

Selectboard

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Notice Agenda – Tuesday, September 20, 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 September 6, 2022 Minutes
- Approval of One-Day Beer & Wine License: Workshop 13's Northeast Fine Arts Exhibition, Saturday, September 24, 2022 from 1:00-5:00PM @ 13 Church Street
- Approval of One-Day All Alcoholic License: Workshop 13's Concert and Poetry Memorial for John Z., Saturday, October 22, 2022 from 7:00-11:00PM @ 13 Church Street
- Approval of Special Event Permit Application: The Knights of Columbus' Annual Halloween Event, Friday, October 28, 2022 from 6:00-8:00PM @ Grenville Park

Scheduled Appearances

- 7:05 PM- Continuation of Nuisance Dog Public Hearing (107 Church Street)
- Fire Chief Christopher Gagnon: Approval of Two New Full-Time Hires at Fire Department
- Joint Meeting with Planning Board: Appointment of New Member to Fill Vacancy
 - Applicants
 - SK Robinson, Esq.
 - Chris DiMarzio

Old Business

- Request for ARPA Expenditures: COVID-19 Premium Pay for Members of Public Works and Administrative Bargaining Units
- Continue Discussion on Town's Process for Handling Fire-Damaged Buildings
- Discussion on Town's Approval Process for Solar Permits
- Update on Whistleblower Line Replacement, Search for Third-Party Answering Service
- Discussion on Proposed Retail Store, 256 West Street
- Update on Status of Rail Trail Kiosks, Monetary Gift from Urban Foundation
- Update on Drone Training Status for Selected Town Personnel

New Business

- Discussion on Proposal for Town to Sell Broken Asphalt to Driveway Companies at Banas Farm (Robbins Road), Distribution of Firewood to Residents on Request List
- Update on Status of Quaboag Connector Vehicles
- Reappointment to Council on Aging: Cheryl Haigh
- Public Notification: Release of Executive Session Minutes: May 14, 2015, December 6, 2016
- Review and Approval of Host Community Agreement: ReSource Waste
- Request from Town Clerk: Change in Early Voting Hours
- Update on Town Manager Evaluation

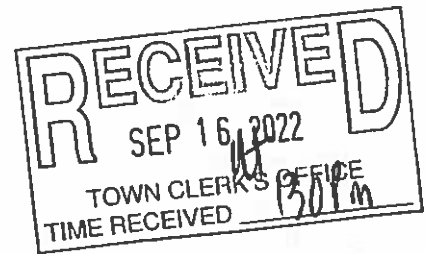
Selectboard: *John J. Morrin, Caitlin M. McCarthy, Thomas H. Barnes, Keith J. Kruckas, Joshua A. Kusnierz*
Town Manager: *Stuart B. Beckley*
sbeckley@townofware.com

- **Open Warrant for Special Town Meeting, Select Date**
- **Set Date and Times for Trick-or-Treating**

Written Concerns of Citizens (1)

Town Manager Report

Adjournment





Selectboard

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Minutes – Tuesday, September 6, 2022 at 6:30 p.m.

6:30 PM- Executive Session- MGL Chapter 30A, Section 21 (a)

#7- To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g), to review the Board of Selectmen's executive session minutes: 2012-2016

#3- To discuss strategy with respect to collective bargaining

7:00 PM- Regular Meeting

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Present: Board Chair John J. Morrin, Board Clerk Thomas H. Barnes, Board Member Joshua A. Kusnierz, Town Manager Stuart B. Beckley, Executive Assistant Christopher J. Nolan, Parks Director John Piechota, Building Commissioner Anna Marques, Jennifer McMartin, Alex Bergeron

Absent: Board Vice-Chair Caitlin M. McCarthy, Board Member Keith J. Kruckas

Present via Zoom: Stanley Ciukaj from Ware Community Television, Paula Ouimette from Ware River News, Wastewater Director David Comeau

Meeting Opened by Chair Morrin at 7:00 PM.

Opening Remarks, Announcements, and Agenda review by Chair

Chair Morrin stated that the Board had received a letter from a resident after this meeting's agenda had been set, so while the topic of the letter would not be discussed at this meeting, it would be placed on the Board's next agenda.

Clerk Barnes thanked the Town's first responders for their response to a recent house fire on Greenwich Plains Road.

Chair Morrin wished good health to Board Member Kruckas and the family of Vice-Chair McCarthy.

Consent Agenda

- Approval of August 16, 2022 Meeting Minutes

- **Approval of One-Day Beer & Wine Licenses**
 - Workshop 13's "The Word," Friday, September 2, 2022 from 6:30-9:30PM @ 13 Church Street
 - Workshop 13's Open Mic Music Night, Friday September 16, 2022 from 6:30-10:30PM @ 13 Church Street
 - Workshop 13's "Sara Clay and the Star Cats in Concert," Saturday, October 15, 2022 from 4:00-8:00PM @ 13 Church Street
 - Workshop 13's "Open Mic Music Night," Friday, October 21, 2022 from 6:30-10:30PM @ 13 Church Street
 - Workshop 13's "Carrie & Michale Klein Folk Concert," Sunday, October 23, 2022 from 5:00-7:00PM @ 13 Church Street
 - Workshop 13's Open Mic Poetry, Friday, November 4, 2022 from 6:30-9:30PM @ 13 Church Street
 - Workshop 13's "Welcome Home," Saturday, November 5, 2022 from 6:00-9:30PM @ 13 Church Street
 - Workshop 13's "Welcome Home," Sunday, November 6, 2022 from 2:00-5:00PM @ 13 Church Street
 - Workshop 13's "Moving Day" Concert, Saturday, November 12, 2022 from 7:00-10:30PM @ 13 Church Street
 - Workshop 13's Open Mic Night, Friday, November 18, 2022 from 6:30-10:30PM @ 13 Church Street
 - Workshop 13's "The Word," Friday, December 2, 2022 from 6:30-9:30PM @ 13 Church Street
- **Toll Road Application: Ware Firefighters Local 1851's Boot Drive for the Muscular Dystrophy Association, Saturday, September 17, 2022 from 8:00AM-12:00PM (Rain Date: Saturday, September 24, 2022)**
- **Special Event Permit Application: Proprietors of the Ware Center Meeting House present Ware Fair & Flea, Saturday, September 17, 2022 from 9:00AM-4:00PM @ 295 Belchertown Road**

Board Member Barnes made the motion to approve the August 16, 2022 Minutes. Board Member Kusnierz seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

Board Member Barnes made the motion to approve all Workshop 13 one-day licenses from September 2nd through December 2nd. Board Member Kusnierz seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

Board Member Barnes made the motion to approve the Toll Road permit for the Ware Firefighters' Boot Drive for the Muscular Dystrophy Association on Saturday, September 17th from eight to twelve, rain date September 24th, 2022. Board Member Kusnierz seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

Chair Morrin made the motion to approve the Special Event Permit for the Proprietors of the Ware Center Meeting House to present Ware Fair & Flea, Saturday, September 17th, 2022, from 9AM to 4PM at 295 Belchertown Road. Board Member Barnes seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

Scheduled Appearances

- **7:05 PM- Nuisance Dog Public Hearing (107 Church Street)**
 - Chair Morrin stated that this hearing would need to take place at the Board's next meeting.
 - Mr. Nolan confirmed that he had spoken with the owner, who requested this hearing be

rescheduled due to extenuating circumstances, and had agreed to attend the Board's September 20th meeting.

Board Member Morrin made the motion to continue the Nuisance Dog Hearing on September 20th at 7:05 PM. Board Member Barnes seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

- **Building Commissioner Anna Marques: Continue Discussion on Streamlining Town's Process for Handling Fire-Damaged Buildings, Discussion on Solar Permits**
 - Ms. Marques introduced the Board to the flowchart she had created in response to the Board's instructions with help from Town Counsel. She stated that it should clarify some of the questions asked at the previous Board meeting regarding procedures for when a building is damaged by a fire.
 - She stated that after a fire, the Town's inspectors each submit a report to build the Town's case for whether demolition is necessary, and if the owner fails to comply with a demolition order, the Town can bring them to court.
 - For a demolition order to be issued, the Town must either have the board of survey declare the structure to be dangerous, or the Selectboard can declare it a nuisance. Ms. Marques emphasized again that if the Board declares the building a nuisance and the owner fails to remedy it, the Town may obtain a court order.
 - A court order lays out required actions the property owner must take, and has the ability to prohibit the transfer of property prior to said actions.
 - Ms. Marques explained that furthermore, if the building is condemned by the Board of Health, it can be taken into receivership.
 - During receivership, the court designates an interested party to bring the property into compliance. The owner then may have the option to take back possession of the property by reimbursing the receiver for the work done.
 - Chair Morrin asked where receivership was displayed on the flowchart.
 - Ms. Marques responded that it had not been included on this display, but could be added for clarification.
 - Chair Morrin asked why demolition was listed prior to repair orders on the chart.
 - Ms. Marques responded that this chart was meant to replicate the successful formula used by Springfield for handling problematic buildings, and that according to that model, demolition is the default option for nuisance buildings, unless the owner successfully makes the appeal to repair instead.
 - Chair Morrin asked about the specific case of a building on Main Street that had suffered a recent fire.
 - Ms. Marques responded that this building's damage was not severe enough to build a strong case for demolition, as only one upstairs apartment unit withstood any damage, while the other seven units were not damaged.
 - Chair Morrin requested that more formal reports be filed by the inspectors who are present after a fire.
 - Ms. Marques agreed that she would like to see these reports be filed with more consistency.
 - Chair Morrin noted that the word 'may' was still used multiple times on the new flowchart, and requested this word be replaced with 'shall,' to set a more consistent procedure for Town officials.
 - Ms. Marques responded that using 'may' was standard procedure for writing bylaws where circumstances vary, but agreed to do as the Board wished.
 - Chair Morrin added that this flowchart is meant as an illustration of procedure and should not be thought of as a bylaw.
 - Ms. Marques stated that she would continue to discuss this matter with the Town Attorney.
 - Chair Morrin emphasized that he wanted the word 'shall' to be used indicating that the Town

would automatically bring owners in violation of demolition or repair orders to court. He also asked if the Town could require the owners of these properties to have them insured.

- Ms. Marques responded that they could not force insurance on the owners of any property that is owned outright.
- Board Member Kusnierz expressed disagreement with the premise of this question, stating that the Town was a democracy and not a dictatorship.
- Chair Morrin requested that Ms. Marques make the changes discussed before bringing the flowchart before the Board again.
- Clerk Barnes thanked Ms. Marques for her work, and stated that he felt she did an excellent job with the flowchart.
- Chair Morrin stated in regard to the discussion on solar permits that the Board would like the Town's process for approving them given to them in writing at their next meeting.
 - Ms. Marques and Mr. Beckley both responded that they would work on putting a description together.
- Clerk Barnes noted that there were currently a very high number of solar permit applications being submitted to the Town by a few companies.
 - Mr. Beckley agreed that solar is currently a very active industry.

Old Business

- **Requests for ARPA Expenditures**
 - **COVID-19 Premium Pay for Members of Public Works and Administrative Bargaining Units**
 - Chair Morrin requested that the discussion on premium pay be tabled until a meeting where more Board members were present.

Board Member Barnes made the motion to table the Board's discussion on premium pay. Board Member Kusnierz seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

- **Grenville Park Security Cameras**
- Chair Morrin expressed that he would like to add \$5,000 to the sum requested by the Board for these cameras, with the extra funds going toward the trenching of electrical conduit at the site.
- Board Member Kusnierz expressed agreement with this proposal.

Board Member Morrin made the motion to approve the allocation of \$105,000 from ARPA Funds to purchase and install security cameras at Grenville Park. Board Member Barnes seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

- **Update on Rail Trail Kiosks**
 - Clerk Barnes noted that the kiosks on either end of the Town-owned segment of the Mass Central Rail Trail were expected to have been placed a while ago. He explained that he knew the one to be placed on the Gibbs Crossing end had been passed off to local Scouts, while he argued that the one on the Robbins Road end looked very shop-worn.
 - Mr. Beckley explained that the latter kiosk had been repurposed from the Parks Department, while the Scouts were in the process of assembling the former.
 - Clerk Barnes asked if the kiosk at Gibbs Crossing would eventually be placed on the left side of the trail.
 - Mr. Beckley answered yes.
 - Clerk Barnes asked if this was expected to be completed before winter.
 - Mr. Beckley responded that it would be.

- Board Member Kusnierz asked about the status of the Rail Trail washouts at its intersection with Mountainview Drive.
 - Mr. Beckley responded that the DPW was in the process of making grating improvements to the trouble spot that would fix the issue.
- **Update on Flat Brook Wall Repair**
 - Clerk Barnes noted that photo provided of the site in question, looked to be in very poor condition.
 - Mr. Beckley agreed, and stated that he hoped the Conservation Commission and Agent would take up this matter.
 - Clerk Barnes asked if someone could contact the owner about getting this cleaned up.
 - Mr. Beckley responded that the owner would be contacted.
 - Clerk Barnes asked if it would be possible to get this resolved before the current drought ends, as low water levels would be helpful in this situation.
 - Mr. Beckley responded that this would only be possible with an emergency order.
 - Chair Morrin asked if a new survey could be conducted at the site.
 - Mr. Beckley responded that it could, and he would contact Mr. Sund from MassDOT, who he stated has been very helpful.
 - Clerk Barnes asked how the Town would enforce the repair of this site moving forward.
 - Mr. Beckley responded that the Wetland Protection Act gave the Town the ability to hold the owner accountable.
 - Clerk Barnes noted that during his several years on the Conservation Commission, they have never collected fines for any violations.
- **Update on East Main Street Canal Bridge**
 - Mr. Beckley informed the Board of positive news; Mr. Sund from MassDOT approved the proposed sidewalk repair plans for the Canal Bridge, meaning the state would be starting construction here very soon. Once this project is completed, two-way traffic on the bridge will be able to resume.
- **Update on Brush Trimming Status, Conditions**
 - Clerk Barnes asked why the Town had not kept up on mowing and brush trimming along his street.
 - Mr. Beckley responded that it was currently the DPW's busiest season, and they were working on all tasks with the highest priorities first.
 - Clerk Barnes asked if the DPW needed another mower to keep up with needed maintenance.
 - Mr. Beckley responded that the DPW currently lacked enough personnel to warrant purchasing an extra mower.
 - Board Member Kusnierz suggested that the Town ensure its DPW staff are aware of the threat of Japanese knotweed, which is invasive and spreads more wildly when mowed over.
 - Clerk Barnes expressed agreement, noting that a large area near Hillside Village had been taken over by the knotweed, and urged the resolution of this before winter.
- **Update on Whistleblower Line Replacement**
 - Mr. Nolan informed the Board that after much research, he had still not found a solution to the Board's request for whistleblower line technology that made the caller automatically anonymous. After consulting the customer support team from DialMyCalls, which is a reputable source that specifically advertises its ability to set up tip and complaint lines, he was informed that they currently have no method to remove caller identification from being displayed to the individual monitoring the line.
 - Chair Morrin responded that in this case, the Town needs to consider a third-party answering service for this line.
 - Board Member Kusnierz asked how much a third-party answering service would cost and suggested that the whistleblower line be simply done away with.

- Mr. Beckley informed the Board that he and Mr. Nolan would bring research on pricing for a third-party service to the next Board meeting.
- Clerk Barnes noted the written commendation the Board had received from the residents of 90 Pleasant Street of Mr. Joshua Kusnierz in his capacity as Tree Warden, and congratulated Board Member Kusnierz for this recognition.
- **Discussion on Town Manager Evaluation**
 - Mr. Beckley directed the Board to the materials received from Human Resource Director Justine Caggiano on this topic, stating that the evaluation was necessary for the Board to decide on whether to renew the Town Manager's contract.
 - Chair Morrin responded that he had asked Ms. Caggiano to match the criteria listed in the evaluation with those goals specifically named by the Board during the previous year, and this had not been done.
 - Clerk Barnes expressed agreement, stating that the evaluation form provided in the Board's packets was not what had been agreed on.
 - Chair Morrin stated that Ms. Caggiano had not followed their instructions.
 - Clerk Barnes expressed frustration that the Board had not received an evaluation form compatible with their instructions after requesting one several times.
 - Mr. Beckley explained that Ms. Caggiano felt the evaluation form she had provided was more in-depth and sufficient, having consulted legal counsel in its creation.
 - Clerk Barnes responded that he felt this was a waste of time for the Town's legal counsel, and emphasized again that Ms. Caggiano had been given specific instructions from the Board four times. He referenced Attachment C from the documents in the packet, and stated that the Board had been requesting that the evaluation use the SMART goals they had developed with the previous HR Director. He added that Ms. Caggiano's evaluation form was merely a generic one taken from an HR workshop.
 - Chair Morrin expressed frustration at the lack of progress made on this topic.
 - Ms. McMartin requested permission to speak.
 - Chair Morrin responded that he would accept no motions to address the Board at this time.

New Business

- **Discussion on Purchase of Vaccine Refrigerator for Health Department**
 - Mr. Beckley introduced the Board of Health's request for \$3,500 from ARPA funds to be allocated to the purchase of a vaccine refrigerator.
 - Chair Morrin responded that he supported the idea, but wanted a specific plan on what this equipment would be used for before approving the allocation.

Board Member Kusnierz made the motion to table the discussion on the Board of Health's request. Board Member Barnes seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

- **Reappointment of Carol Brundige to Ware Cultural Council**

Board Member Kusnierz made the motion to approve the reappointment of Carol Brundige to the Ware Cultural Council. Board Member Morrin seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

- **Appointment to Council on Aging: SK Robinson, Esq.**

- **Appointment to Finance Committee: SK Robinson, Esq.**
- **Appointment to Zoning Board of Appeals (Alternate): SK Robinson, Esq.**
- **Request for Appointment to Planning Board: SK Robinson, Esq. (would require joint meeting with Planning Board)**
 - Chair Morrin commended Attorney Robinson for his initiative in applying to join four new committees. He noted that appointment to the Planning Board would need to wait until a joint meeting between the Selectboard and Planning Board could be held, which could happen at the former's scheduled meeting on September 20th.

Board Member Barnes made the motion to appoint Attorney SK Robinson to the Council on Aging, Finance Committee, and as an Alternate on the Zoning Board of Appeals. Board Member Morrin seconded the motion. Board Member Kusnierz requested discussion.

- Board Member Kusnierz noted his concern that allowing one individual to serve on both the Zoning Board of Appeals and the Planning Board could create a conflict-of-interest in certain cases.
 - Mr. Beckley responded that it could create a situation where in circumstances that the ZBA acts as a permitting authority, it could result in the same person getting "two bites at the apple" by being able to vote twice on the same item.
- Chair Morrin stated that he was not currently concerned with this scenario, as Attorney Robinson was not immediately being appointed to the Planning Board, and these details could be resolved during the joint meeting in two weeks.
- Board Member Kusnierz noted that he was still not comfortable approving this appointment.

The motion passed on a vote of 2 Yes (Board Members Morrin, Barnes), 1 No (Board Member Kusnierz), 2 Absent (Board Members McCarthy, Kruckas).

- **Vote to Forward Proposed Zoning Amendments to Planning Board for Public Hearing on Thursday, October 6, 2022**
 - **Residential Business (RB) District Boundary Alteration (Palmer Road)**
 - **Creation of Rural Business (RRB) Overlay District (Belchertown Road)**
 - **Prohibition on the Use of Contaminated Sediments and Soil as Fill Material (Urban Fill)**
 - Clerk Barnes asked if the Conservation Commission would have a say in these proposals.
 - Mr. Beckley responded that it would not, as these were amendments, not projects.
 - Clerk Barnes expressed concern regarding the District Boundary Alteration on Palmer Road, stating that some of the area to be affected is wetland.
 - Mr. Beckley responded that the Planning Board would have the ability to deliberate on each of these proposed amendments, then issue its formal recommendation for either a yes or no vote by Town Meeting. He added that approving the amendment would not automatically allow for the construction of the proposed Tractor Supply on Palmer Road, but would allow this proposal to move forward in the approval process.

Board Member Kusnierz made the motion to forward the proposed zoning amendments to the Planning Board for a public hearing. Board Member Morrin seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

- **Public Notification: Release of Executive Session Minutes, February 7, 2017 – February 13, 2018**
 - Mr. Beckley announced that at its last executive session, the Board had approved the release of all its executive session minutes from the listed range of dates to the public, as no issues discussed in them remained ongoing. Copies of these could now be requested by members of the public.

- **Discussion on Plans for September 11th Memorial Ceremony**
 - Mr. Beckley noted that he would not be present for this year's ceremony, as he would be leading the sermon at his church that morning.
 - Chair Morrin and Clerk Barnes both stated that they would be present. Chair Morrin encouraged members of the public to attend as well.
- **Discussion on Formation of Charter Commission, Update on Potential Changes**
 - Chair Morrin clarified that the Town was not currently initiating the Charter Commission process, but was gauging interest in making any amendments.
 - Mr. Beckley added that an input survey on this topic would be sent out in the near future on both the Town's website and Facebook page, and that any eventual amendments to the Charter would come through the Board before being voted on by Town Meeting.
 - Chair Morrin expressed support for giving the public a strong voice in this matter by widely distributing the survey.
- **Ware Housing Authority: Request for Posting of Vacancy**
 - Mr. Beckley noted that there was a vacancy on the Housing Authority, and the WHA had written to the Board requesting this opening be posted.
 - Chair Morrin agreed that posting the vacancy would be beneficial.
 - Clerk Barnes asked if the Town's Board and Committee openings had been posted on the electronic sign boards throughout Town.
 - Mr. Beckley responded that they had not yet.
 - Chair Morrin stated that the Board had directed Mr. Beckley to advertise the openings via this medium at its previous meeting.
 - Mr. Beckley responded that he would ensure this was added.

Written Concerns of Citizens

- Clerk Barnes noted the recent emergence of regular charitable food distribution events on Church Street. He stated that these events came from the generosity of one kind-hearted resident, but the popularity of them was creating a chaotic environment, referring to it as a "free-for-all." Clerk Barnes requested that the Town correspond with the organizer, and stated that someone needs to "take the reins."
 - Mr. Beckley agreed to reach out to the resident.
- Clerk Barnes noted that there had been complaints of leftover food and trash being left behind after the donation events, and the Town should help ensure that the important charitable work can continue while being done in a clean, safe, and responsible manner. He suggested allowing the use of Town property as a venue so the resident would no longer need to run it from her personal residence.
 - Board Member Kusnierz expressed hesitancy with this idea, noting that moving this event to public property could open up the Town to liability issues and billing for trash removal.
- Clerk Barnes stated that the overcrowding of Church Street while the current operation took place presented a potential safety hazard, and that footing the bill for extra trash removal was a better option than sending people to the hospital if anything went wrong with the current setup.

Town Manager Report

Mr. Beckley noted that Ware Youth Football's first game of the season would be held that Sunday at noon. Chair Morrin asked if concessions would be available. Board Member Kusnierz answered that they would be, and offered to buy Chair Morrin a cheeseburger.

The Annual Domestic Violence Awareness Walk would be taking place on Saturday, October 22nd.

Concerns had been heard from residents regarding the recent closure of the National Guard Armory on West Street. The Town currently did not know what the future plans for this building consisted of, and Mr. Beckley had contacted the legislature in search of information.

A recent tour with the Department of Conservation and Recreation of the proposed improvements at Memorial Field had been highly successful, and an announcement on funding could be expected in October.

Chair Morrin asked about the estimated timeline on brownfield remediation at the adjacent site. Mr. Beckley responded that it could be fully converted by 2024.

Mr. Beckley and Parks Director John Piechota were actively examining funding options for the repair of the Town Pool.

On Monday, the Parks Commission would be discussing playground improvements at the park.

The Grants Coordinator and DPW Director were collaborating on a grant to fund lead service line remediation.

An MVP climate change grant was being sought for stormwater improvements along the Muddy Brook watershed.

Board Member Kusnierz asked about the possibility of inviting instructors from MVP to teach another class on the impacts of climate change to Town officials, citing that this had been done successfully in 2018. Mr. Beckley agreed that this could be looked into. He also added that an MVP grant was also a potential funding source for the pool repairs, since it could help residents adjust to warmer summer temperatures.

Mr. Beckley continued that another grant opportunity could establish formalized long-term funding of a drone program for the Town.

Clerk Barnes asked if the state's Department of Environmental Protection took issue with the Reed Pool's proximity to both Muddy Brook and the Barnes Street pumping station. Mr. Beckley responded that the Town was not aware of any issues with this, but the results of the pool feasibility study, including the environmental report, would be available soon.

More grant applications in progress included Complete Streets funding for Gould Road sidewalk and safety improvements, along with the choice of either filling gaps in sidewalk coverage on West Street, or the more likely option of replacing the aging Church Street sidewalks. These applications were due at the end of the month.

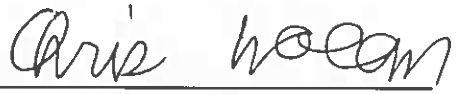
Earlier that day, two architects had joined Mr. Beckley, the HR Director, and the Police Chief on a walk-through of 75 Main Street to examine feasibility. Proposals from architects to conduct a full feasibility study were due the following Wednesday.

Clerk Barnes asked for an update on the Mary Lane Hospital closure. Mr. Beckley responded that the next President had been chosen, and the Town was currently following up on why no results of the environmental site assessment had yet been received, as these were expected already. Clerk Barnes asked if the Town would be having the results of this study verified by a third party. Mr. Beckley answered that it would, and funding options for this were being considered.

Adjournment

Board Member Kusnierz made the motion at 8:05 p.m. to Adjourn the Regular Meeting. Board Member

Barnes seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

Attest: 
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.



Knights of Columbus Council 183
P.O. Box 88, Ware, MA 01082



9/14/22

To the Board of Selectmen of Town of Ware,

The Knights of Columbus would like to hold the annual Halloween event for the children of Ware on the evening of October 28th 2022 at Grenville Park. Your permission and support would be greatly appreciated. As in the past we will disperse treat bags and refreshments at a drive up station in the park. Social distancing will take place. The route will go in the last gate on Church St than circle around the first diamond and exit the main entrance onto Church St. There will be police and fire personnel at the event.

Thank You
Paul Harper
Event Chairman
413-537-3422



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.

PLEASE 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. Greenville 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.
 - ☐ 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: HALLOWEEN/PARK Event Producer: WARE T.O.C.

Primary Contact Information:

Primary Contact Name: PAUL HARPER Fax: _____

Non-Profit Organization / Event: Yes X No _____

Day Phone: 413 537 3422

Cell Phone: _____

E-mail: diveraddict@comcast.net

Website: _____

Event Information:

Event Address / Location: Grenville Park

Starting Date: 10/28/22 Time: 6:00 PM
8:00 PM

Ending Date: 10/28/22 Time: _____

Total attendance expected: 1000

Rain plan: NO

List any streets to be closed for special event: OBSTRUCTED CHURCH ST TRAFFIC

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

HALLOWEEN DRIVE THRU LIGHT SHOW
PROVIDING NO CHARGE CANDY BAGS TO
WARE LOCAL YOUTH

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

I, PAUL HARPER, a representative from WARE KOPS, does hereby acknowledge that in the course of its use of property owned by the Town of Ware, namely Greenville Park located at CHURCH 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 _____, _____ 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 _____ use of _____.
_____ 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 _____.
Said indemnification shall not include claims arising from intentional malfeasance by the agents or employees of the Town of Ware.

Signed this _____ day of _____, 20_____, on behalf of _____ by _____, its _____

X [Signature] Date: 9/14/22
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) _____

Town of Ware
Park Department
126 Main Street
Ware, MA 01082



August 2, 2022

To the Board of Selectmen:

This letter is to inform you that at the August 1, 2022 meeting of the Park Commission, Park Manager, John Piechota brought to the attention of the commissioners, the recent problem of nuisance dogs in Grenville Park, which includes dog attacks and dogs off leash. It was suggested to issue a "running at large citation" or perhaps to take further action. Per a conversation with Animal Control on July 28th it was suggested we have a hearing on the matter.

request

William Imbier

William Imbier
Chairman
Park Commission



Town of Ware
Application for Appointment to
Boards and Committees

Name: SH Robinson, Esq.
Address: 11A Webb Court, Ware, MA 01082
Email: _____
Home Phone: _____ Work: _____ Cell: 413-846-3212
Occupation: Attorney - Real Estate Years lived in Ware: 2
Ware Resident: Yes No Broker

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

Ware Agricultural Commission	Ware Cultural Council <input checked="" type="checkbox"/>
ADA Commission	Finance Committee <input checked="" type="checkbox"/>
Board of Registrars	Historical Commission
Capital Planning Committee	Open Space Committee
Community Development Authority	Tax Increment Financing (TIF) Committee
Conservation Commission	Zoning Board of Appeals <input checked="" type="checkbox"/>
Council on Aging <input checked="" type="checkbox"/>	Other: <u>Planning Board</u>

What skills and experience will you bring to this Board/Committee:

(attach additional sheet or resume if desired)

Elder Law, zoning compliance + variances

Are you currently serving or have you served on any Town committee: ☒ Yes* ☐ No
(if yes, please state what committee) Housing Authority + CDA

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

Signature

Date

8/23/22

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

Beckley, Stuart

From: Chris Dimarzio <Chris@lindersinc.com>
Sent: Tuesday, September 6, 2022 10:58 AM
To: Beckley, Stuart
Subject: planning board

CAUTION: This email originated from outside of the Town of Ware organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Stewart, I hope this email finds you well. Rich has asked me if I would step in and fill the vacant planning board seat. I am not sure if you have other qualified volunteers that have stepped forward but I am willing to serve if you need me, at least for the unexpired term.

Best regard
Chris

Proposed Pandemic Premium Pay Breakdown

Background and Baseline Assumptions

The pandemic State of Emergency ran from March 2020 to June 2021 (15 months). However the months used for the public safety payments was 22 (through December 2021). For any pro-rating of time, this proposal follows the 22 month timeframe.

The payment to the half-time custodians was \$3,750. This amount was used as the baseline/maximum for the proposed payments below. From this amount, the attached spreadsheet calculation was used to determine two levels of payment based on weeks worked. This is the reason for the difference between the proposal last meeting and this one.

There are several department heads who worked throughout the pandemic timeline. In terms of any exposure, this group had the most public contact time of the groups included.

All other groups – DPW, Water, Sewer, town hall employees, and some department heads had some time off. All employees had some contact, even when building doors were closed. Some employees had the ability to work remotely.

For the few employees who worked less than the 22 months within the pandemic, the payments are pro-rated based on the number of months worked. Pay is proposed for current employees, not for employees who were here but have left employment.

These are the parameters used for the below matrix for payments.

\$3,750	\$3,550	3,270.00	\$1,000
Department heads including DPW, Parks, building,,that worked full time	DPW Workers. Pro-rated for those who worked less weeks	Admin workers, pro-rated for those who worked less weeks	Quaboag Connector drivers who worked through parts of the pandemic

The cost of these payments is \$108,500.

Premium Pay
PT Custodians

\$ 3,750.00	<u>Wkly Rate</u>
\$	39.89

Police (95 Weeks)

\$ 7,500.00	<u>Wkly Rate</u>
\$	78.95

Admin Staff

PT Remote- March 18th-Aug 5th 2020
Full-time Aug' 20-Nov' 20
PT Remote Dec' 20- Jan' 21
Full-time Feb-Dec 2021
Jan'22 (re-opened to public)

	<u>Days/wk in office</u>	<u>%</u>	<u>50%</u>
21 weeks	3	60%	\$ 3,750.00
16 weeks	5	100%	\$ 502.66
9 weeks	3	60%	\$ 638.30
48 weeks	5	100%	\$ 215.43
0			\$ 1,914.89
<u>94</u>			<u>\$ 3,271.28</u>

*PT Remote = 3 days in office 2 days remote

*Chromebooks for remote work ordered Nov 21-25

DPW - HWY/WATER/SEWER

Full-time March 18th-Dec' 21
1 week on 1 week off (?)

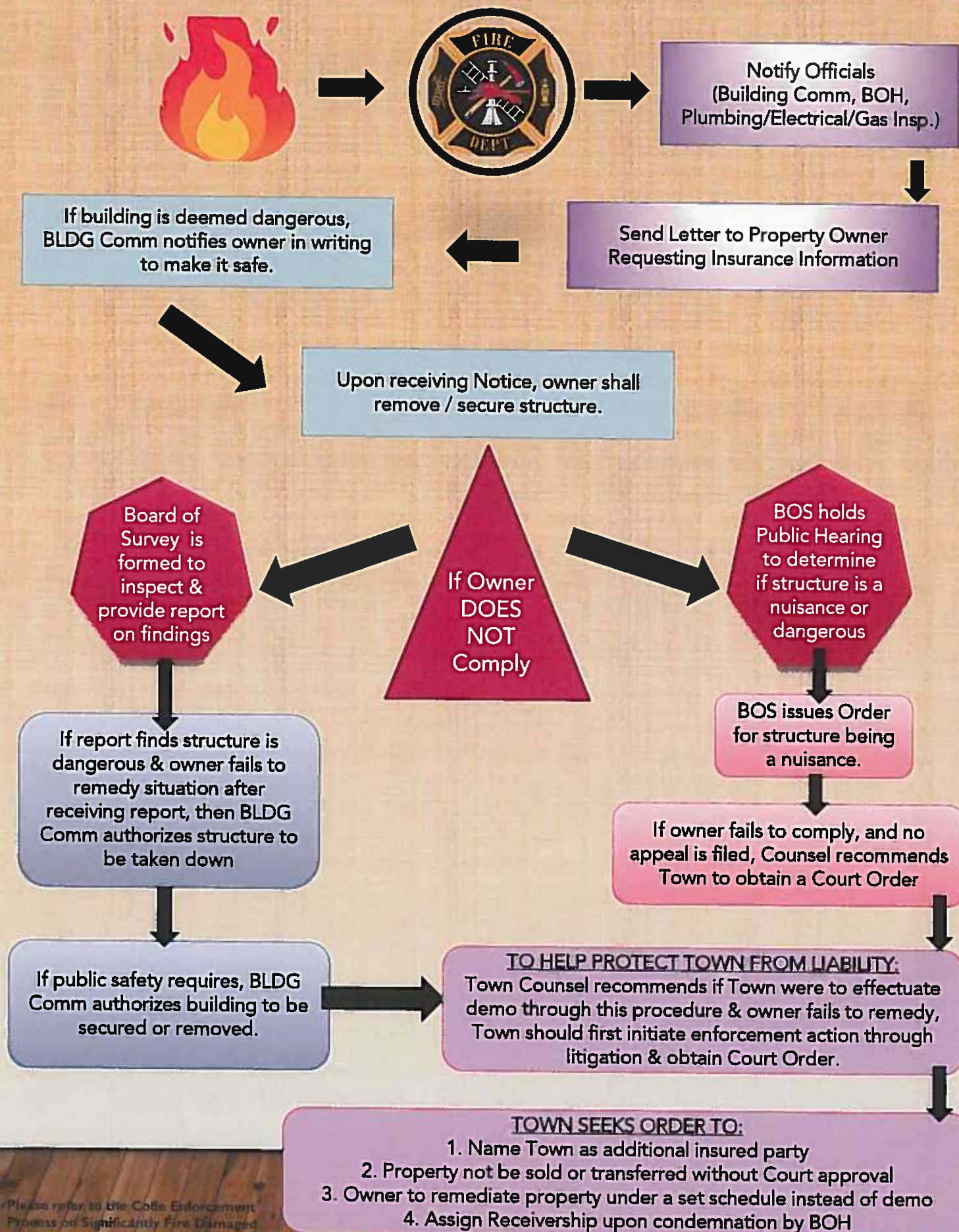
94 weeks	<u>50%</u>
<u>5</u> Off weeks	\$ 3,750.00
89	<u>\$ 3,550.53</u>

Part-time pro-rated on hours

Quaboag Connector

1,000

Flow Chart for Response to Significant Fire Damaged Structures



Please refer to the Code Enforcement Process on Significantly Fire Damaged Structures for more detailed information.

Revised 09/16/2022

CODE ENFORCEMENT OUTLINE APPLICABLE TO SIGNIFICANTLY FIRE-DAMAGED STRUCTURES

1. Fire Event

Building Commissioner to acquire insurance carrier information on the property from the owner. Written letter is preferred method referencing MGL C.186, §21, demanding amounts of insurance provided by each company.

All officials (Plumbing, Electrical, Board of Health and Building) to be notified of the event. Officials to conduct site visits and record findings. Reports are to be submitted and citations are to be issued, even if codes overlap.

2. Immediate Code Enforcement

Order is issued to owner of building for making building safe under 780 CMR 116, either by boarding up and securing or demolition and removal of damaged structure.

3. Demolition Order

An Order for Demo/Repair is issued by the Building Commissioner with legal guidance from Town Counsel. Supporting evidence to be included; gathered from Officials' Reports, Violations, Citations, Board of Survey Report (if conducted), Rehab plan (if proposed), Feasibility Reports, Estimates and Proof of being able to afford the work required. The pertinent MGL references are Chapters 143 and 139

The Order is issued after the case is compiled and submitted to Town Counsel. Town Counsel will then initiate litigation if the order was not complied with.

Demolition Orders will occur under the following powers:

- By the Select Board; if property is deemed a nuisance
- By the Building Commissioner; upon findings in Report conducted by the Board of Survey
- By the Building Commissioner; in an Emergency (as in posing an immediate threat) resulting in an immediate knock-down of the standing structure. The pile of debris is then left to remediate at a later time. The cost of the emergency knockdown is paid by the Town and then placed as a lien on the property.

If the Town does not have the funds to demolish the building, the Town could also seek an order from the court requiring the property owner to demolish at his/her own costs, or have a receiver appointed to do the work.

Repair Orders will occur under the following powers:

- Court Process: A Rehab plan, submitted by the restoration company, is upheld with set Milestones to assure progress. Additional enforcement is allowed under MGL C.139, §3B for the Town of Ware Building Department be a payee on any settlement payment to the mortgage holder on this property. Each payout requires the sign off by the Building Commissioner to assure the repair work had reached a set Milestone in the submitted plan under the Building Permit for the work.
- Receivership (by the Court): If property owner is not able to afford the repair, the Court appoints a Receiver to do the work. It is noted that the receivership process is easier under a Board of Health Order due to the Sanitary Code provisions.
- Prevention of sale: Town Counsel to seeks order from the Court to prevent the sale of a damaged property prior to completing the necessary work for code compliance.

Description of Permitting & Inspection Process for Residential Roof Mounted Solar

PERMITTING:

1. Solar contractor applies for Solar Building Permit

The solar contractor applies for a building permit and includes the required documents

2. Administration Review

- a. Admin Assistant reviews the application to ensure completeness & accuracy
- b. Tax Department Signs Off on application per Town of Ware Bylaws

3. Solar Contractor Submits an Electrical Permit Application with permit fee

The solar contractor submits the Electrical Permit Application and includes the same information for the Building Permit Application.

4. Building Commissioner's Review

Building Commissioner reviews submittal for code compliance and issues permit within 30-days.
Permits are valid for 180 days.

INSPECTIONS:

After installation of panels and equipment is completed, then the solar contractor requests inspections.

1. Electrical Inspection

Solar contractor calls the Electrical Inspector directly to schedule a final inspection.

2. Electrical Approval

Once the Electrical Inspector has completed the inspection, the Inspector provides authorization for "Certificate of Completion for Simplified Process Interconnections" to National Grid.

3. Solar Contractor Submits the following to the Building Department prior to requesting a Final Inspection

- a. Interior Attic Photos
- b. Solar Affidavit

4. Solar Contractor Calls the Building Department to schedule a Final Inspection

- a. Solar contractor calls the Building Dept to schedule a final inspection and is scheduled within two business days of the request, unless different date is agreed upon.
- b. When contractor calls, the Building Department reviews the record to ensure the solar affidavit and photos were provided.

5. Building Commissioner conducts Final Inspection

Building Commissioner conducts a final inspection and confirms the installation is according to approved plans. If different, then Building Commissioner requests corrected As-Built from the contractor.



Memo

To: Select Board

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

Date: September 15, 2022

Re: Whistleblower Line Update

Select Board- After conducting extensive research into possible solutions to issues with the Town's existing whistleblower line through Verizon's OneTalk service, I have found that fully anonymous voicemail lines are not readily available at present. Multiple service providers, including Verizon, DialMyCalls, and more have informed me that their hotline services do not feature anonymous options. While individual callers still always have the option of hiding their number by entering #67 before dialing the number for the complaint line, as we have encouraged everyone to do, this is not a universal way of ensuring that messages left on the line remain anonymous.

It appears the only way to ensure that reports filed on the Town's whistleblower/complaint line remain anonymous by default is to contract with a third-party answering service. A reputable provider is Continental Message Services (CMS), who offer numerous customizable services for accepting messages that get relayed to chosen individuals, with the option for said messages to be anonymous in nature.

I have exchanged email correspondence with a CMS sales representative, who has provided me with the information that follows. If the Board remains interested, myself and Mr. Beckley will schedule a call to find a solution through CMS that best fits the Town's needs.

Nolan, Christopher

From: Brandon Harp <brandon.harp@continentalmessage.com>
Sent: Thursday, September 15, 2022 3:40 PM
To: Nolan, Christopher
Subject: CMS Anonymous Hotline
Attachments: CMS Pricing Guide.pdf; CMS Client Dashboard Guide - Ethics and Compliance Hotline.pdf

CAUTION: This email originated from outside of the Town of Ware organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Chris,

Thank you for your interest in our Human Resource Solutions, and we are excited for the opportunity to work with you. CMS partners with hundreds of organizations globally including Kraft Heinz, Coca-Cola, ArcelorMittal, and Smithfield.



KraftHeinz



All CMS solutions are 100% customized through a combination of telephony and software built to meet your organization's exact needs. CMS Human Resource Solutions are available individually or bundled and include:

Attendance Hotlines	Ethics/Anonymous Hotlines	Mass Notification
Announcement Hotlines	Scheduling Hotlines	Automated Point Tracking
Automated Disciplinary Notifications	Backfill/Shiftfill	

All of our solution are proprietary, and if you the exact service your organization needs is not listed, we are ready to discuss a custom solution.

As part of our CMS Human Resource Solutions, our Anonymous Hotline provides:

- 24/7/365 online (<https://www.ethcomp.com/Demo>) and over-the-phone reporting options that feed to a centralized system.

- Each CMS account is a tailor-made solution to fit your organizations unique needs and policies.
- Real-time notifications/communications are built into the system to send emails, texts, and/or automated calls to staff, supervisors, managers, and HR.
- Two-way anonymous communication. Those filing reports are given unique Report IDs so they can check in for feedback, add details, or answer questions regarding their report.
- Extensive reporting through a complimentary Client Dashboard that houses all records for the lifetime of the account. All information is databased and allows users to generate their own reports based on variables such as individual department, shift, custom date ranges, locations, and more.

I have attached our pricing and additional information, however the best way to gain insight into how partnering with CMS can benefit your organization is to schedule a call with me. Let me know your availability, and I will be happy to set aside time for us to discuss.

Sincerely,



Brandon Harp | Sales and New Accounts
Brandon.Harp@ContinentalMessage.com
Direct: 614-653-6534

Visit us at www.ContinentalMessage.com | Follow us on Twitter | Join us on Facebook
24/7 Live Answering Service and Call Center | Business Process Outsourcing

Continental Message Solutions, Inc.
41 S. Grant Ave
Columbus, Ohio 43215
www.ContinentalMessage.com



Phone Number: 614.224.4534
Toll Free: 800.369.8908
Fax: 614.464.4730
Sales@continentalmessage.com

Dedicated to customer service and operational excellence, CMS is an award-winning 24/7 call center serving the communication needs of clients worldwide. Our services empower enterprises, lower cost and increase revenue while allowing our client's personnel to focus on core responsibilities.



KraftHeinz



Call Center Services Tailored to Your Needs

CMS is an award winning call center established in 1967 and located in Columbus, OH. Over our 50 years we have provided call center and answering services to thousands of companies and organizations across the globe to assist them in raising client satisfaction, increasing revenue, and allowing them to focus on more pressing tasks, all for a fraction of the cost of maintaining in-house staff to field these calls.

Enhanced Online Call Histories and Personnel Management



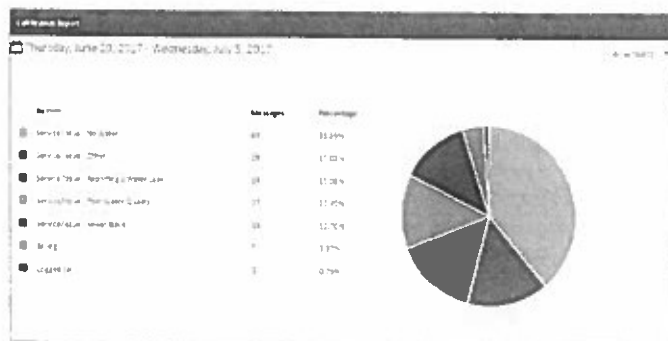
Online Dashboard

Real-time access to immediate and historic metrics and call records.



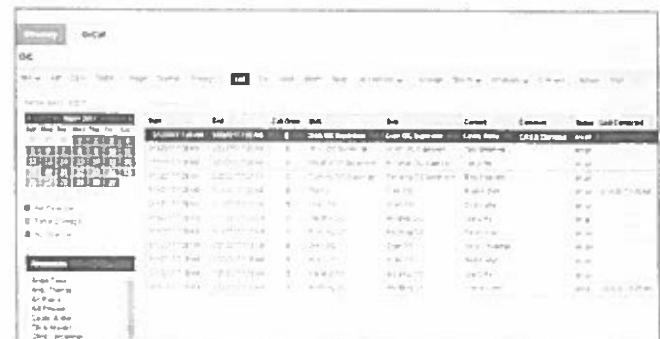
Enhanced Reporting

Reports broken down by call type, time of call, urgency, and even call origination are readily available.



Custom Metrics and Statistics

Since all call data is databased, CMS can generate custom and unique reports upon request.



On-Call Portal

Online, real-time access to schedule and manage your on-call personnel.

Simplified Pricing Model

CMS utilizes a simplified pricing model where all services are included in the per-minute cost. Clients and their staff who use the service will not be charged additional fees for taking advantage of a majority of CMS services.

Standard Service Rates				
The following pricing plans represent the total amount of time included a billing cycle (28 days) as well as indicated per minute overage rates should you exceed the allotted time included in the base rate.				
Base Rate	Included Minutes	Additional Minutes	Security Deposit	Setup / Programming
\$50	0	\$1.10	\$50	\$80 /hour
\$135	100	\$0.99	\$135	\$80 /hour
\$275	250	\$0.99	\$275	\$80 /hour
\$500	500	\$0.97	\$500	\$80 /hour
\$950	1,000	\$0.95	\$950	\$80 /hour
\$1,850	2,000	\$0.93	\$1,850	\$80 /hour
Custom Quote	4,000+	Custom Quote	Custom Quote	\$80 /hour

SERVICE	DESCRIPTION
Base Rate	The 4-week base price associated with each service package. The amount includes standard features & a set amount of minutes, depending on the package level.
Included Minutes	The amount of agent work time included in the service package
Additional Minutes	The additional cost per minute of agent work time once the included minutes have been exceeded. Minutes are billed in per second increments.
Setup / Programming	Charged at an hourly rate for the time it takes CMS IT staff to program client procedures, directories, etc. into the CMS, call-taking system. Time will correlate with complexity, and an exact amount will be quoted when all requested procedures are determined.
Security Deposit	One-time deposit due up-front to begin services. Amount is equal to the Base Rate of the selected plan. Deposit is applied back to account in the event of either delinquency or cancellation.

INCLUDED OPTIONS	
Custom Call Scripting	Custom Call Scripting allows you to be in control of what CMS operators say and how they say it.
Online On-Call Schedule	Online scheduling system, accessible through a secure web login, is used to schedule on-call personnel up to a year in advance. Updated schedule changes are automatically reflected in CMS' systems.
Online Reporting	Fully automated reporting system through www.continentalmessage.com which allows you to access call recordings, call logs, daily / weekly / monthly time statistics and any messages taken by CMS.

OPTIONAL SERVICES (NOT INCLUDED)		
Call Patching / Live Transfer	\$0.15 /minute	Connect callers directly to your staff. Once the connection is made, the client is utilizing CMS's inbound line to host the call, so the remainder of the call from connection until disconnect is charged as Call Patching time.
Pre-recorded Message	\$0.10 /minute	Create a custom automated message/greeting that plays for every caller before reaching a CMS agent. Time is counted for the length of the recording.
Custom Development	\$120 /hour	Advanced programming and system integration work. Database integration, SFTP, API, form-fill and auto-submissions, and any other custom functions unique to the client and/or beyond the standard capabilities of CMS systems.

Updates

Brush cutter on Municibid, There are currently no roadside mowers listed on Municibid. The Town can keep an eye on the site, but please note this is a personnel issue as much as equipment.

Kiosks . The Town through the Parks department has installed one kiosk at the new head of the Blue Trail at Robbins Road. This kiosk will have new cork added and is ready to post for the Rail and Blue trails. The Town will purchase materials for the kiosk at Gibbs Crossing and volunteers will construct in the coming few weeks. Signage regarding the proper use of the trail has been ordered and will be placed. Like a good portion of the trail improvements, the signs and the kiosks are funded with a generous grant from the Urban Trust.

Quaboag Connector, status of vehicles

QC1 – will be out for a while (Transmission / emissions codes / inspection

QC4 – No heat / No a/c but able to use

QC5 - Good

QC8 - will be out (Door wiring is fraying) (repaired Friday)

Senior Van – Not in Ecolane to use with software, adding to fleet by end of month

New van – awaiting title Baystate

Materials at Banas farm:

The old asphalt: It's old berm and chunks or slabs of blacktop that were excavated during water dig jobs. Sometimes DPW brings it back to Palmer Paving and they crush it up and re-use it in new mix. The old millings on the site are used for Town projects.

Old Logs:

Most of all the logs were sent through the big chipper last year or the year before.

There is some wood down there that could be used for firewood. DPW reviewing usefulness.

Drones: It has become apparent that meeting the requirements of the Federal Aviation Administration to fly drones for municipal business is much more involved than initially assumed, and than it has been in the past. Town personnel who have been chosen by their Department Heads as good candidates have been given the study materials for the required exam, but have been encouraged to spend as much time as they need preparing.

Retail Store, West Street. A map showing the proposed zone change is attached.



Corner Malboeuf/Palmer

Ware, MA

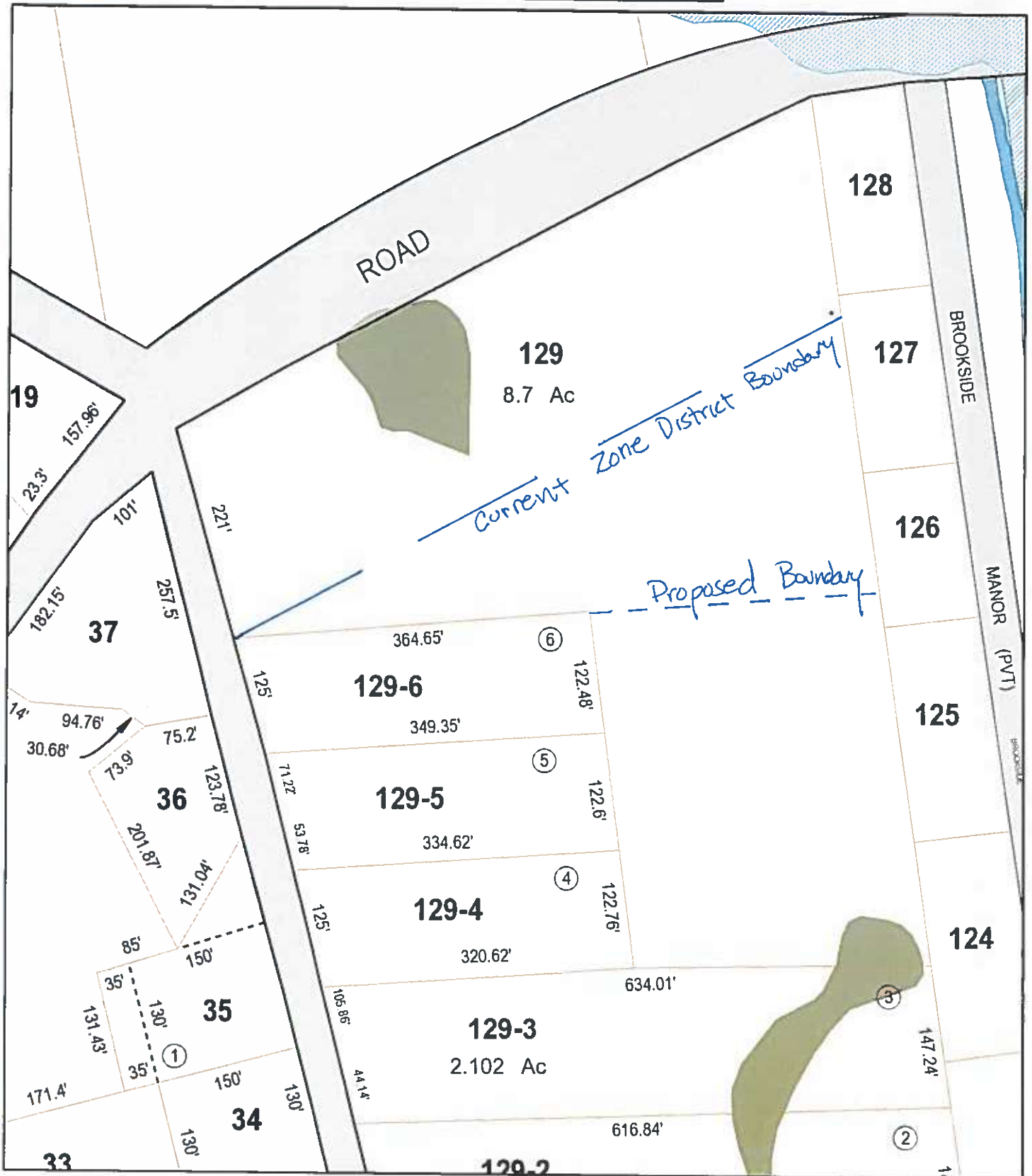


September 16, 2022

1 inch = 139 Feet



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

9-1-22

To NANCY, TALBOT: Town Clerk
Town of Ware MA

I Cheryl Haigh Wish to be
reinstated For A Second term on the
COA.

Thank you,
Cheryl Haigh
79 Greenwich Rd
Ware MA 01082

Please Add to the Agenda
For Tuesday's BOA Meeting.

Thank you



TOWN OF WARE

Town Manager

126 Main Street

Ware, MA 01082

413-967-9648 x100

September 15, 2022

To : Select Board

Subject: Host Community Agreement – Resource Waste of Ware

Attached is a proposed Host Community Agreement from Resource Waste of Ware for their operation on East Street. Based on the following revenues included in the agreement, I have attached a summary of the anticipated revenue benefit to the town over the lifetime of the agreement.

- 20 year agreement
- WRWS 15K value for Household Hazardous Waste Day
- WRWS 20K value 2 bulky events along with Town's street sweeping and CB
- WRWS free C&D 250 tons per year \$35K value
- WRWS \$15,000 to local community group
- Increase per ton rate 3% every year on Jan 1st

HOST COMMUNITY AGREEMENT

This Agreement, dated as of _____, 2022, by and between the Town of Ware, Massachusetts (the "Town") with offices at 126 Main Street, Ware, Massachusetts 01082, and ReSource Waste Services of Ware LLC ("ReSource"), a Delaware limited liability company with offices at 198 East Street, Ware, Massachusetts 01082

WITNESSETH:

WHEREAS, ReSource owns and operates a rail-served solid waste transfer station located at 198 East Street, Ware, Massachusetts (the "Facility") at which ReSource accepts construction and demolition waste ("C&D") pursuant to that certain Site Assignment issued by the Ware Board of Health for the Facility dated June 18, 2004 (as modified to date, the "Existing Site Assignment"); and

WHEREAS, ReSource is seeking to increase the amount of C&D it can accept at the Facility from 750 tons per day to 1,400 tons per day and has applied for a modification to the Existing Site Assignment to allow for this increase (the "Site Assignment Modification", and collectively with the Existing Site Assignment, the "Site Assignment"); and

WHEREAS, the parties desire to outline certain of the host community benefits that ReSource will provide to the Town from the Facility if the Site Assignment Modification is issued; and

WHEREAS, the parties intend this Agreement to be binding on ReSource and any subsequent person or entity that owns or operates the Facility under the Site Assignment (whether directly as a successor or assign of ReSource or by any other means);

NOW, THEREFORE, for good, lawful and valuable consideration, ReSource and the Town agree as follows:

1. Host Community Compensation. ReSource agrees to pay the Town One Dollar (\$1.00) per ton (the "Host Community Compensation") for each ton of solid waste accepted by ReSource at the Facility, excluding any solid waste delivered by or on behalf of the Town or the Town residents as described in Sections 2 through 4 below. As used herein "solid waste" shall include C&D and any other "solid waste" or "waste", as defined in the solid waste regulations 310 CMR 19.006 promulgated by the Massachusetts Department of Environmental Protection in effect at the time (the "DEP Regulations"). ReSource shall make such payment within thirty (30) days after the end of each calendar quarter (i.e., every three months). Commencing on January 1, 2024, and on each January 1 thereafter, the Host Community Compensation shall be increased by an amount equal to 3% of the Host Community Compensation for the preceding calendar year.
2. Acceptance of the Town's C&D. Provided that the Facility is operating, ReSource will accept from the Town for disposal, free of charge, Acceptable C&D generated at the Town's facilities and delivered to the Facility in commercial or Town hauling vehicles in an

amount up to 250 tons in each calendar year. "Acceptable C&D" as used in this Agreement shall be limited to such construction and demolition wastes that Resource is permitted to accept under its permits and approvals, as well as all applicable laws, regulations and orders.

3. Bulky Waste Days; Street Sweeping and Catch-basin Residues. Provided that the Facility is operating and ReSource is permitted to accept at the Facility Bulky Waste (as defined in the DEP Regulations) and residues generated from street sweeping and catch-basin cleanings, ReSource agrees to (a) conduct two Bulky Waste disposal days at the Facility each calendar year during which Town residents can deliver to the Facility, free of charge, Bulky Waste which they have generated, and (b) accept at the Facility, free of charge, the residues collected by the Town from time to time from its street sweeping and catch-basin cleaning activities; provided, however, that in the event the aggregate disposal costs for said Bulky Waste and street sweeping and catch-basin cleaning residues exceeds \$20,000 in any year, the excess disposal costs above \$20,000 shall be paid by the Town.

4. Household Hazardous Waste Days. Provided that the Facility is operating, ReSource will coordinate and operate a household hazardous waste ("HHW") disposal event each calendar year for HHW generated by Town residents and fund the HHW disposal event up to \$15,000 in each year. Any overage in expenses above \$15,000 for the HHW disposal event shall be paid by the Town. The Town will cooperate with ReSource in selecting a location for the HHW disposal event and, if requested by ReSource, will provide a site for the HHW disposal event.

5. Support for Community Groups. Provided that the Facility is operating, ReSource will pay \$15,000 in each calendar year during the term of this Agreement to community organizations designated by the Town.

6. Term. Provided that on or before March 31, 2023 the Site Assignment Modification is issued with conditions reasonably acceptable to ReSource and all applicable appeal periods relating thereto have expired without any appeals being filed (collectively, the "Site Assignment Approval"), this Agreement shall commence on January 1, 2023, and shall remain in effect until December 31, 2042. If the Site Assignment Approval does not occur on or before March 31, 2023, the term of this Agreement shall commence on the first day of the calendar month next succeeding the date the Site Assignment Approval occurs and shall remain in effect until December 31, 2042, with the condition that either party will have the right to terminate this Agreement with no further obligations hereunder in the event the Site Assignment Approval does not occur by December 31, 2023.

7. Records. ReSource shall maintain reasonable books and records relevant to the provisions of Sections 1 through 5 above for a period of seven years, and the Town shall have the right to audit the books and records of ReSource that contain the data or information relevant to the provisions of said Sections. The Town shall also have the right to request appropriate testing to confirm that any scale used by ReSource is accurate if ReSource's scale has not been certified by a qualified independent third-party within the past 12 months.

8. Modifications. This Agreement may be modified only by an agreement in writing and shall be interpreted as an integrated agreement containing all obligations and understandings of the parties.

9. Construction. Each party has participated in the drafting of this Agreement. For purposes of interpreting this Agreement, each provision will be deemed to have been jointly drafted by the parties. The parties intend for this Agreement to be construed and interpreted neutrally, in accordance with the plain meaning of its language, and not presumptively construed against any actual or purported drafter of any specific language contained in it.

10. Invalidity. If any provision of this Agreement or portion of such provision, or the application thereof to any person or circumstance, shall to any extent be held invalid or unenforceable, the remainder of this Agreement or the remainder of such provision and the application thereof to other persons or circumstances (other than those as to which it is held invalid or unenforceable) shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

11. Governing Law; Jurisdiction. This Agreement and the parties' respective rights hereunder shall be governed by the laws of the Commonwealth of Massachusetts and the parties hereto consent to the jurisdiction of the state courts of the Commonwealth of Massachusetts for the purpose of resolving any disputes relating to this Agreement.

12. Indemnification. ReSource agrees to indemnify, and hold the Town harmless from and against any liability, cause of action, or claim for bodily injury, including death, or property damage asserted by any third party against the Town to the extent arising from, relating to, or connected with:

- a. ReSource's operation of the Facility in violation of the Site Assignment conditions, applicable law or regulations;
- b. ReSource's negligent operation or maintenance of the Facility;
- c. any unlawful or unauthorized release to the environment caused by ReSource; or
- d. any breach by ReSource of this Agreement excluding that portion of the liability, claim or cause of action attributable to the negligence of the Town.

ReSource's liability under this Section shall be limited to the insurance coverage carried by it, so long as ReSource complies with the requirements described in Section 13. ReSource shall not have any liability hereunder unless the Town provides ReSource written notice of the claim, liability or cause of action within ninety (90) days of the first assertion of the same against the Town. ReSource shall have the right, but not the obligation, to defend with counsel of its selection, as approved by the Town in its reasonable judgment (except no approval will be required if ReSource's counsel has been selected by ReSource's insurance carrier), and to settle any such claim, liability or cause of action. ReSource's obligation to indemnify the Town shall not in any way act as a waiver of the Town's defenses under the Tort Claims Act and ReSource's obligations hereunder are conditioned upon the Town taking all required steps in response to a claim pursuant to the Tort Claims Act.

13. Insurance. ReSource shall carry comprehensive general liability in the amount of \$1,000,000 per occurrence/\$2,000,000 aggregate and automobile liability insurance with combined single limits of liability of at least \$1,000,000, and worker's compensation insurance with statutory limits of liability. ReSource shall annually provide the Town with certificates of such insurance naming the Town as an additional insured on the comprehensive general and automobile liability insurance.

14. Representations. The parties respectively each represent and warrant that:

a. Each is duly organized and existing and in good standing, has the full power, authority and legal right to enter into and perform this Agreement, and the execution, delivery and performance of this Agreement (i) will not violate any judgment, order, law, bylaw, ordinance or regulation, and (ii) do not conflict with, or constitute a default under, any agreement or instrument to which either is a party or by which either party may be bound or affected; and

b. This Agreement has been duly authorized, executed and delivered; this Agreement is supported by adequate consideration; this Agreement constitutes legal, valid and binding obligations of each party, enforceable in accordance with its terms; there is no action, suit or proceeding pending or, to the knowledge of either party, threatened against or affecting either wherein an unfavorable decision, ruling or finding would materially adversely affect the performance of any obligations hereunder.

15. Binding Effect. The terms and conditions of this Agreement shall inure to and be binding upon the parties hereto, and their respective successors and assigns, including, but not limited to, whether by sale of stock, merger, consolidation or sale of assets.

16. Parties. Nothing herein shall be construed as creating a partnership or joint venture between ReSource and the Town. No persons performing any of the work or services described in this Agreement for ReSource shall be considered an officer, agent, servant or employee of the Town, and the Town shall not be considered an operator of the Facility.

17. Compliance with Site Assignment. ReSource acknowledges that it is subject to the conditions of the Site Assignment issued by the Ware Board of Health for violations of which the Ware Board of Health may have remedies provided in M.G.L. c. 111, § 150A and its implementing regulations, as the same may be amended from time to time.

18. Taxes. This Agreement is not intended to supplant any taxes of any nature owed by ReSource.

19. Transfer. ReSource agrees that this Agreement shall be binding upon and inure to the benefit of successor owners and operators of the Facility under the Site Assignment. ReSource further agrees that it shall not sell, lease, transfer or otherwise dispose of the Facility and its rights under the Site Assignment to any person or entity, without (i) first obtaining the written agreement of any such person or entity to be bound by this Agreement, and (ii) giving written notice to the Town within 30 days after the date of any such sale, lease, transfer or other disposition, which notice shall include the written agreement of such person or entity to be bound by this Agreement.

20. Notices. All notices required or contemplated by this Agreement shall be in writing, and shall be deemed given when received if sent by personal delivery, by certified mail, return receipt requested, or by nationally recognized overnight delivery service that provides evidence of receipt (such as Federal Express or UPS), properly addressed as follows:

- a. To the Town: Town of Ware
126 Main Street
Ware, Massachusetts 01082
Attn: _____
- b. To ReSource: ReSource Waste of Ware LLC
159 Wolf Road, Suite 301
Albany, New York 12205
Attn: Chief Risk Officer
- c. Or to such other address as either party may designate in writing.

21. Entire Agreement. It is understood and agreed that all understandings and agreements heretofore had between and parties thereto are merged in this Agreement, which alone fully and completely expresses their agreement and contains all of the terms agreed upon between the parties with respect to the subject matter of this Agreement, and that this Agreement is entered into after full investigation, neither party relying upon any statement or representation, not embodied in this Agreement, made by the other.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

Town of Ware, Massachusetts

ReSource Waste Services of Ware LLC

BY: _____
Name:
Title:

BY: _____
Name:
Title:

Tonnage fee

	Tons	Days	Rate	Annual Revenue	
	2023	800	250	\$1.00	\$200,000.00
	2024	1100	250	\$1.03	\$283,250.00
	2025	1400	250	\$1.06	\$371,315.00
	2026	1400	250	\$1.09	\$382,454.45
	2027	1400	250	\$1.13	\$393,928.08
	2028	1400	250	\$1.16	\$405,745.93
	2029	1400	250	\$1.19	\$417,918.30
	2030	1400	250	\$1.23	\$430,455.85
	2031	1400	250	\$1.27	\$443,369.53
	2032	1400	250	\$1.30	\$456,670.61
	2033	1400	250	\$1.34	\$470,370.73
	2034	1400	250	\$1.38	\$484,481.85
	2035	1400	250	\$1.43	\$499,016.31
	2036	1400	250	\$1.47	\$513,986.80
	2037	1400	250	\$1.51	\$529,406.40
	2038	1400	250	\$1.56	\$545,288.60
	2039	1400	250	\$1.60	\$561,647.25
	2040	1400	250	\$1.65	\$578,496.67
	2041	1400	250	\$1.70	\$595,851.57
	2042	1400	250	\$1.75	\$613,727.12
	Sub-total for Agreement				\$9,177,381.07
Bulky Waste, Sweepings					\$20,000 x 20 years
					\$400,000.00
Household Hazardous Waste					\$15,000 x 20 years
					\$300,000.00
Community Donation					\$15,000 x 20 years
					\$300,000.00
	Total Value				\$10,177,381.07



TOWN OF WARE, MASSACHUSETTS
OFFICE OF THE TOWN CLERK

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

NANCY J. TALBOT
TOWN CLERK
September 15, 2022

Town of Ware
Selectboard
126 Main St.
Ware, MA 01082

Dear Board Members:

I am writing to request your vote to reduce Early Voting Hours for the town pursuant to the Votes Act of 2022 for the reasons below.

The Votes Act as passed this year mandates Early Voting by Mail and In Person for all State Elections including primaries.

The Early Voting Hours for the recent State Primary resulted in a very poor showing for our registered voters as follows:

Saturday hours as mandated were set from 10 AM to 4 PM and there were 12 voters who participated.

Monday through Friday the hours each day were from 8:30 to 3:30 each day and the total voters who participated were 48 during that time. The in-person participants were 60 in total.

The Early Voting In Person Voting will be for two (2) weeks prior to the November 8 State Election of which Mail In Voting is still offered and for which there is a greater interest at this time, other than voting on Election Day.

The law does allow for the Selectboard to vote prior to October 2nd to reduce the time to at least 50% of the regularly scheduled hours. The 2nd week however must be 100% of the regularly scheduled office hours of the Town Clerk.

I am requesting that in order to offer the hours the 1st week that the Selectboard vote to reduce the hours to be 10 AM to 2 PM, which would be 4 hours each day Monday through Friday the 1st week of Early Voting. No vote is needed for the 2nd week of hours as they will be 8:30 to 3:30 each day Monday through Friday.

Additionally, on the two (2) Saturdays prior to the State Election (October 22 and 29th) Early Voting In Person Hours will be 10 AM to 4 PM.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy J. Talbot", is written over the printed name.

Nancy J. Talbot
Town Clerk

Town Manager FY2022 Goals – Annual Evaluation

Develop a strategic plan that will guide staff towards town priorities, with intentional goal setting, benchmarks, and performance metrics.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Formalize the Town's Performance Management Plan, provide training for Department Heads and schedule staff initial goals/evaluations.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Develop a succession plan that will identify future Department Heads.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Formalize the HR Policies Manual which will build an internal framework of standards and processes intended to engage and motivate employees.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Provide direction and feedback to department heads, highlight achievements at BOS meetings.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Expand Capital Improvement Plan to ten years by June 1, 2021. Complete Capital Plan and establish long-term funding strategy. Track large items that will need funding past 5 years.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Complete Union negotiations with 4 bargaining units by May 2021.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Set goals to improve responsiveness to residents, businesses, officials. [example: call-back within 4 hours]

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Formalize a Complaint System that will track issues and create quarterly reports for Select Board.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Establish a recycling program for residents, including a drop-off center.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Create and implement a sustainable plan for the Quaboag Connector by August 2021. Hire staff to operate and manage.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Conduct a town-wide survey to measure the current effectiveness of Ware's Town government.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Post goals and progress on Town website to enable citizens to track.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Successful Strategic Planning& Fiscal Health

Identify efficiencies within Town Departments, including practices and cost savings. Meet with Department heads to schedule implementation of findings. Complete one Department/month.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Identify areas of town that are safety concerns and set timeline to address and mitigate.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Seek State and Federal funding opportunities and facilitate grant submission. Report to BOS monthly.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Improve time-management skills by delegating appropriate tasks and scheduling "uninterrupted" time to complete projects.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Prioritize meetings and attend only those that will support the role as Town Manager.

- ☐ Completed
- ☐ Partially Completed
- ☐ Did Not Complete

Comments:

Town Manager Goals and Objectives for 2023: Please list recommendations for goals and objectives for the coming year and next review period.

1.

2.

3.

4.

5.

6.

7.

8.

Please return completed evaluation forms to Chairman John Morrin.

September 15, 2022

To : Select Board

From : Stuart Beckley, Town Manager

Subject: Request to Open Town Meeting Warrant

Would the Board please open the warrant for a special Town Meeting in November? The Warrant would be open for approximately three weeks and brought to the Board for approval at the meeting on October 18.

The Board may set the date for the Town Meeting Tuesday or at a future meeting. Two dates for consideration are November 14 or November 21.

Attached is a preliminary list of article topics.

Thank you.

Early outline of Articles for Town Meeting

Old Bills

Budget adjustments

Assessors

Sealer of Weights and Measures

Matching funds for Grants

WWTP Assessment

Lead Water

PARC – Memorial Field

Bylaws

Scenic Roads

Appointment of Tree Warden

Zoning

Rural Business District (Route 9)

West Street (Tractor Supply)

Urban Fill definition and prohibition

Capital

Purchase of 73-75 Main Street

Other items –

KEVIN O'REGAN

133 CHURCH STREET
WARE, MA 01082

(413) 658-4350
oregan6@comcast.net

September 3, 2022

Town of Ware Select Board
C/O Stuart B. Beckley — Town Manager
126 Main Street, Ware, MA 01082

Re: Comments and Concerns of Citizens

Dear Members of the Select Board:

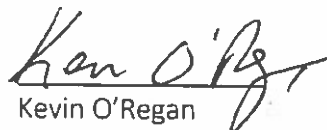
I am writing to express my concern about the Select Board's handling of the Board of Health's request to hire an attorney at your August 16, 2022 meeting. The vote denying the Board of Health's request was conducted in a frenzied and unprofessional manner after the Board Chair cut short discussion and refused to permit any public input. I was shocked by the Board Chair's lack of respect for the Board of Health and the public. It was clear that he opposed the Board of Health's request from the start but good government required that the Select Board at the least hear discussion before finalizing its collective decision. The ultimate vote after no public input inspired no confidence that the Select Board operated fairly.

I attended the meeting to contribute to the discussion about which attorney to hire. I am a long-time resident of Ware, live on Church Street within hearing distance of the facility and have observed the 3 prior applications related to the site. When the issue came to the floor, I sat front and center and raised my hand to be recognized and kept it raised throughout. I and others were ignored by the Board Chair as he peremptorily called for a vote on the issue.

Resource Waste's proposal is a big deal and needs careful and deliberate consideration. The company is consolidating its New England C&D transfer business in Ware and will require a very large increase in the C&D tonnage to be processed here, the expansion of its current building, increasing its hours of operation (to begin at 6am) and the construction of additional rail facilities on the site. Traffic, noise and air pollution, among other issues, all need to be looked at carefully.

The Select Board's denial of the Board of Health's request was one of the first decisions in the process. The Board's vote was conducted in an unprofessional and disrespectful manner and made it appear that the Select Board favors the project and will not support the Board of Health in pursuing the most thorough inspection of the application.

Very truly yours,


Kevin O'Regan



TOWN OF WARE

Town Manager

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

Town Manager Report September 20, 2022

Updates

Structural report on Flat Brook Bridge (Rt 9 Belchertown Rd) are the supports beneath the bridge in need of repair: In response to our question, DOT stated, "We last inspected our structure on 8/17/21. The structure is not considered to be in poor condition. Per the 2021 inspection the deck and substructure were rated to be in satisfactory condition."

Progress on Wall repair 1 Doane Rd: The Conservation Commission met with the property owner and emphasized the need for repair and the filing of a Notice of Intent to repair the wall.

Update on Rt East St sidewalk repair: Repair is anticipated this Fall by MassDOT.

HYDRANT FLUSHING for the fall of 2022 will begin on September 18, 2022

The [Zone Index Map](#) will show the areas where the hydrant flushing will be conducted. The [Flushing Zone Street Index](#) will list which streets are in each zone. For more information about hydrant flushing, follow the link on the left, *Flushing Information*.

Flushing for this fall will be from 11pm to 7am daily.

The length of time a hydrant is flushed depends on several factors including the type of material of the pipe, the length of pipe being flushed, the condition of the pipe and the overall color of the water. Hydrants can be flushed between 15 minutes and several hours. Each hydrant is flushed until only clear water comes out. Please be patient. It takes over a month to complete the flushing program.

With the Assistance of Representative Smola and National Grid, the Town will host a bulky waste collection on Sunday, November 6. National Grid and a company called the Green Team will provide the outreach to the region's households. Some items are free and others will have cost, similar to last Spring's event.

Senator Gobi has notified the Town that the Police Department has received a \$14,000 safety grant for increased patrol and enforcement for the coming year through the efforts of Chief Crevier and Jay Mooney, Grants Coordinator.

Jay was able to pull together a food security grant for the Town and QVCDC. The grant would fund the distribution of food from local farmers. The farms would be paid for the fresh produce and weekly distributions made in Ware, Palmer, Monson and Warren.

The operator of the Church Street food distribution asked the town for assistance with organizing. Additionally the Health Department will permit the operation so that it cannot operate out of a home. The Town reached out to Mary Lane to set up an alternate site. This is looking optimistic.

Per the attached memo, the DPW and Palmer Paving will begin milling and paving next week. The following Streets will be done:

Upper Church St. from the power lines to the new walking trail.

Chestnut

Greenway

Gould St

Valontis

Pleasant Terrace

Matteson Boulevard

Boivin Ave

Webb Ct

The Water Department will begin flushing on Sunday night. Most flushing will be done during the night which will shorten the schedule. The Town verified with DEP that flushing as a water quality task is permitted during the drought period.



TOWN OF WARE

Department of Public Works
4½ Church Street
Ware, Massachusetts 01082-0089

Tel. 413-967-9648 Ext702 Fax 413-967-9638
Email: gmcalmond@townofware.com

Memorandum

To: Stuart Beckley, Town Manager
From: Geoff McAlmond, DPW - Director
Date: September 16, 2022
Re: August 2022 – Monthly Report

Water Division

Water Division Supervisor Andrew Lalashius and his staff continue to do an excellent job of insuring a high-quality safe water supply is provided to the residents served by the water system. No easy task in today's highly regulated environment.

A lightning strike occurred late in the afternoon on August 24, 2022, severely damaging the storage tank alarm controls. Staff was able to restore the operation of the system on a temporary basis while awaiting parts for the permanent repairs. An insurance claim has been filed for the loss.

The Ware River water level remains significantly below normal, requiring water restrictions to remain in effect. Outdoor watering has been limited to the hours before 9 a.m. or after 5 p.m. The Notice has been posted on the Town website. Sign boards with the Notice have been placed throughout the Town. The water supply wells static levels while pumping remains approximately one foot below their normal levels; not presenting any issue with the supply at this time. The static well levels will continue to be monitored on a routine basis in case an excessive drop should occur requiring a reduction of output.

The Water Division employees continued to maintain the grounds surrounding the Treatment Plant, Wells, Water Tanks and Business office. Additionally, they have been replacing

dysfunctional water meters (25 this month), collecting water samples, and generally maintaining the system.

Wastewater Division

12.1 million gallon of wastewater was processed through the Plant this month, resulting in 132,600 gallons of sludge being transported off site for disposal.

Wastewater Treatment Plant Chief Operator David Comeau and the staff are continuing to manually operate the plant and keep it within the prescribed parameters for the effluent. Rags and debris continue to pose problems with the clogging of the pumps and equipment at the plant, requiring their manual cleanout on a near constant basis. A replacement cutter head was installed by the staff and put into service on August 31, 2022, replacing the existing worn-out unit within the plant. It is expected the new cutter head will reduce the effect rags and debris have been having on the pumping equipment.

The Mechanical Screener Project (to alleviate the rags and debris issues) design is near the 90% complete stage and continues to be on track to go out for bids before the end of the calendar year. Unfortunately, due to anticipated supply chain issues the project's completion is not expected before the end of calendar year 2023.

Maintenance/overhaul by staff of Clarifier #2 has continued to take place while this summer's low flow has allowed it to be taken offline and is expected to be completed during September.

Highway Division

Highway Supervisor Charles Niedzwiecki has been diligently following up with Palmer Paving Companies representative to ensure the Town of Ware's Road paving is on their schedule for completion this season. The Highway Crew has been working on the preparation of the roads to be paved by cleaning out the existing swales, removal of berms and resweeping of the streets.

Additionally, the Highway Division employees have been patching roads, sweeping the streets, and performing roadside mowing (including the rail trail). The repainting of the School Campus crosswalks, parking line, and handicap areas was completed before the start of school.



TOWN OF WARE

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Memorandum

To: Stuart Beckley, Town Manager
From: Geoff McAlmond, DPW - Director
Date: September 9, 2022
Re: FY2023 Pavement Management Program

Chuck Niedzwiecki while serving as Interim DPW Director developed the following Pavement Management Program for this fiscal year FY23, it is a well thought out program balancing the need to maintain to both residential and arterial streets. Palmer Paving is expecting to complete the paving work under its contract with the Town early this fall.

Church Street

Two sections of Church Street are scheduled for a 1½" mill and pavement overlay application; the first section is in two parts both in front of the Grenville Park entrances and the second section is from the power line crossing north to the walking trail crossing. A submittal has been made to MassDOT for Chapter 90 project approval in the amount of \$228,930.50.

Chestnut Street & Greenway Avenue

All of Chestnut Street and Greenway Avenue which runs off Chestnut Street are scheduled for 1½ " mill and pavement overlay applications. A MassDOT Chapter 90 project approval in the amount of \$86,655.59 has been received.

WRAP Road Paving

The Town of Ware received an appropriation of \$283,379.30 from the MassDOT under the Winter Recovery Assistance Program (WRAP) with the funding becoming available for expenditure June 27, 2022, it is a requirement all work be completed on June 30, 2023

The following listed roads are intended to receive a 1½" mill and pavement overlay application for an estimated cost of \$275.031 from the WRAP funding.

Pleasant Terrace

Volontis Avenue

Matteson Boulevard & Side Street

Boivin Avenue

Gould Street

Webb Court

Buckley Court

Chip Sealing

Due to ongoing supplier supply chain issues, the asphaltic material required to Chip Seal roads will not be available until Spring 2023. In the meantime, the Highway Department has been and will continue to prepare the following roads for a Chip Seal application. The preparation work includes drainage and catch basin repairs, trimming back of roadside growth and application of a bituminous asphalt leveling course as needed to realign the road grades, at an estimated cost of \$86,850.00. It is anticipated MassDOT Chapter 90 funds will be utilized to complete the Chip Seal applications to the following Roads.

River Road

Barnes Street

Indian Hill Road

Juniper Hill Road

Sherman Hill Road

As this seasons pavement work continues status updates will be provided to keep you abreast of the progress of the work.