



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, May 3, 2022 at 7:00 p.m.

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

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

Meeting ID: 784 604 1861

Passcode: 01082

Phone: 929-205-6099

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

Absent: Selectman Keith J. Kruckas

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

Meeting Opened by Chairman Morrin at 7:00 PM.

Opening Remarks, Announcements, and Agenda review by Chair

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

Consent Agenda

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

Selectman McCarthy made the motion to approve the Consent Agenda.

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

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

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

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

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

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

Old Business

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

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

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

printed on employee pay stubs.

New Business

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

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

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

Scheduled Appearances

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

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

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

New Business

• Discussion on School Regionalization Recommendation

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

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

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

Comments and Concerns of Citizens

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

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

Adjournment

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

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