244</p> <p>1" = 100'</p> <p>0 1 2 3 4 5 CM 0 1 2 3 4 5 FT</p> <p>MARCH 27, 1989</p> <p>PL 121 TYPE</p> <p>WARE, MA.</p>
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**Attachment 3b - Open Space
Finn Woodland Acquisition
Old Stagecoach Road, Ware**

HARDWICK POND ROAD

OLD STAGECOACH ROAD



Drone Training in Massachusetts

1,500+ PILOTS TRAINED, CUSTOMERS RATE 4.9 OUT OF 5 STARS

“

Brad was great. Well thought out teaching progression, from preflight to actual flying. Knowledgeable, encouraging, patient. All good attributes in a teacher.

Craig C

“

I just wanted to pass along my experience after training with Brad Pierce today. Excellent on all counts. Brad was personable, patient, experienced, and enthusiastic. It was a great experience and paid for itself in terms of all the painful lessons I no doubt would otherwise have had to learn “the hard way” by simply slapping about on my own. I left the session feeling like I have a plan and mission to conquer. Brad is a fine representative for your company. I have friends who seem interested in the technology and you

“

It was a great experience! My instructor, Brad Pierce, provided a lot of information in a very digestible way. He shared a lot of anecdotal examples to reinforce what he was teaching. It was a very cold, blustery day, but he was able to teach me the fundamentals of flying the drone successfully. I would highly recommend him.

Henry M

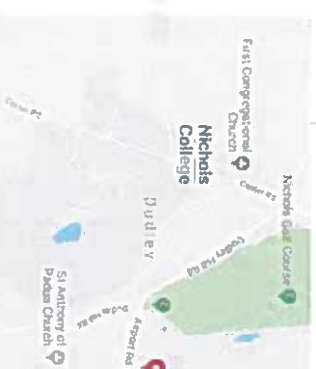
Book a Drone Training Class in Dudley, MA



Instructor: Brad Pierce

Brad Pierce's passion for aviation began in the 70s, and he earned his private pilot certificate in 1993. He has provided commercial drone services in the areas of mapping and volumetrics, land surveying, real estate and property inspection. Brad has experience teaching corporate consulting and course instruction at local colleges. He offers private and group instruction in the audio, music and sUAS disciplines and runs a local high-tech recording studio. Brad will take you through all the nuances of learning to fly sUAS, including flight maneuvers, airspace regulations, flight software, safety and emergency procedures. He can train you on his DJI Phantom 4 Pro or on any DJI drone that you bring.

Training Location



(<https://www.google.com/maps/place/64+Airport+Rd,+Dudley,+MA+01571/@42.0433024,-71.9232349,16.75z/data=!4m8!1m2!1m1!1sD71.92135-71.92135>)

Brad trains students at **Dudley Field, 64 Airport Road, Dudley, MA 01571**
(<https://www.google.com/maps/place/64+Airport+Rd,+Dudley,+MA+01571/@42.0433024,-71.9232349,16.75z/data=!4m8!1m2!1m1!1sD71.9213542>)

Browse Available Dates

Here's how it works — Use the buttons below to browse Brad's availability and to select a date and time for your training. We'll ask some additional questions and will then follow-up with you to confirm that your class has been booked.

 **BOOK A CLASS FOR 1 PERSON**
([HTTPS://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-DUDLEY?BACK=1](https://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-DUDLEY?BACK=1))

 **BOOK A CLASS FOR 2 PEOPLE**
([HTTPS://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-TWO-DUDLEY?BACK=1](https://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-TWO-DUDLEY?BACK=1))

 **BOOK A CLASS FOR 3 PEOPLE**
([HTTPS://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-THREE-DUDLEY?BACK=1](https://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-THREE-DUDLEY?BACK=1))

If you need to pay by check, by purchase order, wish to buy drone training as a gift to someone else, or have any other questions, please send an email to training@uavcoach.com (<mailto:training@uavcoach.com>) or call us at (888) 626-9052 (tel:8886269052)

Book a Drone Training Class in Shrewsbury, MA



Instructor: Brad Pierce

Brad Pierce's passion for aviation began in the 70s, and he earned his private pilot certificate in 1993. He has provided commercial drone services in the areas of mapping and volumetrics, land surveying, real estate and property inspection. Brad has experience teaching corporate consulting and course instruction at local colleges. He offers private and group instruction in the audio, music and sUAS disciplines and runs a local high-tech recording studio. Brad will take you through all the nuances of learning to fly sUAS, including flight maneuvers, airspace regulations, flight software, safety and emergency procedures. He can train you on his DJI Phantom 4 Pro or on any DJI drone that you bring.

Training Location



(<https://www.google.com/maps/place/Scandinavian+Athletic+Club+%2F+SAC+Park/@42.2589639,-71.7323346,16z/data=!4m5!3m4!1s71.7303815>)

Brad trains students at **Lake Street Fields, 430 Lake Street, Shrewsbury, MA 01545**
(<https://www.google.com/maps/place/Scandinavian+Athletic+Club+%2F+SAC+Park/@42.2589639,-71.7323346,16z/data=!4m5!3m4!1s71.7303815>)

Browse Available Dates

Here's how it works — Use the buttons below to browse Brad's availability and to select a date and time for your training. We'll ask some additional questions and will then follow-up with you to confirm that your class has been booked.

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([HTTPS://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-SHREWSBURY?BACK=1](https://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-SHREWSBURY?BACK=1))

 **BOOK A CLASS FOR 2 PEOPLE**
([HTTPS://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-TWO-SHREWSBURY?BACK=1](https://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-TWO-SHREWSBURY?BACK=1))

 **BOOK A CLASS FOR 3 PEOPLE**
([HTTPS://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-THREE-SHREWSBURY?BACK=1](https://CALENDLY.COM/DRONE-TRAINING-MASSACHUSETTS/PRIVATE-CLASS-THREE-SHREWSBURY?BACK=1))

If you need to pay by check, by purchase order, wish to buy drone training as a gift to someone else, or have any other questions, please send an email to training@uavcoach.com

FREQUENTLY ASKED QUESTIONS

Can I book a group of 4 or more?

Yes — we're happy to chat with your group about training options. Email training@uavcoach.com (mailto:training@uavcoach.com) or call us at (888) 626-9052

What kind of drone will I get to fly?

Our coaches train with DJI equipment — you'll be flying either a DJI Mavic, DJI Phantom, or DJI Inspire model. If you have questions about the **best professional drone models** (<https://uavcoach.com/professional-drones>), we're happy to help.

Can I bring my own drone?

Yes — many of our students prefer to fly with their own equipment. We'll ask you to make sure that your firmware is up-to-date, to fully charge your transmitter, phone/tablet and to bring extra batteries. We'll also ask that you've registered your drone through the **FAADroneZone portal** (<https://faadronezone.faa.gov>).

Do I need to be FAA Part 107 certified?

No — our instructors are certified and insured under our company policy, so you don't have to be. If you're interested in becoming a certified drone pilot, check out our **FAA certification guide** (<https://uavcoach.com/drone-certification>). We'd love to help you study!

What about inclement weather?

We won't make you fly in the rain! We'll work with you and your local flight instructor to reschedule.

Are you insured?

Yes — we hold an insurance policy that covers up to \$1 million in liability during the course of your training class. If you bring your own drone to the training, while we would not insure any damage to the drone itself, our liability policy still covers you.

Is this training class right for me?

Our students come from a wide variety of backgrounds and industries. If you're looking to go deep into the DJI Go 4 or DJI Fly app, explore intelligent flight modes and fail-safe settings and to really understand what to do before, during, and after your flight to not only fly safely but to comply with the regulations, then yes, we'd love to see you book time with us.

What's your cancellation policy?

Your flight training is 100% refundable if you cancel at least 3 days before your training date and 50% refundable if you cancel 2 days or less prior to your training date.

Is this a test prep class for the FAA Part 107 drone exam?

No — this is a hands-on drone flight class. If you want to get FAA-certified, check out our industry-leading **Part 107 online test prep and training course** (<https://dronepilotgroundschool.com>).

Can I buy a class for someone as a gift?

Absolutely! Please email training@uavcoach.com (mailto:training@uavcoach.com) or call us at (888) 626-9052

**TRAINING IS TAILORED TO YOUR
SKILL LEVEL AND GOALS
DURING A TYPICAL SESSION YOU WILL:**

- **Meet with an expert and friendly instructor** in a convenient outdoor location, like a park or athletic field
- **Learn on a popular DJI drone model** provided by the instructor
- **Have 30-45 minutes of hands-on flying time** to master orientation, basic flight maneuvers and more advanced flight skills
- **Walk through** the DJI Go 4 or DJI Fly app
- **Learn how to handle obstacles** such as lost GPS, low battery charge or emergencies
- **Practice flying** under various intelligent flight modes
- **Capture photo and video** at your flight location
- **Understand best practices** of being a safe drone pilot
- **Ask questions** about regulations, software, flight operations management, and more

≡ SEE SAMPLE CLASS OUTLINE
([HTTPS://UAVCOACH.COM/WP-CONTENT/UPLOADS/2019/03/UAV-
COACH-SAMPLE-FLIGHT-LESSON-PLAN.PDF](https://uavcoach.com/wp-content/uploads/2019/03/uav-coach-sample-flight-lesson-plan.pdf))

**DOES YOUR TEAM NEED HANDS-ON DRONE
TRAINING?
WE WORK WITH COMPANIES AND
ORGANIZATIONS**



An engineering team of four from Amgen (<https://www.amgen.com/>) needed to survey vertical structures. We set up a custom drone training with one of our Los Angeles instructors.



Southeastern Building Corporation (<https://www.southeasternbuilding.net/>) wanted to use drones to capture aerial images of their residential and commercial construction projects. Our Nashville drone instructor trained two of their employees.



The Rutherford County GIS Department (<http://gis.rutherfordcountyn.tn.gov/>) needed to **survey land and infrastructure for things like development projects and flood zones**. Our Nashville instructor trained three of their team members.



Fort Valley State University (<https://www.fvsu.edu/>) wanted to train 10 graduate students in their Engineering Technology Department to **conduct research projects with their DJI Phantom**. We built a half-day custom training with two instructors and two drones.

1,500+ PILOTS TRAINED, CUSTOMERS RATE 4.9 OUT OF 5 STARS

“

Brad was great. Well thought out teaching progression, from preflight to actual flying. Knowledgeable, encouraging, patient. All good attributes in a teacher.

Craig C

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Brad is a fine

representative for your company. I have friends who seem interested in

the technology and you guys are the best at it. I would recommend you to them to UAV Coach and

Brad. Thanks, folks!

Jonathan J. PERSON

“

It was a great experience! My instructor, Brad Pierce, provided a lot of information in a very digestible way. He shared a lot of anecdotal examples to reinforce what he was teaching. It was a very cold, blustery day, but he was able to teach me the fundamentals of flying the drone successfully. I would highly recommend him.

Henry M

PRICING FOR INDIVIDUALS AND GROUPS

\$ 285

① 2 hours

GROUP OF 2

\$ 470

① 25 hours

GROUP OF 3

\$ 585

① 3 hours

FLYING YOUR DRONE IN MASSACHUSETTS

Before your training class, it might be helpful to familiarize yourself with the drone laws in **Massachusetts** (<https://uavcoach.com/drone-laws-massachusetts/>).

If you are flying a drone for fun, you are considered a 'recreational' pilot and should be following the **Recreational Flyers & Modeler Community-Based Organizations rules** (https://www.faa.gov/uas/recreational_fliers/). You'll need to complete **The Recreational UAS Safety Test (TRUST)** (<https://uavcoach.com/faq-recreational-drone-training/>), register your drone, and understand where you can and cannot fly.

If you are flying a drone for 'commercial' purposes, you'll need to get your FAA drone pilot certificate. This takes about 15-20 hours of studying and requires you to pass a 60-question multiple-choice exam. **Here's more information about how to get your drone pilot license** (<https://www.dronepilotgroundschool.com/drone-license/>).

And for fun, here's a list of the **best places to fly your drone in Boston** (<https://uavcoach.com/where-to-fly-drone/boston/>). Blue skies and safe flying out there!

DRONE FLIGHT TRAINING AT A GLANCE



Training Sessions

Individual or small group sessions

from 2-3 Hrs

typically start at 2 hours and go up to 3 hours with a larger group — this lets each student get plenty of hands-on 'stick time.'



FAA-Certified Part 107 Pilots

Our instructors are professional, experienced and friendly. All are FAA-certified as Remote Pilots and many have military and commercial aviation experience.



Flight Ops & Intelligent Flight Modes

Take your knowledge to the next level with flight operations apps, pre-flight and post-flight checklists, intelligent flight modes and more.



DJI Equipment & Software

We use popular DJI models to teach you the ins and outs of both the drone hardware and the flight software — transferable knowledge if you're already flying or plan to fly a DJI system.



Multicopter Flight Proficiency

Gain confidence, learn how to handle emergencies and feel in control of the drone. Practice flying both basic and advanced maneuvers.



Regulatory Compliance & Safety

Learn the rules about where and when
you're allowed to fly and stay smart,
safe and compliant.

COMPANY

[Our Mission](https://uavcoach.com/mission/) (<https://uavcoach.com/mission/>)
[Careers](https://uavcoach.com/careers/) (<https://uavcoach.com/careers/>)
[Meet Our Team](https://uavcoach.com/team/) (<https://uavcoach.com/team/>)
[Giving Back](https://uavcoach.com/giving-back/) (<https://uavcoach.com/giving-back/>)
[Advertise](https://uavcoach.com/advertise/) (<https://uavcoach.com/advertise/>)

DRONE TRAINING

[FAA Recreational Flyer Training](https://uavcoach.com/faa-recreational-drone-training/) (<https://uavcoach.com/faa-recreational-drone-training/>)
[FAA Part 107 Test Prep](https://dronepilotsroundschool.com) (<https://dronepilotsroundschool.com>)
[Hands-On Drone Training](https://uavcoach.com/drone-training/) (<https://uavcoach.com/drone-training/>)
[Virtual Drone Coaching](https://uavcoach.com/virtual-drone-training/) (<https://uavcoach.com/virtual-drone-training/>)

INDUSTRY

[Industry News](https://uavcoach.com/news/) (<https://uavcoach.com/news/>)
[Drone Jobs](https://uavcoach.com/uav-jobs/) (<https://uavcoach.com/uav-jobs/>)
[Drone Companies](https://uavcoach.com/drone-companies/) (<https://uavcoach.com/drone-companies/>)



(<https://www.instagram.com/uavcoach/>)



(<https://www.youtube.com/channel/UCNeUA6QRw76dyH4cBnmhQ>)



(<https://www.linkedin.com/company/uav-coach/>)



(<https://www.facebook.com/uavcoach/>)



(<https://twitter.com/uavcoach>)

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Posted: Jun 1, 2022 / 04:35 PM EDT
Updated: Jun 1, 2022 / 11:26 PM EDT

SHARE



WARE, Mass. (WWLP) – The Ware Police Department may soon have a new place to call home.

Ware man sentenced to prison for trafficking cocaine ➤

At a press conference Wednesday afternoon, the town of Ware announced a plan to rehab the former Country Bank headquarters on Main Street into the Ware Police Headquarters. The town would have to spend approximately \$8 to \$10 million to build a new Police Station.

Rehabbing the former Country Bank location instead saves the town millions. Both Country Bank and the Ware Police Department welcomed the proposed move, saying the police department has outgrown its current space.

A town meeting will need to vote to approve the funding in an upcoming meeting.

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AROUND THE WEB





TOWN OF WARE

Town Manager

126 Main Street

Ware, MA 01082

413-967-9648 x100

Town Manager Updates June 7, 2022

Construction on Bank Street (CDBG) continues and has progressed to improvements on Park Avenue. The Rail Trail grading will utilize funds to continue work an additional 900 feet. Recent heavy rain caused some erosion. The discussed kiosk is being designed for both the rail trail and the adjoining blue trail connections to the Ware River.

Ludlow Construction has returned to Main Street. In addition to final work, they will replace some of sidewalk work.

Drainage repairs at the Grenville Park ballfield. This should be completed in less than two weeks.

Grants:

The Town Planner was successful with another grant that will improve street safety along West Street. The grant will fund pedestrian crossing signs with lights.

Jay Mooney submitted two one stop applications on behalf of the town – the analysis and feasibility of the Mary Lane site, and continued improvements at the Monroe street Brownfield site. Additionally Town staff assisted five downtown businesses to varying degrees with their applications. Results should be know in early Fall.

The Town is working with the Pioneer Valley Planning Commission for technical assistance funding to review bylaw changes for the regulation of large scale battery storage .

The Grants Coordinator is next working on grants for additional public safety staffing and improvements to the Parks. In early July, the State Revolving Fund (Water/Sewer infrastructure) applications are due. Likely candidates are the water tanks.

Swimming – The town has discussed options with the Belchertown recreation department for providing swim lessons in the Belchertown pool. This will be further discussed with the Pakrs commission on Monday evening.

Regional Schools. A conversation was held with the chair of the Granby Finance Committee who graciously talked with me while on vacation. The Committee's concern was that if a new school is needed it would have a cost over \$50 million. Concern that tax payers may not support an override. The Finance Committee suggested, therefore that the

Town look at all opportunities **IF** the town does not pass an override to fund. This could include the existing high school, school choice out, or other methods of providing space. It was not the intent of the Finance Committee to jump to regionalization. The Finance Committee suggest the Selectboard hire a consultant to run a review process. Once the process was complete, then Granby could consider reaching out to other towns.

The small pump station at the end of Buckley Court lost its roof this week. The Town is receiving quotes for repairs. It will also take the opportunity to review any needed maintenance on the pump, which is used for flood control.

Personnel:

Director of Public Works- Geoff McAlmond started 5/23/2022. Has had tours and continues meetings with other department heads.

Administrative Assistant to the Assessor and Board of Assessors- accepting resumes
Administrative Assistant to the Director of Planning and Community Development submitted two week notice- posted internally 6/2/2022

Drug Free Communities Community Engagement Coordinator- Maggie Paul started 6/6/2022

Waste Water Service Operator- Jeff Tweedie starts 6/21/2022

Project Coordinator for Community Health- posted 6/1/2022

Some additional information about timing for an Underride vote:

Prop 2 ½ Questions are placed on the ballot by the Local appropriating body – Board of Selectmen (MGL Chapter 59 §21 (c).

For a State Election notice must be received by the state no later than the 1st Wednesday of August (8/3/2022). Cannot be on primary.

All questions must be worded per statute (DOR Prop 2 ½ Questions – Ballot Forms/Appendix A)

Vote must be taken by BOS and given to Town Clerk who shall submit to Elections Division in a word document.

Notice to Elections Division via email and certified hard copy by Town Clerk to state.

For a local ballot question –

Board of Selectmen must vote the question **exactly as it will appear on the ballot.**

Vote must be taken and written notification made to Town Clerk by a majority vote of the Board of Selectmen.

Town Clerk must have 35 days to schedule the election after being notified. (Legal holidays and Sundays can be counted in the computation of time)