

Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

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

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

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

Meeting ID: 784 604 1861

Passcode: 01082

Phone: 929-205-6099

Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda

- **Approval of January 4, 2022 Meeting Minutes**

Scheduled Appearances

- **Approval of Appointment of HR Director, Justine Caggiano**

Old Business

- **Discussion on ARPA Funds, COVID-19 Rapid Test Kits, Essential Worker Bonuses**
- **Finance Committee, ARPA, Request for Community Meeting**

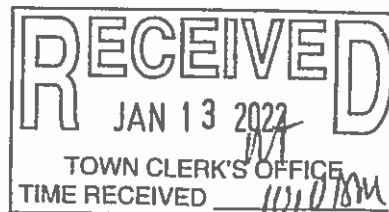
New Business

- **Review of Dumpster Fees (527 CMR Section 34)**
- **PCD Director Recommendations on Plowing and Sanding Unfinished Subdivision Roads- Winter 2021/22**

Comments and Concerns of Citizens

Town Manager Report

Adjournment





Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Minutes – Tuesday, January 4, 2022 at 7:00 p.m.

6:30 p.m. – Executive Session: M.G.L. Chapter 30A, Section 21 (a) Contract Negotiations

7:00 p.m. – Regular Meeting

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

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

Meeting ID: 784 604 1861

Passcode: 01082

Phone: 929-205-6099

Present: Selectman Thomas H. Barnes, Chairman Keith J. Kruckas, Vice-Chairman John J. Morrin, Town Manager Stuart B. Beckley, Executive Assistant Christopher J. Nolan, Police Chief Shawn Crevier, Fire Chief Christopher Gagnon

Absent: Selectman Nancy J. Talbot

Present via Zoom: Selectman Caitlin M. McCarthy, Lynn Nenni, Kayleigh Goodrow, Eileen Kennedy from Ware River News, Stanley Ciukaj from Ware Community Television

Meeting Opened by Chairman Kruckas as 7:00 PM.

Opening Remarks, Announcements, and Agenda review by Chair

- None

Consent Agenda

- Approval of November 16, 2021, November 23, 2021, and December 7, 2021 Meeting Minutes
- Approval of 2022 Board of Selectmen Meeting Dates (see attached list)
 - Vice-Chairman Morrin asked Selectman Barnes for clarification on a previous comment he made regarding issues with some wording in former minutes.
 - Selectman Barnes answered that he had taken issue with the Town Manager and Executive Assistant's initial handling of his request for a Master Town Calendar, but that the issue had since been resolved.

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

Scheduled Appearances- none

Old Business

- **Discussion on ARPA Funds, Essential Worker Bonuses**
 - Mr. Beckley directed the Board to the packet summary he had provided on this topic, including a timeline of how the pandemic affected the operations of various Town departments.
 - Mr. Beckley noted that some larger cities in the area had been allotting ARPA funds to provide bonuses for their essential workers, but that local towns comparable in size to Ware had not yet taken such measures.
 - He stated that the Governor had placed a cap at \$2,000 per employee for such bonuses.
 - Vice-Chairman Morrin interjected that the \$2,000 maximum only applied to municipalities funding non-governmental workers who were deemed essential, and that the Board was following the model implemented by Springfield on this topic.
 - Chairman Kruckas stated that only employees who never had the opportunity to work from home should be considered for bonuses.
 - Mr. Beckley interjected that despite differences in location, all Town employees continued to perform the duties assigned in their job descriptions throughout the pandemic.
 - Vice-Chairman Morrin recommended the Board consider utilizing Springfield's model, which implemented a three-tier approach for worker bonuses based on risk exposure.
 - Chief Crevier argued that the Police and Fire Departments never stopped serving the community, despite the risk posed to first responders by the virus, and that the Police and Fire stations were never able to lock their doors from those who needed assistance.
 - Mr. Beckley disputed this, stating that the front door of the Fire Department was locked for a period of several months where visitors were not allowed inside the station.
 - Chief Crevier argued that the Police and Fire Departments do most of their work outside of their own facilities, and that police officers and firefighters risked their own health each day by coming to work to serve the community.
 - Mr. Beckley interjected that Town Hall employees who continued coming to work were also at risk.
 - Selectmen McCarthy argued that working in hazardous conditions is a normal expectation made clear to employees of the Police and Fire Departments as part of their jobs, for which they are already compensated fairly.
 - Chief Crevier disputed this, claiming that typical hazardous conditions do not consist of serving the public during a public health emergency that lasts a year and a half.
 - Mr. Beckley reminded the Board that Springfield is a much larger city which received more ARPA funding overall than Ware, warning the Board that the two municipalities were not a fair comparison.
 - Selectman Barnes cited the Town's failure to spend the entirety of its CARES Act funding from the State and expressed fear of this occurring with ARPA money. He also expressed the need to ensure retention of employees from the Police and Fire Departments.
 - Chairman Kruckas commented that Chief Crevier's request for \$10,000/employee in his Department may be a bit steep, but that \$5,000/employee may be more reasonable.
 - Selectman Barnes argued in favor of splitting the difference between these two numbers and opting for a bonus of \$7,500/employee.
 - Mr. Beckley reminded the Board of the Town's custodial staff, for whom bonuses have also been discussed.
 - Chief Crevier stated that full-time employees of the Police Department eligible for the bonuses numbered 18.5, and Chief Gagnon cited 20 of them in the Fire Department.
 - Mr. Beckley calculated that awarding \$7500 to each of these employees would equate to roughly \$300,000 of the Town's ARPA funds spent.
 - He reiterated that the Town was originally awarded just over \$2.9 million in ARPA money, and that \$415,000 had already been approved by the Board before this meeting.

- Chairman Kruckas announced that the Board would focus on approving bonuses for Police and Fire immediately, and focus on ironing out the details for other essential Town personnel to be approved at a future meeting.

Selectman Morrin made the motion to approve the awarding of hazard pay bonuses to each full-time employee of the Police and Fire Departments at a rate of \$7,500/employee. Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Talbot).

- Chief Crevier inquired when his officers could expect to receive their payments.
- Mr. Beckley predicted that they could be prepared for two paychecks into the future, meaning January 20th.
- Vice-Chairman Morrin requested that Mr. Beckley provide the Board with a fine-tuned list of personnel at the next meeting, with evaluation of who was at the most risk for exposure to the virus on a day-to-day basis.
- Chief Crevier thanked the Board for their support of his Department.
- Mr. Beckley inquired with the Board about their openness to using ARPA funding for purchasing COVID-19 Rapid Test Kits from the State, which was selling them for roughly one-third of store price.
- Chairman Kruckas expressed displeasure with rumors he heard that some of the test kits received by the Town in recent weeks were unintentionally leached to residents of other communities.
- Mr. Beckley expressed the importance of spreading public health awareness, and increasing the ease with which community members can be tested for COVID.
- Selectman Barnes inquired whether rapid tests were regarded as reliable.
 - Vice-Chairman Morrin implored him to read up on this topic, and that the current data suggested their reliability was spotty.
- Chairman Kruckas encouraged Mr. Beckley to investigate whether any component of CARES Act spending had been given an extension, and that rapid test kits could be purchased with that if it was still available.
- **Update from Licensing Clerk on Section 12 Liquor Licenses, Hardship Letters, Revenue**
 - Mr. Nolan noted that at their November 16, 2021 Meeting, the Board had approved waiving the Renewal Fee for any Section 12 Liquor Licensee that could produce a hardship letter.
 - Every eligible establishment ended up providing a letter to have their fee waived.
 - Mr. Nolan provided a spreadsheet detailing the revenue that was generated from License Renewal fees versus what was covered by hardship letters.
 - Chairman Kruckas expressed displeasure with the Town's loss of revenue from the acceptance of so many hardship letters, and argued that some have returned to pre-pandemic levels of business.
 - Mr. Nolan stated that if the opportunity to waive license renewal fees were to be approved again in future years, his office could seek to require more stringent documentation of legitimate hardship, such as data on sales revenue or customer traffic.
 - Mr. Nolan also named two alcohol licenses which were not renewed.
 - #03731-RS-1326- Wicked Wings Ware Inc. d/b/a Wicked Wings Co. (closed for business October 2021)
 - #04851-CL-1326- Melha Shriners (announced intention to not renew late December 2021)

New Business

- **Appointment: Elena Palladino, Historical Commission**

Selectman Barnes made the motion to appoint Elena Palladino to the Historical Commission. Selectman

Morrin seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Talbot).

- **Review of Dumpster Fees (527 CMR Section 34)**
 - Chairman Kruckas announced that this discussion had been rescheduled for the January 18, 2022 meeting.


Comments and Concerns of Citizens- none

Town Manager Report

- The Decorations Committee is seeking volunteers for taking down the Holiday Decorations on Saturday, January 8.
- Regional Animal Shelter Update- The Town of Monson acquired a facility that could be converted into the regional animal shelter for a far cheaper cost than rebuilding the current site in Palmer.
 - Chairman Kruckas cited numerous complaints he hears regarding residents' difficulties reaching the Animal Control Officer on the phone. He emphasized the need for her to be given a cell phone to use while on duty.
 - Mr. Beckley responded that both Ware and Monson have offered similar such proposals before.
 - Chairman Kruckas remarked that the Town was paying for a service that it was not receiving, while the Ware Police and Fire Departments are forced to handle animal-related calls themselves.
- Personnel- Interviews for the currently vacant HR Director position are ongoing. The newly-approved Grants Manager position is posted online, but has not drawn as many applicants as would be desired. Laura White will be starting as Administrative Assistant in the Planning & Community Development Department on Monday, January 10.
- Assessors Office- David Burgess, the retired former Assessor with the Town of Amherst, is set to begin helping in the Assessors Office one day a week to partially fill the role of Full-Time Assessor, which has been vacant for several months.
 - Selectman Barnes commented that Deanna Lavigne, Administrative Assistant in the Assessors Office, should be given the proper training should she wish to step into the role herself.
 - Mr. Beckley stated that this possibility was an ongoing discussion with Regional Resource Group.
- Planning & Community Development- The Town recently submitted a grant application for re-surfacing and drainage improvements in the Pleasant Street municipal parking lot, as well as sidewalk improvements on Main and West Streets.
- The DPW was beginning the work of tree maintenance around the Church Street water tank in order to prepare for further stages of the water tank rehabilitation project for this tank, as well as the one on Anderson Road.
- Chairman Kruckas expressed the wish to amend the earlier motion regarding hazard pay stipends for Police and Fire to also include the two members of the Town's custodial staff (at a prorated amount in accordance with their part-time status).
- Chairman Kruckas thanked the community and especially Mr. Clayton Sydla for his dedication in obtaining the new decorative streetlights recently put up Downtown.
- Vice-Chairman Morrin expressed his wish to inform the Finance Committee that his main goal for the new year would be lowering taxes, while also completing as many Capital Improvements as possible. He called for more overall financial transparency, and demanded that an agreement must be reached with Resource Waste for their proposed expansion to generate revenue for the Town.
- Selectman Barnes argued that Disability Awareness Committee member Steven Hawk, who is also serving as the Town's ADA Coordinator, is in need of a Town-issued email address.
 - Mr. Beckley stated that he would work to get this set up.

Adjournment

Selectman Morrin made the motion at 7:52 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 Talbot).

Attest: 
Christopher J. Nolan
Executive Assistant to Town Manager

Approved ARPA Expenditures (updated 01/04/2022)

| | Approved Amount | Estimated Cost | Date Approved | Available Balance |
|--|-----------------|----------------|--|-------------------|
| | | | | \$2,902,684 |
| WWTP Influent Screen Design | (entire amount) | \$265,000 | 12/7/2021 | \$2,637,684 |
| Hiring of Grant Coordinator Position | (entire amount) | \$150,000 | 12/7/2021 | \$2,487,684 |
| Essential Personnel Hazard Pay Stipends- Police, Fire, Custodial | (entire amount) | \$296,250 | 1/4/2022 | \$2,191,434 |
| (WWTP Influent Screen Construction) | (entire amount) | \$1,500,000 | (not yet approved, but anticipated for approval) | \$691,434 |



Memo

To: Board of Selectmen

From: Christopher J. Nolan

Date: January 12, 2022

Re: Request for Approval of COVID-19 Rapid Test Kit Order

Selectmen – After discussion with the Town Manager and Health Director, I hope you will consider allotting \$16,416 from the Town’s remaining pool of ARPA money to fund the purchase of 864 COVID-19 Rapid Test Kits as part of an ongoing program by the State’s Executive Office of Health and Human Services.

Kayla Rosario-Muñoz, Media Relations Manager for this office, announced in a press release on December 29, 2021, that the State would be allowing municipalities to place orders for these test kits at state-negotiated prices, which are lower than they are selling for in stores. The State’s contract is with three test-kit manufacturers; Ellume Limited, iHealth, and Intrivo, with more contracts expected to be awarded as part of the program in the coming months. The kits will cost \$19 each, and the \$16,416 represents a high estimate if all kits were purchased at the full price (in reality, the cost of 864 test kits will potentially be lower). The quantity of 864 is based largely on recommendations and examples set by similarly-sized municipalities in our region who have approved or plan to approve expenditure of ARPA funds for this same purpose. This sum would consist of three pallets with 288 kits each.

As COVID-19 cases continue to break new records every week in our community, many residents are in need of assistance with obtaining tests. Not only does the cost of purchasing rapid tests at more than \$20 each add up quickly for families, but the kits have been difficult to come by as well with high demand and limited supply. Finding PCR tests has been similarly challenging, with many being forced to wait for several hours in line at established testing sites like the one at Eastfield Mall in Springfield.

Approving the use of just over \$16,000 worth of ARPA money toward buying this set number of rapid test kits would immensely benefit the community, and determinations could be made on how many would be reserved for Town personnel, versus how many would be distributed openly to Ware residents (with proper ID). If more are needed in the future, another request could be filed.

Thank you for your consideration,

Chris Nolan
Executive Assistant to Town Manager & Select Board



TOWN OF WARE

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

January 18, 2022

To : United States Department of the Treasury

From : Town of Ware Select Board

Subject: Premium Pay Justification, Police Chief

The Select Board for the Town of Ware, Massachusetts respectfully requests approval of premium pay for Police Chief Shawn Crevier. The Board has approved premium pay for its front line first responders in the police department. The Board believes it just and fair to include the Police Chief who worked full time each day, leading department operations during the public health emergency. Premium pay for the police department was determined to be a proper response due to the department's officers and leadership daily responding to public need. The Chief was an equal participant. They all put personal and family health at risk in the completion of their public safety duties.

Thank you for your consideration. If you have questions, please contact Town Manager Stuart Beckley at 413-967-9648 or sbeckley@townofware.com.

Keith Kruckas, Chairman
Select Board



TOWN OF WARE

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

January 18, 2022

To : United States Department of the Treasury

From : Town of Ware Select Board

Subject: Premium Pay Justification, Fire Chief

The Select Board for the Town of Ware, Massachusetts respectfully requests approval of premium pay for Fire Chief Christopher Gagnon. The Board has approved premium pay for its front line first responders in the police department. The Board believes it just and fair to include the Fire Chief who worked full time each day, leading department operations during the public health emergency and participating in ambulance operations. Premium pay for the fire department was determined to be a proper response due to the department's firefighter/EMTs and leadership daily responding to public need and health crises. The Chief was an equal participant. They all put personal and family health at risk in the completion of their public safety duties.

Thank you for your consideration. If you have questions, please contact Town Manager Stuart Beckley at 413-967-9648 or sbeckley@townofware.com.

Keith Kruckas, Chairman
Select Board



Ware

MASSACHUSETTS

Finance Committee
126 Main Street
Ware, MA 01082

January 7, 2022

To: Town of Ware Board of Selectman

From: Town of Ware Finance Committee

Regarding: Recommendation for Public Hearing on Use of ARPA funds

At their January 6, 2022 Finance Committee meeting the Finance Committee members voted unanimously to recommend the Board of Selectman conduct a public hearing on the use of ARPA funds from the attached list of projects brought forth by the ARPA Funds Use sub-committee and prepared by the Department heads, Town Manager and Board of Selectman of the Town of Ware.

Background:

The Town of Ware has been awarded a \$2.9 million grant from the American Rescue Plan Act (ARPA).

At the November 23, 2021 meeting the Board informally agreed to form a subcommittee comprised of the Town Manager, Department Heads and Finance Committee members to make recommendations to the Board on the best use of funds based on the allowable uses defined in the grant. In addition, the Finance Committee made the following recommendations to the Board on the use of funds:

\$ 1.5 million for purchase of a WWTP screen

\$ 300,000 to prepare bid specifications and design the rehabilitation of water tanks on Church Street and Anderson Road.

At the December 7, 2021 meeting the ARPA subcommittee presented a list of eligible costs and projects (attached).

To date the following items have received Board approval or are under consideration to move forward at a total approximate cost of \$726,000:

\$130,000 to hire a grant coordinator for 2 years

\$300,000 for the design of a WWTP screen

\$296,000 for a \$7,500 stipend for each member of the Police and Fire Departments and Custodians for work performed during the Covid pandemic. Additional stipends for other Town employees are also being explored.

Our recommendations for spending of ARPA funds were based upon the belief the Town could best be served by using the majority of funds to purchase eligible infrastructure or capital items in order to avoid financing costs, which would reduce future tax burdens, with the remainder used to pay for public health improvements for residents and business that have been negatively impacted by the pandemic.

It is within the Board's authority to decide how these funds are used. Given the amount of funding available and the breadth of impacts it may have upon the town's infrastructure along with employees, residents and businesses impacted by COVID, the Finance Committee recommends seeking input from the community through a public hearing. This will help inform the Board, validate the funding recommendations we have made, and aligns with the process used by many other communities.

If we can be of further assistance as you consider the use of the ARPA funds, please contact me.

Respectfully Submitted,

Lynn Nenni

Devin Peterson

Ken Willette

Terry Smith

| Project/Program | ARPA Qualifying Category | Estimated costs | Potential Other sources |
|--|--------------------------|-----------------|---|
| Bulky - Drop Off, Pick Up | 1 | 20,000 | Budget |
| Social/Emotional - Mental Health | 1.1 | 25000 | |
| Substance Use Education/Response | 1.11 | 50000 | Marijuana impact fund |
| Update Emergency Plans | 1.12 | 25000 | |
| HVAC Town Public Buildings | 1.7 | 100000 | |
| Health Supplies | 1.5 | 50,000 | |
| Total Section 1 -Public Health | | | 270,000 |
| | | | |
| Food Distribution | 2.1 | 50000 | Food Bank |
| Transportation | 2.1 | 50000 | QCT grants |
| Grant Writer/Management | 2.13 | 25000 | |
| Housing Support - Eviction Foster Care Support, child Care | 2.5 | 25000 | |
| Employment Assistance - Job Fair, | 2.7 | 10000 | |
| Sprinklers | 2.9 | 75000 | |
| Small Business Help | 2.9 | 75000 | |
| Downtown improvements to support business | 2.9 | 50000 | Street grants |
| Total Section 2 - Response to Negative Economic Impact | | | 360000 |
| | | | |
| Youth Programs | 3.13 | 50000 | Target Area |
| Recreational Activity - | 3.13 | 10000 | |
| Cruiser/Body Cameras | 3.16 | \$0 | Public safety grant rec'd |
| Total Section 3 - Disproportionately impact populations | | | \$60,000 |
| | | | |
| Premium pay - essential works | 4.1 | | |
| Total Section 4 - Premium pay | | | 0 Budget |
| WWTP screen for solids | 5.1 | 1,500,000 | |
| Park Infrastructure - Water, Bathrooms | 5.11 | 25000 | |
| Water Tank engineering, procurement | 5.14 | 300000 | Enterprise, Federal Infrastructure \$s, \$2 million |
| Extend Broadband Webster | 5.16 | 50,000 | |
| Broadband improvements - downtown | 5.17 | 50,000 | |
| Residential water filters PILOT | 5.10/2.2 | 10000 | Enterprise |
| Fiber - Link School to Town | 5.17 | | ESSR |
| Connect Replacemtn Wells | | | |
| Coat and Clean Cistern | | | |
| SCADA (Alam/Control) updates | | | |
| Replace Sewer Line on Park Ave. | 5.2 | 0 | Match CDBG funds on Bank Street project, 40000 |
| construct Old Poor Farm culvert | 5.6 | 0 | State culvert program (\$400,000) |
| Total Section 5 - Inrastructure | | | 1,935,000 |
| | | | |
| Cameras - Security - Buildings, Park, Public Ways, entry security, remote access | 7.2 | 80,000 | (Fire, Town Hall, Park) |
| Town Hall/downtown Parking | 2.9/6.1 | 75000 | |
| Playground - Pool, Park | 3.13? | | |

9.71%

12.95%

2.16%

0.00%

69.60%

| | | | | | |
|-----------------------------------|--|---------|---------------|---|--|
| Total 7 and others - Admin | | | 155000 | | |
| Pool (restore/replace) | | 0 | | State climate, 1.5 million, time constraint | |
| Pool Assessment | | 75,000 | | State ARPA | |
| Underpass | | 20000 | | Chapter 90 | |
| | | | | | |
| | | | | | |
| Ambulance | | 350,000 | | | |

Total \$2,625,000 \$2,625,000
 With Miscelaneous/7 \$2,780,000 \$2,780,000

Public Health 9.71%
 Response to Negative Economic Impact 12.95%
 Disproportionate Impact 2.16%
 Premium Pay undetermined
 Infrastrucutre 69.60%
 Lost Revenue
 Administrative Miscellaneous 5.58%



TOWN OF WARE FIRE DEPARTMENT

Christopher Gagnon
Fire Chief

James E Martinez
Deputy Chief

200 West Street Ware, Massachusetts 01082
Station (413) 967-5901* Office (413) 967-9631* Fax (413) 967-9632
Email Chief- cgagnon@towofware.com Email Deputy- jmartinez@townofware.com

Dumpster Permit

Date: _____

Dumpster Company Name: _____
Emergency contact information of Dumpster Owner: _____

Contact information of Dumpster Owner: _____

Location of Dumpster; _____

Size of Dumpster; _____ Dumpster Equipment: _____
(IE. Compacter attached / Covered / open)

Town License Number ; _____ (available at Board of Health Office)

Pick-Up Schedule _____ (Permanent- Weekly / monthly)
(Temporary placement- Drop off and removal Dates)

Type of refuse intended for the Dumpster _____

Pursuant to 527 CMR, section 19.1.1 will obtain a permit from the head of the fire department for rubbish containers six cubic yards or greater

All dumpsters placed for fourteen (14) days or greater will be assessed a permit fee of \$50.00. Any nonconforming dumpsters can be assessed triple the permit fee cost, fined per 527 CMR 19.1.1 & 527 CMR 1.04 or both. All checks to made payable to:
Town of Ware

Faxed copies: This permit needs to be in place before the dumpster placement. For short notice placements a faxed copy of this permit will be acceptable for inspection purposes. A hard copy and permit fee (if acceptable) and mailed forthwith.

527 CMR: BOARD OF FIRE PREVENTION REGULATIONS

527 CMR 34.00: RUBBISH HANDLING

Section

- 34.01: Scope
- 34.02: Definitions
- 34.03: Permits Required
- 34.04: Special Hazard Rubbish
- 34.05: containers
- 34.06: Waste Storage Rooms
- 34.07: Waste Chutes
- 34.08: General
- 34.09: Referenced Publications

34.01: Scope

527 CMR 34.00 shall apply to the storing or handling of combustible rubbish inside of or in the vicinity of any building or structure.

34.02: Definitions

For the purpose of 527 CMR 34.00, the following terms shall have the meanings respectively assigned to them:

Building: A structure enclosed within exterior walls or firewalls, built, erected and framed of a combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals or property. For the purpose of this definition, "roof" shall include an awning or similar covering, whether or not permanent in nature. The word "building" shall be construed where the context requires as though followed by the words "or parts thereof".

Combustible Rubbish: Any fragmented combustible material regardless of value, and any combustible waste material, including floor sweepings, paper packing, upholstery materials, cardboard, shavings, wood scrap, furniture, hay, straw, grass, combustible fiber materials, clothing, bed clothing, by-product waste from industrial operations, mixtures of any of these, or similar combustible materials in any proportions.

Listed: Equipment or materials included in a list published by an organization acceptable to the Marshal, and concerned with product evaluation, that maintains periodic inspection of production of listed equipment or materials and whose listing states either that equipment or materials meet appropriate standards or have been tested and found suitable for use in a specific manner.

Owner: Every person who alone or jointly or severally with others:

- (a) has legal title to any building or structure; or
- (b) has care, charge, or control of any building or structure in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or
- (c) lessee under a written letting agreement; or
- (d) mortgagee in possession; or
- (e) agent, trustee or other person appointed by the courts. Each such person shall to comply with the provisions of 527 CMR 34.00.

Self-Closing Fire Door: A fire door that returns to the closed position when opened and released and which in combination with a frame, hardware, and other accessories provides a specific degree of fire protection to the opening.

Structure: A combination of materials assembled at a fixed location to give support or shelter, such as a building, framework, retaining wall, tent, reviewing stand, platform, bin, fence, sign, flagpole, recreational tramway, mast for radio antenna, or the like. The word "structure" shall be construed, where the context requires, as though followed by the words, "or part or parts thereof".

527 CMR: BOARD OF FIRE PREVENTION REGULATIONS

34.02: continued

Waste Compactor: Any device using electrical, hydraulic or mechanical means to reduce the volume of waste and package it into a smaller unit of size.

Waste Storage Room: Any room used for the keeping, storage or handling of combustible rubbish of six cubic yards or more; loose, baled or compacted.

34.03: Permits Required

The owner, lessee or refuse generator of any premises shall obtain a permit from the head of the fire department for rubbish containers, which are emptied by mechanical assistance, of six cubic yards or more in the aggregate of compacted or uncompacted combustible rubbish. Permits shall state container location(s) and the name and telephone number of the company or person who can be reached in an emergency.

No permit shall be required for containers which are delivered to a location and removed in the course of a single business day.

34.04: Special Hazard Rubbish

(1) Hot coals, cinders, hot scrap metal, and similar substances shall not be deposited in combustible containers, or kept or stored so as to ignite combustible material. Such substances shall not be mixed with combustible rubbish or stored in the same containers. Such substances shall be kept, handled, or stored inside buildings only in noncombustible receptacles approved by the head of the fire department for that purpose and location. Such substances shall be kept, handled, or stored outside of building locations so that they cannot ignite buildings on the premises or adjacent premises and will not endanger people.

(2) Substances subject to spontaneous heating or ignition, such as oily or greasy rags, or other materials or combinations of materials, shall not be deposited in combustible containers or so kept or stored as to ignite combustible material. Such substances shall not be mixed with combustible rubbish or stored in the same containers. Materials subject to spontaneous ignition shall be kept in listed metal receptacles equipped with self-closing hinged covers designed to guard against the hazard of spontaneous combustion. Contents shall be emptied every night and disposed of properly.

(3) Materials such as those compounded with hazardous chemicals which tend to be reactive with other materials shall not be mixed with combustible rubbish or kept, handled, or stored in the same containers. Such materials shall be kept or stored in containers approved by the head of the fire department. Hazardous waste shall be disposed of in accordance with the regulations of the state Department of Environmental Protection (DEP).

34.05: Containers

(1) Rubbish containers when they are small enough to be moved by one person shall have a removable or hinged cover which shall be kept in place unless the container is being filled or emptied.

(2) Containers which require mechanical assistance to be moved shall be provided with a means of access to their interior, without disconnecting from a compactor unit or they shall have a minimum port opening of two inches in diameter through which water may be introduced for extinguishing fire. The port opening shall be labeled "FIRE HOSE PORT" or similar wording. Containers which are not part of a compactor unit shall not be required to have the additional openings or hose connections for fire extinguishment, if they are provided with a cover to make the contents accessible during firefighting operations. The cover of such a container shall remain closed except when the container is being filled or emptied. 527 CMR 34.05(2) shall apply to containers installed or replaced after 8/28/92. Containers in use subsequent to 8/28/92 shall be retrofitted to comply with the provisions of 527 CMR 34.00 by 8/28/95.

527 CMR: BOARD OF FIRE PREVENTION REGULATIONS

34.05: continued

- (3) Containers shall not be placed at any location as to become an obstacle to the egress of persons from buildings or to vehicle traffic or as to obstruct operations of the fire department personnel during a fire or other emergency.
- (4) Containers which require mechanical assistance to be moved, shall be marked with the name and telephone number of the company or person from which emergency service to expedite movement of the container can be obtained.
- (5) Containers adjacent to buildings shall not be placed so the top of the container is less than five feet vertically and horizontally below any window or other opening, unless otherwise approved by the head of the fire department.

34.06: Waste Storage Rooms

- (1) All openings in waste storage rooms shall be protected by automatic self-closing fire doors. These doors may not open into paths of egress.
- (2) A room of a building or structure shall comply with the requirements for a waste storage room if it is used for keeping, handling, or storing of rubbish, loose, compacted or baled in an amount exceeding six cubic yards for more than 24 hours.
- (3) Waste storage rooms shall not contain boilers or furnaces used for the central heating of buildings.
- (4) Waste storage rooms shall be provided with automatic sprinklers installed in accordance with 780 CMR. The domestic cold water supply shall be acceptable for the automatic sprinkler feed. A minimum one half inch diameter hand hose of adequate length to reach all portions of the room shall be provided.

34.07: Waste Chutes

- (1) Interior waste chutes shall be installed in accordance with the provisions of NFPA 82 and shall terminate in waste storage rooms as defined in 527 CMR 34.02.
- (2) Instructions describing the size and type of waste which may be deposited in the chute shall be posted at each service opening.
- (3) Waste chutes used in conjunction with the construction, repair or alteration of a building shall discharge to the outside.

34.08: General

- (1) Combustible rubbish or rubbish in combustible containers shall not be kept, handled, or stored in any building for more than 24 hours except in a waste storage room conforming to the requirements of 527 CMR 34.06.
- (2) All container units which can be moved without mechanical assistance shall, at the end of each rubbish collection cycle, be emptied and the contents properly stored in a waste storage room, or the container and contents shall be stored in a waste storage room.

34.09: Referenced Publications

Documents or portions thereof that are referenced within 527 CMR 34.00 shall be considered a part of the requirements of 527 CMR 34.00. Refer to 527 CMR 49.00 for a complete listing of all documents referenced in 527 CMR.



TOWN OF WARE FIRE DEPARTMENT

Thomas Coulombe
Fire Chief

Edward Wloch
Deputy Chief

200 West Street Ware, Massachusetts 01082
Station (413) 967-5901 * Office (413) 967-9631 * Fax (413) 967-9632
Email Chief- tcoulombe@townofware.com Email Deputy- ewloch@townofware.com

Notice: May 30, 2014

The Town of Ware MA. is embarking on a new program which will have a small financial impact on your company. As of July 1st 2014 the Town of Ware is instituting a dumpster permit program. *For those that have already received letters announcing this program please note the changes since our last correspondence.*

Per 527CMR 34.05 Dumpsters 6yard in the aggregate or greater will require a permit from the Fire department. Dumpsters dropped off and picked up in the same day will not require a permit per code. All dumpsters placed for 7 days or greater will require a permit fee of \$50 dollars.

The procedure will be as follows;

- Permits must be in place before the placement of a dumpster.
- Dumpsters placed for greater than 1 day will require a permit. Paper work for each dumpster will be mailed to our office @ 200 West St Ware, MA.
- Dumpsters placed for 7 days or greater will be assessed a \$50 fee which will accompany the permit request.
- For *short time notice* requests a faxed copy of the permit request will be accepted for inspection purposes. This faxed copy will be followed up forthwith by a mailed hard copy and permit fee when applicable.
- Checks are to be made out to the **Town of Ware**, an mailed to the Ware Fire Department 200 West Street.
- Permanently placed dumpsters can be supplied to this office on a single list, along with a corresponding permit fee. Information needed;
 - Your company name & emergency contact information
 - Address of the dumpster, *do not include the clients contact information.*
 - Size of the dumpster & its intended type of refuse.

The list of permanently placed dumpsters and corresponding payment will be due each June. For temporary placement of dumpsters use the attached form. If you have any Questions please contact me by phone or email (listed above) Dumpsters found to be placed without proper permitting will be subject to, triple the normal permit fee costs, fines or both.

Deputy Fire Chief
Edward Wloch



TOWN OF WARE FIRE DEPARTMENT

Thomas Coulombe
Fire Chief

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Application for Dumpster Permit

Date: _____

Dumpster Company Name: _____

Emergency Contact information of Dumpster Owner: _____

Location of Dumpster; _____

Size of Dumpster; _____ (Do not include client contact information)
Dumpster Equipment _____

Town License Number ; _____ (IE Compacter attached / Covered / open)
(available at the Board of Health office)

Dumpster Placement _____
(Permanent / Weekly / monthly) (Temporary placement- Drop off and removal Dates)

Type of refuse intended for the Dumpster _____

Pursuant to 527 CMR section 34.03 will obtain a permit from the head of the fire department for rubbish containers six cubic yards or more in the aggregate requiring mechanical assistance to be emptied

All dumpsters placed for seven (7) days or greater will be assessed a permit fee of \$50. Any nonconforming dumpsters can be assessed triple the permit fee cost, fined per 527 CMR 34.03 & 527 CMR 1.04 (8) or both. All checks to be made payable to: **Town of Ware**

Faxed copies: This permit needs to be in place before the dumpster is placed. For short notice placements a faxed copy of this permit will be acceptable for inspection purposes. A hard copy and permit fee (if applicable) will be mailed forthwith.



TOWN OF WARE
Planning & Community Development
126 Main Street, Ware, MA 01082
t. 413.967.9648 ext. 120

MEMORANDUM

To: Board of Selectmen
Stuart Beckley, Town Manager

From: Robert A. Watchilla, Director of Planning & Community Development

Date: January 10, 2022

Subject: Recommendations on Plowing and Sanding Unfinished Subdivision Roads –
Winter 2021/22

This memo is to provide recommendations to the Select Board for the winter 2021-2022 plowing and sanding of unfinished subdivisions. After conversing with the DPW Director, Building Commissioner, and Planning Board not much has changed in terms of current conditions for these private roads except for Wildflower Drive.

BELAIR DRIVE (Belair Estates):

- It appears that no repairs have been made to this road for some time
- **We recommend that Belair Drive be sanded this winter**
- **We recommend that Belair Drive NOT be plowed**

COLDBROOK DRIVE (Pennybrook Estates):

- The road is in good condition
- **We recommend that Coldbrook Drive be plowed and sanded by the Town this winter.**

HIGH MEADOW LANE

- The road serves as someone's driveway and has not been plowed in the past
- **We recommend that High Meadow Lane NOT plowed and sanded by the Town this winter.**

HILLSIDE TERRACE:

- Although not Town-owned, the DPW has historically plowed and sanded this road
- Although there are areas of concern that will need to be addressed in the near future, **we recommend that Hillside Terrace be plowed and sanded by the Town this winter**

KING GEORGE DRIVE

- The DPW has plowed this private road in the past

- There has been no follow up per the Planning Board's discussion with Mrs. Robidoux on November 7, 2018 when she stated that she intends to move forward with road acceptance.
- We recommend that King George Drive be plowed and sanded this winter.

LEE ROAD

- The DPW has plowed this private road in the past
- Recently, there have been two easements placed on Lee Road for the purposes of plowing, drainage and general road maintenance
- We recommend that Lee Road be plowed and sanded this winter.

WALTER DRIVE (Edgewood Estates):

- The basecoat continues to deteriorate
- There appear to be no problems for either the Town or the owner if the Town plowed and sanded this winter
- We recommend that Walter Drive be plowed and sanded by the Town this winter

WILDFLOWER DRIVE & BRIAR CIRCLE (Isabella Ridge):

- Anticipated adoption as public way at Annual Town Meeting
- We recommend that Wildflower Drive & Briar Circle be plowed and sanded by the Town this winter

WILLISTON DRIVE

- Only the eastern section of Williston Drive has been accepted by the Town (see photo)
- The DPW has historically plowed and sanded the entire length of this road so that the trucks could turn around easily
- Overall, no major concerns
- We recommend that the entirety of Williston Drive be plowed and sanded this winter.



SUMMARY

The Planning Board recommends the approval the expenditure of Town funds and to direct the DPW to manage sanding and snow and ice removal on the entirety of Walter Drive and on the private roads Coldbrook Drive, King George Drive, Hillside Terrace, Lee Road and Williston Drive during the winter of 2021-2022 (FY 2022). We also recommend that the Board take action to approve expenditures to sand Belair Drive, but not for snow removal. We also recommend that the Board take action to explicitly not perform any snow removal, on Belair Drive or High Meadow Lane until those roadways are repaired to the satisfaction of the DPW and the Planning Board.



TOWN OF WARE

Town Manager

126 Main Street

Ware, MA 01082

413-967-9648 x100

Town Manager Updates January 18, 2022

COVID Update: Prior to Thursday's State update, the State positivity rate is just over 15% over the past two weeks. Ware, with 231 cases was slightly higher with 18%.

The Massachusetts Municipal Association has changed their annual meeting and trade show to virtual. Some discussions and events will still happen next Friday and Saturday, while other workshops will be held at later dates (for free).

The Regional Resource group provided the Town with a proposal for continued assessor services through June 30, 2022. The cost is \$30,000. Based on the service the Town and Assessors have received for the past 4 months, this is a very good value and will include assistance with hiring a principal assessor for the future.

Several questions were received regarding the pedestrian crossing over the East Street bridge. The Town does maintain – shovel and salt – the new pedestrian walkway area. With the cold weather, this section iced up quickly following the last storm.

With assistance from the DPW, the Town will put out notice this weekend reminding residents of the increase in the water and sewer bills that will be sent out on February 1.

With assistance from the Parks and Water departments, American Athletic Shoe has opened the ice skating rink at Memorial Field. Skating will be available day and night. Free skates are available for use at the field.

The Capital Planning Committee has a couple more departments to meet and then will prepare a report of recommendations to the Finance Committee. Department budgets are to be submitted by January 28 with a goal of a draft budget to be submitted to the Select Board and Finance Committee on February 24th.

The Parks Commission would like to meet with the Board at the February 1st meeting to discuss options for future pool study and construction.

The Town hall heating system had two leaks. These should be repaired by Monday. This has also given the opportunity to improve lighting in the boiler area.



Ware Council on Aging

1 Robbins Road
Ware , MA 01082
413-967-9645
413-967-9294
jzienowicz@townofware.com

Council on Aging Members

Julianne Cappe
Chairperson

Irene Eskett
Vice Chairperson

Cheryl Haigh
Secretary

Carl Waal

John L. Zienowicz
Executive Director

January 5, 2022

The Ware Senior Center remains open with a full schedule of programs, including Tai Chi, Line Dancing, PITCH, Cribbage, Whist and Scat. To be safe for staff and participants we have continued to require masks while in the building and to date this has allowed us to remain open uninterrupted.

Foot Care with Dianne DeWan LPN continues, as does the hearing clinic with Deb Avery from Heritage Hearing of New England. Van Service remains on a 3 days per week schedule and in the last quarter of 2021 provided 73 seniors with 158 rides locally. Since August 30th, meals have been moved entirely outdoors to a Grab & Go system M-F and in the last quarter of 2021, 2,285 Meals were provided. Overall 1362 Seniors came through the doors in the last quarter and 107 Social Service units were provided in Ware.

Our work with the Food Bank of Western Massachusetts and with the Amherst Survival Center continues on throughout the pandemic. Every second Friday of the month we distribute 112 Brown Bags full of food items to qualified seniors and once every week a truck from the Amherst Survival Center delivers an allotment of food to one of four sites in Ware. The Senior Center gets its allotment on the fourth Tuesday of the month and 2-4 boxes of food items are then delivered to 35 households with the help of volunteers from Country Bank, Monson Bank, Curaleaf and the Ware Senior Center. In total, food is delivered to almost 150 of our most vulnerable seniors each month.

On November 29th we welcomed Janine Leis to our staff as the new Social Services Coordinator. Janine has a BS in Social Work from

Salem State University and is currently a graduate student working towards a MS in Social Work at Westfield State University. She previously spent five years as a case manager for Tri Valley Elder Care in Worcester County and is very familiar with the resources and systems available to benefit the Seniors of Ware. She has already achieved access and training to the DTA SNAP benefits portal so we can continue to be a regional provider for SNAP benefits and in the spring will become SHINE certified to have access to the Medicare/Medicaid portal so that we may once again provide health insurance counseling. Janine is available by appointment for all social services other than SHINE, Monday through Friday 8-4pm.

Yours in health,
John L. Zienowicz
Executive Director