

Select Board

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Notice Agenda – Tuesday, July 19, 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 June 21, 2022, June 28, 2022, and July 8, 2022 Meeting Minutes
- Special Event Permit Application: Ware River Valley Domestic Violence Task Force's Domestic Violence Awareness Walk, Saturday, October 22, 2022 from 12:00PM-2:00PM at Veterans Park (Rain Plan: Inside at Town Hall)
- Toll Road Application: Ware Business & Civic Association Fundraiser for Holiday Decorations and Festivities- August 13-14, 2022 from 8:00AM-12:00PM (Rain Date: August 20-21, 2022)

Scheduled Appearances

- 7:05 PM- Public Hearing for National Grid/Verizon Pole Petition #30567321 (Old Gilbertville Road)
- Building Commissioner Anna Marques- Discussion on Town Policy Involving Private Sales of Buildings with Extensive Fire Damage

Old Business

- Signing of East Quabbin Land Trust Conservation Restriction
- Discussion on Quaboag Connector Funding, Ridership, Financial Contingency Plan, Proposal for Free Veteran Transportation
- ARPA Funding Recommendation: Wastewater Treatment Plant Screen
- Discussion on Rail Trail, Information Kiosks, Maintenance

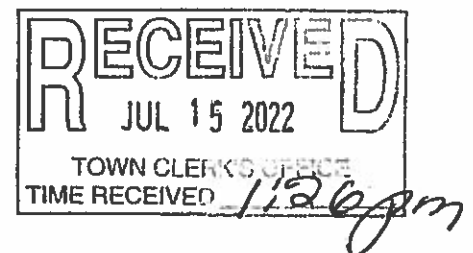
New Business

- Approval of Reappointment: Lynn Nenni, Finance Committee
- Approval of Town Manager Job Description
- Appointment of Election Workers

Comments and Concerns of Citizens

Town Manager Report

Adjournment





Select Board

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Minutes – Tuesday, June 21, 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

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Present: Chair John J. Morrin, Vice-Chair Caitlin M. McCarthy, Board Clerk Thomas H. Barnes, Board Member Keith J. Kruckas, Board Member Joshua A. Kusnierz, Town Manager Stuart B. Beckley, Executive Assistant Christopher J. Nolan, Human Resources Director Justine Caggiano, Director of Planning & Community Development Rob Watchilla, Robert Swift of CHA/National Grid, Rodney Galton of Ecos Energy, Sandy Zebrowski (Kowynia), Kathy McCabe, David Loring, Rich Starodoj, Alex Bergeron

Absent: None

Present via Zoom: Stanley Ciukaj from Ware Community Television, Paula Ouimette from Ware River News, Ruth McGrath, Michael Tatrom

Meeting Opened by Chair Morrin at 7:00 PM.

Opening Remarks, Announcements, and Agenda review by Chair

Clerk Barnes thanked Troop 281 and Scoutmaster Dan Flynn for their outstanding flag retirement ceremony on June 11th.

Chair Morrin announced that the Veterans Carnival would be starting this Thursday and running for three days at Memorial Field.

Board Member Kruckas thanked Chair Morrin for all his work organizing the Carnival.

Board Member Kusnierz thanked the Parks Department for improving Diamond 2 by adding a Sani-Can.

Consent Agenda

- Approval of June 7, 2022 Meeting Minutes

Board Member McCarthy made the motion to approve the Consent Agenda. Board Member Barnes seconded the motion. The motion passed unanimously (5-0).

Old Business

- **Update on Whistleblower Line Status**

- Chair Morrin stated that he was pleased to see the number for the whistleblower phone line printed on recent employee paychecks.
- Mr. Nolan noted that he monitored the line regularly, but it had thus far had almost no activity. He added that he would work with the Chair, Vice-Chair, and HR Director to help them with downloading the Verizon OneTalk to access the line on their own devices.

- **Update on East Street Underpass Construction**

- Mr. Beckley thanked Nunes Construction for their efforts with the underpass improvement project, and noted that the Board could expect completion of this within a few weeks.

Scheduled Appearances

- **7:05 PM- Continue Public Hearing for National Grid/Verizon Pole Petition #30365815 (Coffey Hill Road, Sherman Hill Road, Sczygiel Road, Webster Road)**

- Mr. Robert Swift of CHA Consulting would be speaking on behalf of National Grid.
- Mr. Swift noted that the original petition had been redesigned to remove the pole that had been objected to by resident Paul Krasnecky for being located in his front yard. However, he revealed that he was made aware of issues involving requested easement on Ms. Kowynia's property.
- Ms. Kowynia stated that due to easement issues, she was prevented by court order from signing a consent form for the property to be used in this purpose, and she had confirmed this with her lawyer.
- Mr. Swift responded that because of this, the line could not be constructed in the manner it was proposed, and the next alternative was quite costly. He stated that it would be possible to remove the anchors, but it would be a long process.
- Mr. Tatrom introduced himself as also speaking on behalf of National Grid, and asked if any meeting attendees had questions for him. None were had.
- Mr. Swift noted that due to the easement issue, National Grid's best option was to conduct another redesign using fiberglass poles instead of wooden ones, adding that two specific locations prevented any potential redesign relying on wooden poles.
- Mr. Tatrom added that fiberglass poles were not particularly common, but had been used before in necessary cases.
- Mr. Swift recommended that the Board dismiss the public hearing and allow National Grid to re-submit after the new design is complete.

Board Member Barnes made the motion to dismiss the public hearing. Board Member Kruckas seconded the motion. The motion passed unanimously (5-0).

- Mr. Galton of Ecos Energy stated that his company would be paying the bills for the moving of any streetlights necessary for their solar project.

- **West Street Corridor Study Presentation**

- Mr. Loring introduced himself and Ms. McCabe as two consultants who had roles in the study.
- Mr. Loring stated that Pare had conducted a grant-funded buildout study/analysis of West Street, resulting in two memos to the Town.
- The study consisted of a land-use assessment, a buildout analysis, and a traffic study.
- The studied corridor was West Street from the Ware Public Schools campus to its terminus at Main Street.
- Some noted concerns from the traffic study were deficiencies in crosswalks, signage, traffic markings, and signals.
- On-street parking is only available at the far North end of the corridor.

- Several sidewalks dead-end without adherence to ADA regulations.
- North of the Robbins Road intersection, West Street is Town-owned, while South of the intersection it is a state-owned highway with a difference in character.
- Mr. Loring noted that even though transportation volume is decreasing along the corridor, accidents are increasing. Most of these are rear-end and angle crashes caused by roadway access issues.
- Mr. Loring added that speed limits were not well posted along the corridor.
- The crash rate for this corridor is 7.24, versus the statewide average for similar roadways of 3.58.
- He stated that the corridor's issues resulted from a lack of a holistic approach to improvements.
- Board Member Kruckas stated that the exit to the parking lot of Teresa's Restaurant is a notorious trouble spot for crashes that is not even included in the specific corridor showing a high crash rate.
- Board Member Kusnierz added that the intersection with Anderson and Malboeuf Roads is another trouble spot not included.
- Ms. McCabe informed the Board of a federally-funded Safe Streets Initiative that was seeking applications, arguing that Ware could make a good candidate.
- Mr. Loring added that West Street is in need of improvements for pedestrian and bicyclist safety, public transportation, ADA compliance, and sidewalk continuity. He added that it could also be better connected with Ware's segment of the Mass Central Rail Trail.
- Mr. Loring noted that Pare Corporation had worked with former DPW Director Mr. Gilbert St. George-Sorel, who informed them of the need for water and sanitary sewer improvements along the corridor.
- He added that while aerial clutter was more of an aesthetic rather than functionality issue, the overabundance of signs, poles, and wires made West Street's aerial clutter particularly severe.
- The Town must consider what it wants future development along the corridor to look like.
- Encouraging slower traffic would improve safety.
- Mr. Loring noted Pare's recommendation to eliminate the center-turn lane and take a holistic approach to the entire corridor.
- Ms. McCabe noted that the corridor was heavily travelled by school buses.
- She added that the corridor was located mainly in three zoning districts, and was built-out on almost every parcel. For this reason, redevelopment is a more important focus moving forward than new developments are.
- She noted that the Town should utilize the corridor as a mixed-use district.
- The Town should be mindful that West Street serves as the gateway to Ware from the Mass Pike, and is thus the first impression of the Town for many visitors.
- The corridor consists of 148 parcels, two-thirds of which do not meet current zoning requirements. While prior developments are grandfathered into zoning amendments over time, new developments and re-developments must follow the Town's current zoning.
- Over the past few years, housing prices in Ware had risen 38-39%, which is the second highest percent increase in the area.
- Ms. McCabe noted that Ware holds a reputation for being an affordable small town.
- Mixed retail-residential zoning developments were becoming more popular nationwide.
- She added that demand for retail and office space in Ware is weak, but activity in this sector is increasing.
- A sector currently undergoing rapid expansion was warehousing, but Ms. McCabe pointed to Ware's location several miles from the Mass Pike as making it a poor candidate for this type of development.
- Additionally, West Street's mixed uses and moderate pedestrian activity also contributed to it being non-ideal for warehousing.
- Ms. McCabe identified six defined areas along the corridor.
 1. The school-home neighborhood at the southern end.
 2. The area just north of Cumberland Farms, consisting of several awkwardly shaped multi-acre parcels.

3. The area near the Senior Center, which is ideal for focusing on walkability, and with a few lots being good candidates for new development or re-development.
4. The area near the Vernon Street intersection and Muddy Brook bridge, which included 59 parcels located in the Ware River floodplain. Ms. McCabe applauded CVS for being ahead of its time by elevating its building because of its floodplain location. While the floodplain presented a risk, the Ware River also has recreational potential, with three West Street properties extending all the way back to the river.
 - Board Member Kruckas argued that this section of the river was too shallow and rocky to have recreational potential, and that those seeking navigable water would need to go closer to downtown.
 - Ms. McCabe added that Pare's study did not include a river analysis, which could help answer this question.
5. The area between Vernon and Main Streets, which marked a transition between the downtown and highway business areas.
6. The vacant lot next to Veterans Park, which Ms. McCabe argued could be easily established as an outdoor dining and recreation area.
 - Ms. McCabe emphasized that the need for planning and development along this corridor came from the lack of consensus regarding its future.
 - Clerk Barnes noted that any contractor digging into the street to work on water or sewer lines should be using conduit.
 - Board Member Kruckas argued that the Town's above-ground telephone poles are an eyesore.
 - Chair Morrin agreed that the utility poles and signposts for defunct businesses cluttered the visual landscape, and expressed interest in pursuing a project to move the lines underground.

Old Business

- **Review and Approval of Underride Process**
 - Mr. Beckley introduced the motion that the Board could use to place the underride on the ballot for voters. State law prohibited this from being placed on the ballot for Primary Elections in September.
 - Chair Morrin argued that this question should be placed on the ballot for the General Election in November.
 - Mr. Beckley added that an amount between \$341,000 and \$400,000 could be designated, but recommended discussing with the Finance Committee beforehand.
 - Board Member Kruckas argued that on principle, the taxpayers should be able to vote on this matter regardless of the opinions of the Finance Committee.
 - Vice-Chair McCarthy disagreed, noting that the Finance Committee should be consulted before making this type of decision.
 - Mr. Beckley added that performing an underride would only return approximately 40 cents to each of the Town's taxpayers.
 - Board Member Kruckas argued that more importantly, it would slow the rate of rising taxes, which is vital for the Town's struggling residents when an economic recession seems imminent.
 - Chair Morrin summarized his support for allowing the voters to decide whether to accept the underride.

Board Member Barnes made the motion to place the question "Shall the Town of Ware be required to reduce the amount of real estate and personal property taxes to be assessed for the fiscal year beginning July first, two thousand and twenty-three by an amount equal to \$400,000?" on the ballot for the November 8, 2022 General Election. Board Member Kruckas seconded the motion. The motion passed on a vote of 3 Yes (Board Members Morrin, Barnes, Kruckas), 2 No (Board Members McCarthy, Kusnierz).

- **Discussion on Town Policy Involving Private Sales of Buildings with Extensive Fire Damage**
 - Board Member Kruckas argued that contrary to the appearance from the highlighted sections of the Minutes from the past several years retrieved on this topic, more people than just him had been asking questions on this topic.
 - He argued that the Board had repeatedly been reassured those issues of concern would be addressed, but still had not been.
 - He added that after the long processes of addressing unkempt buildings at two other locations on Main Street, he had just learned of a third one that had recently been sold after a major fire.
 - Board Member Kruckas expressed that it would ultimately fall on the taxpayers to address properties such as this one, and he demanded the Building Commissioner be present in a Board meeting to answer these questions.
 - Vice-Chair McCarthy asked what happened to the Building Commissioner's plan to notify the Board any time a property owner refused to pay required fees.
 - Mr. Beckley responded that an issue from the lien program arises based on whether the property owner owes money.
 - Board Member Kruckas argued that the Building Department has not competently handled this issue, and that it is unacceptable that a member of the Finance Committee persuaded Town Meeting to award this Department with a new part-time inspector position.
 - Mr. Beckley noted that no proposals had been made to cover the cost of additional building enforcement through a formal system such as the one recently developed by the City of Springfield.
 - Chair Morrin recommended that the Board table this discussion until the next meeting in which the Building Commissioner is available to attend.

Board Member Kusnierz made the motion to table the discussion. Board Member Kruckas seconded the motion. The motion passed unanimously (5-0).

- **Discussion on Status of Vacant/Unkempt Property Bylaw**
 - Mr. Beckley stated that the Building and Fire Departments were collaborating to create a registry of vacant properties in the Town, and that the system for this should be finalized by mid-Fall.
 - Chair Morrin asked when the Board could expect an update on this.
 - Mr. Beckley responded that an update would be available by either the second September or first October meeting.
 - Chair Morrin stated that the Board would like to revisit this topic in September.

Board Member McCarthy made the motion to table this discussion to the September 20, 2022 Meeting. Board Member Barnes seconded the motion. The motion passed unanimously (5-0).

- **Request for ARPA Expenditures**

Board Member McCarthy made the motion to table the discussion on ARPA expenditures. Board Member Barnes seconded the motion. The motion passed unanimously (5-0).

- Board Member Kruckas expressed frustration with this item being on the agenda, arguing that the Board had agreed not to approve further ARPA expenditures until funding details surrounding the Wastewater Treatment Plant screen had been finalized.
 - Chair Morrin responded that he felt it was fair to have this item placed on the agenda, as premium pay requests were made by two of the Town's collective bargaining units, but he did not feel the Board was currently ready to vote on the matter.

New Business

- **Approval of Reappointments: Terms to Expire June 30, 2025**

- Daniel O'Connor, Capital Planning Committee
- John Carroll, Community Development Authority
- Lorrie Willette, Historical Commission
- Wanda Mysona, Historical Commission
- Jodi Chartier, Zoning Board of Appeals

Board Member Barnes made the motion to approve all of the listed reappointments. Board Member Kusnierz seconded the motion. The motion passed unanimously (5-0).

- **Approval of Departmental Transfers**

- Mr. Beckley requested the Board approve a series of end-of-fiscal-year transfers between Town accounts.
- Board Member Kruckas asked for justification on the transfers involving the Assessors and Streetlights accounts.
 - Mr. Beckley responded that money was being requested for transfer from the Principal Assessor salary account to the Assessors- Purchase of Services account due to the hiring of a consulting group to assist in filling the long-term vacancy of the Principal Assessor position. Meanwhile, the Streetlights account required extra funds due to the cost of recent pole removals, increasing electricity rates, and the purchase of new poles.
 - Board Member Kusnierz asked for the total of how many poles were removed.
 - Mr. Beckley responded that five poles were removed, while 30 new decorative lights were added. The total cost for removing the five poles was \$4,500, and this should only be a one-time charge.
- Board Member Kruckas asked for explanation of the transfer into the Town Hall- Purchase of Services account.
 - Mr. Beckley responded that additional funds were needed for this account, but he could not provide specific details on what they were needed for at this time.
 - Board Member Kruckas stated that the Board would not be voting to approve the transfers without knowing further details of what was included.

Board Member Kruckas made the motion to table the Approval of Departmental Transfers. Board Member Kusnierz seconded the motion. The motion passed unanimously (5-0).

- **Explanation of Town's Delinquent Tax Payment Policy**

- Chair Morrin asked for a description of the Town's procedures for creating payment plans with delinquent taxpayers.
 - Mr. Beckley answered that the past two Town Treasurers have customarily utilized three-year payment plans.
- Board Member Kruckas asked if this model was consistent with all standard procedures and state guidelines.
- Chair Morrin argued that if the Town currently lacked a written policy for payment plans, it needed one.
 - Board Member Kruckas expressed agreement, emphasizing that these agreements should focus on uniformity.

Board Member Barnes made the motion to table the discussion on delinquent tax payment policy. Board Member McCarthy seconded the motion. The motion passed unanimously (5-0).

- Mr. Beckley asked if the Board had any additional questions on this matter.
 - Chair Morrin responded that they simply wanted more precise numerical answers to the question of how delinquent payment plans are calculated.

- **Recommendation for Quaboag Connector to Provide Free Transportation to Veterans**

- Clerk Barnes argued in favor of providing free Quaboag Connector rides to local veterans.
- Board Member Kruckas noted that he felt this was a nice idea, but had more pressing concerns regarding the finances of the Connector that he wanted to see addressed first. He requested that a discussion on funding for the Quaboag Connector be added to the agenda for the next Board meeting.
- Chair Morrin asked what the Town's plan would be if the Connector ran into a deficit.
 - Board Member Kruckas expressed agreement that a deficit is certain for this organization in the near future.
- Clerk Barnes noted that some of the Connector's passengers are given rides for free if they claim inability to pay.
- Board Member Kruckas noted the potential difficulties of allowing some riders free transportation, while others must pay. He also argued that it is unfair Ware foots the bills for the Quaboag Connector when the system also serves several other Towns, and stated that the current \$2 fare per ride is unsustainable.
- Board Member Kusnierz asked how many Towns are served by the Connector.
 - Mr. Beckley responded that it travels to nine other Towns.
- Board Member Kruckas argued in favor of holding a regional meeting with the Finance Departments for each Town in the system to determine a way of sharing the costs more equally.
- Board Member Kusnierz asked if other Towns in the system held awareness of their own residents' use of it.
 - Mr. Beckley responded that every trip is monitored by Quaboag Connector staff, and that Palmer and Monson actively contribute to the Connector.
- Board Member Kruckas requested a Town-by-Town breakdown of residency for the Connector's passengers.
- Mr. Beckley noted that at the present time, an average ride on the Connector costs \$17 to operate, but only generates \$2 back in revenue.
- Board Member Kusnierz asked who could make decisions on raising ride fares.
 - Mr. Beckley responded that this would need to be a decision made jointly by the Town of Ware and the Quaboag Valley Community Development Corporation.
 - Chair Morrin argued that the Town should ensure it is getting as much funding as possible from other Towns in the system before shifting the cost onto riders.
- Chair Morrin stated that the Board could vote to provide free ride service to veterans on the Connector.
 - Board Member Kusnierz questioned whether this topic was ready for a vote.
 - Board Member Kruckas agreed that the Board should have a more detailed proposal before voting.
- Mr. Beckley added that providing free rides for veterans would cost the Connector approximately \$5,000 per year.

Board Member Kusnierz made the motion to table the discussion on veteran transportation until two meetings into the future. Board Member McCarthy seconded the motion. The motion passed unanimously (5-0).

- **Discussion on Procedure for Implementing Water Restrictions**

- Chair Morrin asked how the decision is made for the Town's mandatory water restrictions to take effect.
 - Mr. Beckley responded that a trigger on the Ware River located near Gibbs Crossing alerts the Town when the water drops below a certain level. Sometimes this was caused by lack of rainfall, and other times by the river being diverted to the Quabbin Reservoir.
 - Board Member Kruckas noted that there was no current diversion to the Quabbin, making this explanation infeasible.

- Mr. Beckley noted that municipalities have the option of either activating restrictions based on water level reading, as Ware currently does, or implementing an automatic seasonal water restriction that would last the duration of the Summer.
- Board Member Kruckas noted that he discussed this issue during the previous Summer, when the water level was higher than usual, but the restrictions still took effect. He noted that the Ware River is impeded upstream in Barre to power the turbines of a hydroelectric plant, and this causes the downstream water level to suffer. He asked why neighboring Towns never appear to implement water restrictions despite drawing from the same river. He speculated that the hydroelectric plants in both Ware and Barre cause consistently-timed fluctuations in the water level at the trigger location, and that the Town should coordinate with the station owners to determine their schedule for operations.
- Vice-Chair McCarthy asked if Mr. Beckley had previously been in communication with Ware River Power, Inc.
 - Board Member Kruckas added that the owners were good local business owners, and the Town should not impede their operations, but rather work with them to determine a schedule that is mutually beneficial.
 - Vice-Chair McCarthy requested that Mr. Beckley contact the owners of Ware River Power, Inc. for this purpose.
 - Mr. Beckley agreed to reach out.
 - Chair Morrin also asked Mr. Beckley to research the procedures of other local Towns for implementing water restrictions.
- **Set Public Hearing for National Grid/Verizon Pole Petition #30567321 (Old Gilbertville Road) for Tuesday, July 5, 2022 at 7:05 PM.**

Board Member Kusnierz made the motion to set the public hearing for National Grid/Verizon Pole Petition #30567321 (Old Gilbertville Road) for Tuesday, July 5, 2022 at 7:05 PM. Board Member McCarthy seconded the motion. The motion passed unanimously (5-0).

- **Set Public Hearing for Status of Class II Auto Dealer License #2 (Gillespie Car Care 1) for Tuesday, July 5, 2022 at 7:15 PM.**

Board Member McCarthy made the motion to set the public hearing regarding the status of Class II Auto Dealer License #2 (Gillespie Car Care 1) for Tuesday, July 5, 2022 at 7:15 PM. Board Member Kruckas seconded the motion for discussion.

- Mr. Beckley noted that the licensee had been evicted by the landowner of the parcel on which they are licensed to conduct business, and requests to hold a public hearing on the status of the license had come from a member of the Select Board.
 - Board Member Kusnierz clarified that he was the one who requested this issue come before the Board in response to a complaint he received from a resident.
- Board Member Kruckas accused the property owner of soliciting other Board members to serve his own interests, and also of hypocrisy for turning against his tenant after arguing on his behalf in front of the Board to obtain this license just a few years ago.
- Chair Morrin asked if it was even legal for the Board to revoke this type of license mid-year, if the Board had a precedent for revoking licenses in the past, and what would happen if they did not vote to revoke the license at this time.
 - Mr. Nolan responded that according to the Town Attorney, the Board could opt to hold a public hearing with the holders of the license in question, after which they could vote to revoke the license on the ground of having no legal access to the licensed premises.
 - Mr. Beckley added that the Board had not previously set a precedent for revoking licenses mid-year, and that if the Board chose not to conduct a public hearing on this matter, the

license would simply expire on December 31st.

- Chair Morrin expressed that he felt it would be a safer option to simply not renew the license during the renewals meeting in December, and allow it to run out on its own.

Board Member Morrin made the motion to not set the public hearing recommended by the Licensing Clerk on this matter. Board Member Kusnierz seconded the motion. The motion passed unanimously (5-0).

- **Update on Town Manager Evaluation & Performance Review**

- HR Director Justine Caggiano stated that she had received the Town Manager evaluation form back from two Board members, but needed at least three to move forward. These needed to be received by July 1st at the latest.
- Chair Morrin asked where the evaluation process is provided in the Town Manager's contract.
 - Ms. Caggiano stated that the Manager Evaluation is required by the Town Charter.
- Chair Morrin noted that the Board had worked with Mr. Beckley to design a list of goals for him the previous year.
- Ms. Caggiano clarified that according to the Charter, the Board is to appoint a designee on their behalf to work with the Town Manager on these goals, and that she herself had assumed this role.
- Chair Morrin asked if the goals being discussed were the same as the list of Town Manager goals provided on the Town website.
 - Ms. Caggiano responded that the goals being worked on now were the ones made two years ago.
 - Clerk Barnes noted that he had worked with the late former HR Director Trish Barnes on developing SMART (specific, measurable, attainable, realistic, and time-bound) goals for the Town Manager during the previous year, and argued that these should have been included in the evaluation process.

Board Member Morrin made the motion to appoint HR Director Justine Caggiano as the Board's designee to handle the Town Manager evaluation. Board member McCarthy seconded the motion. The motion passed unanimously (5-0).

- Vice-Chair McCarthy asked Ms. Caggiano for a reminder of whether she had already submitted her evaluation.
 - Ms. Caggiano responded that yes, hers was one of the two submitted.
- Board Member Kruckas noted that he had completed his form, but not yet turned it in.
- Ms. Caggiano added that as soon as she had received one more additional evaluation, this item could go back on the agenda for further discussion.

Comments and Concerns of Citizens

- None were had.

Town Manager Report

The Bank Street construction was moving along quite nicely, and Caracas Construction was currently working on grating driveways in the affected area.

An additional 900 feet of Ware's segment of the Mass Central Rail Trail had been completed. While there were some erosion and security concerns, the trail was now complete from Gibbs Crossing to Mountainview Drive, and the kiosks on either end of the trail would be up by the end of July.

Grenville Park had suffered from an erosion-related incident during the previous week.

Grants Coordinator Jay Mooney continued to do excellent work for the Town, including applying for grants to cover drainage and irrigation improvements at Memorial Field and Grenville Park.

Chair Morrin recognized Diamond #1 as currently being in outstanding shape.

Clerk Barnes congratulated Mr. Steven Hawk of the ADA Commission for recently receiving the Golden Spike Award. He also thanked all who were involved in the success of the recent Bulky Waste Disposal Day. Chair Morrin specifically thanked Resource Waste for partnering with the Town to host this successful event.

Mr. Beckley noted that youth swim lessons were being delayed by an inability to find lifeguards. Help is badly needed for this position that will pay approximately \$15/hour, and the Parks Commission will provide the training necessary for any applicants who currently lack lifeguard certification.

Vice-Chair McCarthy noted that the Youth/Community Center Committee would be holding an information booth at the Carnival this upcoming weekend.

Chair Morrin noted that in addition to the Carnival, the Knights of Columbus would be holding their annual Fireworks celebration at Grenville Park on Saturday night.

Mr. Beckley noted that the Quabbin Health District had hired a new nurse who would be starting next week.

The Board of Health had just received another shipment of COVID tests.

Several interviews had been held for the Administrative Assistant position in the Assessors Office, with a possible candidate chosen. The Town was also expecting a new proposal soon from Regional Resource Group regarding their continued assistance in this office.

State Representative Todd Smola had recently toured the building at 75 Main Street which Country Bank would be donating to the Town (contingent upon approval at Town Meeting), along with Police Chief Shawn Crevier.

Board Member Kruckas asked for an update on the grant-funded digital sign the Town was to acquire. Mr. Beckley responded that the Downtown Improvement Committee was working with Planning & Community Development Director Rob Watchilla to choose the best position and angle for the sign. Board Member Kruckas commended Mr. Watchilla for his work.

Clerk Barnes noted his concern that utility pole placement on the sidewalk along West Street does not comply with ADA requirements.

Chair Morrin thanked the two presenters from Pare Corporation, stating that driving along the West Street corridor so frequently makes it more difficult to notice what improvements are badly needed.

Mr. Beckley asked the Board to keep Mr. Gilbert St. George-Sorel in their thoughts, as he was currently ill. He added that when Mr. St. George-Sorel was feeling better, he would inquire with him about the history of West Street's center-turn lane.

Adjournment

Board Member McCarthy made the motion at 8:46 p.m. to Adjourn the Regular Meeting. Board Member Kusnierz seconded the motion. The motion passed unanimously (5-0).

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

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



Select Board

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Minutes – Tuesday, June 28, 2022 at 3:00 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: Chair John J. Morrin, Board Clerk Thomas H. Barnes, Board Member Joshua A. Kusnierz, Town Manager Stuart B. Beckley, Executive Assistant Christopher J. Nolan, Police Chief Shawn Crevier, Police Lieutenant Tod Bertini, Fire Chief Christopher Gagnon

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

Present via Zoom: Paula Ouimette from Ware River News

Meeting Opened by Chair Morrin at 3:00 PM.

Opening Remarks, Announcements, and Agenda review by Chair

A moment of silence was held in honor of Gilbert ("Gibby") St. George-Sorel, former DPW Director and beloved local figure who sadly passed away early that morning.

Clerk Barnes recognized the success of the prior weekend's Carnival at Memorial Field.

Scheduled Appearances

- **Police Chief Shawn Crevier: Appointment of Permanent Lieutenant**
 - Chief Crevier thanked the Board for scheduling this special meeting. He noted that the placement for this position was a very difficult decision, and that even though Officer Tod Bertini was not the first individual on the Civil Service list for promotion, he was confident that he had met all requirements for the position and was the best candidate.

Board Member Barnes made the motion to appoint Tod Bertini to the permanent position of Lieutenant in the Ware Police Department. Board Member Kusnierz seconded the motion. The motion passed on a vote of 3 Yes, 2 Absent (Board Members McCarthy, Kruckas).

- Mr. Beckley congratulated Lieutenant Bertini on his promotion, and requested to take a photograph of the Chief and Lieutenant to send to the Ware River News.
- Clerk Barnes commended Chief Crevier's son, Officer Jacob Crevier, for his work serving as a Police detail at the Carnival.
- **Fire Chief Christopher Gagnon: Request for Civil Service Firefighter List**

- o Chief Gagnon asked the Board to authorize his request for an updated Civil Service list, noting that of the two most recent candidates who were offered positions in his Department, one declined, the offer, and the other was not able to meet the Department's residency requirements, thus also declining.

Board Member Barnes made the motion to authorize an updated Civil Service List for the Fire Department to hire two new firefighters. Board Member Kusnierz seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

- o Chief Gagnon also noted that the Fire Department had recently been awarded \$11,500 from the Baystate Wing Foundation for additional paramedic training.

Mr. Beckley noted that with the end of the Fiscal Year, and the Board's decision to cancel its July 5th meeting, the Board would need to hold another Special Meeting to approve necessary departmental transfers.

Board Members deliberated on a date and time in which to meet.

Board Member Kusnierz suggested either Thursday or Friday of the following week.

Chair Morrin suggested Friday, July 8th.

Mr. Beckley suggested 10:00 AM on that date.

Board Member Kusnierz agreed, noting that afterward, he and Mr. Beckley would be travelling to an appointment at Pathfinder Regional Vocational Technical High School to pick up a sign that was designed for the Town.

Chair Morrin asked if any details on services for Mr. St. George-Sorel had been announced. Mr. Beckley responded that no details on services had been released yet, but the Flag in front of Town Hall had been lowered to half-staff. Board Member Kusnierz asked if other flags on Town property could also be lowered, such as the one at Veterans Park. Chair Morrin asked if Mr. St. George-Sorel was a veteran. Board Member Kusnierz responded that he did not believe so, but he was not certain. Mr. Beckley responded that he would look into this.

Mr. Nolan asked if the Board needed a motion to reschedule its public hearing for National Grid/Verizon Pole Petition #30567321 on Old Gilbertville Road, which had been set for July 5, 2022 at 7:05 PM.

Board Member Kusnierz made the motion to continue the public hearing for this pole petition on July 19, 2022 at 7:05 PM. Board member Morrin seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 2 Absent (Board Members McCarthy, Kruckas).

Adjournment

Board Member Kusnierz made the motion at 3:12 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



Select Board

Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Friday, July 8, 2022 at 10:00 a.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: Chair John J. Morrin, Vice-Chair Caitlin M. McCarthy, Board Clerk Thomas H. Barnes, Board Member Keith J. Kruckas, Board Member Joshua A. Kusnierz, Town Manager Stuart B. Beckley, Executive Assistant Christopher J. Nolan, Police Chief Shawn Crevier, Town Accountant Tracy Meehan, Daniel Ladue, Lucas Merrill

Absent: None

Present via Zoom: Stanley Ciukaj from Ware Community Television

Meeting Opened by Chair Morrin at 10:00 AM.

Opening Remarks, Announcements, and Agenda review by Chair

A moment of silence was held in memory of Mr. Gilbert ("Gibby") St. George-Sorel, who passed away on June 28th, and whose wake would be held later that afternoon, with the funeral the next day, both at St. Mary's Church.

Old Business

- **Approval of FY22 Departmental Transfers**
 - Mr. Beckley explained to the Board that a number of monetary transfers were needed to close out the 2022 Fiscal Year.
 - Board Member Kruckas expressed frustration that he felt the Board had not received information relevant to these transfers, and that getting answers to questions he had asked the previous day on this matter was "like pulling teeth." He argued that Mr. Beckley was leaving the Board in a position where they were forced to approve the transfers without fully understanding them, and asked why the Town Hall Purchase of Services account required an additional \$12,000 over what was budgeted due to increasing energy costs, while no other Town buildings needed the same increase.
 - Mr. Beckley responded that the reason for this account being over-budget was a combination of rising energy costs, and needed boiler repairs that were recently completed.
 - Ms. Meehan added that the Town Hall Purchase of Services account tends to be kept fairly lean, which leaves little flexibility during periods with unanticipated expenses.
 - Board Member Kruckas asked again why Town Hall needed more than \$10,000 over what was budgeted, while other Town facilities did not require this.
 - Ms. Meehan explained that when the FY22 budget was approved, it was not able to predict

the widespread inflation and raises in costs of goods and services that are currently occurring nationwide.

- Mr. Beckley added that the recently-approved FY23 budget factored in these elevated costs.
- Board Member Kruckas asked for an explanation on why a transfer was needed from the Principal Assessor salary account to the Assessors Purchase of Services account.
 - Mr. Beckley responded that this was due to the Town hiring the consulting services of Regional Resource Group to assist in the Assessors office, where the Principal Assessor position has been a long-term vacancy.
- Chair Morrin argued that he felt it was reasonable for the Board to request a full explanation of each transfer needed before being expected to vote on them.

Board Member McCarthy made the motion to approve all listed year-end transfers for Fiscal Year 2022 . Board Member Barnes seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Abstention (Board Member Morrin).

- Mr. Beckley added that the Finance Committee would be voting on this same item the following Monday.

Scheduled Appearances

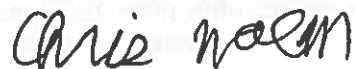
- **Police Chief Shawn Crevier: Appointment of Two New Police Officers**
 - Chief Crevier introduced Mr. Lucas Merrill and Mr. Daniel Ladue as the two chosen candidates to fill the two vacant officer positions in the Department. He noted that if the Massachusetts Chiefs of Police Association holds its proposed police academy in Springfield this September, these two gentlemen would be in attendance. If this is not held, they would attend the October academy in Boylston.

Board Member Barnes made the motion to appoint Daniel Ladue and Lucas Merrill as Officers in the Ware Police Department. Board Member McCarthy seconded the motion. The motion passed unanimously (5-0).

- Mr. Beckley noted that there would be no Board meeting on August 2nd, as this was National Night Out.
 - Chair Morrin added that the public was encouraged to attend informational activities that would be held on National Night Out at Grenville Park's soccer field.
 - Mr. Beckley added that these would be taking place from 6-8PM.
- Mr. Beckley reminded the Board that the next meeting would be their regularly scheduled one on July 19th, and there were already numerous items on the agenda for this upcoming meeting.
 - Board Member Kruckas asked for confirmation that the Building Inspector would be in attendance at the meeting on the 19th to answer questions regarding vacant buildings with fire damage.
 - Mr. Beckley affirmed that the Building Commissioner would attend.

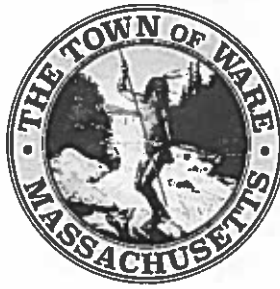
Adjournment

Board Member Kruckas made the motion at 10:10 a.m. to Adjourn the Regular Meeting. Board Member Kusnierz seconded the motion. The motion passed unanimously (5-0).

Attest: 

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

Christopher J. Nolan
Executive Assistant to Town Manager



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.

(967-9620) 4 ½ Church Street

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

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

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

GROUND PENETRATION

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

SIDEWALK CLOSURE / OBSTRUCTION

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

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

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

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

OCCUPANCY ISSUES

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

TENTS

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

SIGNAGE

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

Fire Department (967-5901) 200 West Street

CONCESSION TRAILERS

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

FIREWORKS / BONFIRES

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

GRILLS / PROPANE TANKS

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

STREET CLOSURES OR DETOURS

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

DUMPSTERS

- ☐ Dumpster permits are issued by Fire Department.

Police Department (967-3571) 22 North Street

STREETS/PUBLIC WAYS – BLOCK PARTIES

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

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

PARKING

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

STREET CLOSURE

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

SECURITY DETAILS –

- ☐ Ware Police Department. _____ # of Officers Needed

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

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

ENTERTAINMENT LICENSE

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

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

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

SALES / CONCESSIONS (Hawker & Peddler License)

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

WEB LINKS

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

VENUES

Town Parks

Greenville Park including Bandshell and Pavilion

Veterans Memorial Park and Lot

Memorial Field

Town Hall Auditorium – Capacity 400

Ware Senior Center, Robbins Road

School Buildings

Auditoriums

Cafeteria

Gyms

Classrooms

School Grounds

SPECIAL EVENT PERMIT APPLICATION- TOWN OF WARE
(To be posted or made available at event)

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

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

Event Name: Domestic Violence Awareness Walk Event Producer: Ware River Valley Domestic Violence Task Force

Primary Contact Information:

Primary Contact Name: Jennie Simmons Fax: _____

Non-Profit Organization / Event: Yes X No _____

Day Phone: 413-967-6641

Cell Phone: _____

E-mail: Simmons.jennie68@gmail.com

Website: _____

Event Information:

Event Address / Location: Veterans Park, Ware

Starting Date: 10 / 22 / 22 Time: 12 : 00 P M
: _____ M

Ending Date: 10 / 22 / 22 Time: 2 PM

Total attendance expected: 100

Rain plan: town hall

List any streets to be closed for special event: —

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

Participants will gather at Veterans Park to set up and view exhibits. At 1 PM, the speakers will begin. Then the walk will start: Veterans park, cross Main St, left on Pulaski St., left after the bank back to Main St, left and return to Veterans Park. Closing comments will end the event, followed by cleanup.

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

I, Jennie Simmons, a representative from the Ware River Valley Domestic Violence Task Force, does hereby acknowledge that in the course of its use of property owned by the Town of Ware, namely Veterans Park located at Main 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 WRVDVTF), 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 Veterans Park, WRVDVTF 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 WRVDVTF use of Veterans Park.
WRVDVTF 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 Veterans Park.
Said indemnification shall not include claims arising from intentional malfeasance by the agents or employees of the Town of Ware.

Signed this 13th day of June, 20 22, on behalf of WRVDVTF by

X Jennie O. Simmons Date: 6/13/22
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 [Signature] Date: 6/16/22

Health Department _____ Date: _____

Department of Public Works _____ Date: _____

Building Inspections _____ Date: _____

Fire Department _____ Date: _____

✓ Police Department [Signature] Date: 6-17-2022
of Officers (if applicable) 0

TOWN OF WARE
BOARD OF SELECTMAN

APPLICATION FOR THE CONDUCT OF A "TOLL ROAD"

WBCA

Name of Organization

79 Main St. Ware

Address

2014

Date Organization Established

Chairperson/Person in Charge:

Name Dan Flynn Title President

Address 79 Main St. Ware Telephone # 413-297-5886

Email DFlynn@turley.com

Date Requested August 13-14 Alternate Date August 20-21

Time Requested 8:00 am to 12:00 noon

Purpose to benefit Ware Holiday for Christmas
decorations and to put on Santa parade on Main
St. and Holiday drive-thru at Greenville Park

Number of Participants 20 (Please attach a separate paper listing names, addresses and ages of all participants.)

Attached herewith is a certificate of insurance for the event which designates the Town of Ware as an additional named insured for the event.

I have been provided with a copy of the "Toll Road Policy and Map" and am aware of the requirements associated with its provisions of conduct.

[Signature]
Signature of Chairperson/Person in Charge

7/8/12
Date

Application Approved by Board of Selectmen on _____

Clerk to Board of Selectmen

cc: Toll Road Approved Applications File
Police Department
Fire Department

TOLL ROAD POLICY TOWN OF WARE, MA

1.1 PURPOSE AND AUTHORITY

To provide, rules, requirements, and guidance for Ware non-profit organizations to conduct voluntary Toll Roads in the Town of Ware. The Board of Selectmen shall be the enforcement agency for all rules and regulations pertaining to this policy.

1.2 DEFINITION AND INTENT

Toll Roads are defined as an event during which members of a group stand in appropriate public roadways to collect small donations from passing vehicles. The intent of this policy is to establish the procedures for conducting Toll Roads in a safe manner within the Town of Ware.

1.3 APPLICABILITY

Non-profit organizations from Ware wishing to conduct a Toll Road, within the Town of Ware, shall apply for a permit 30 days prior to the date of the event.

1.4 SPECIAL PERMIT GRANTING AUTHORITY

The Board of Selectmen shall be the entity which grants the special permit and approval is at their discretion.

1.5 SPECIAL PERMIT SUBMITTAL REQUIREMENTS

Form available at Board of Selectmen Office/Town Manager Office.

Special Permit shall include the following:

1. Name and address of the Organization.
2. Date Organization was established.
3. Name, address and contact numbers for the officer and contact person of the above organization.
4. Organization to provide a Certificate of Insurance for a minimum of One Million Dollars (\$1,000,000.00) limit of General Liability Insurance covering the event. Further, the Town of Ware must be named as an additional insured under the policy for the event applied for.
5. Number of participants to take part in conducting the Toll Road.
6. Name, address and age of all participants who will participate in the Toll Road.
7. The organization shall only solicit from the following designated areas:
 - a. North and Main – Eastbound, Westbound and Southbound

- b. Intersection of East Main, Main and Church and South Streets. Main Street -Eastbound only, East Main Street - Westbound only, South Street -Northbound only, Church Street – Southbound only.
 - c. Pulaski and South Street – Eastbound only.
8. The purpose of the event.

1.6 STANDARDS FOR TOLL ROAD SPECIAL PERMITS

No special permit may be granted by the Board of Selectman for a Toll Road unless the following conditions are satisfied.

- 1. Locations Conditions
 - d. Toll Roads are only to be conducted at controlled intersections (traffic light/stop sign) per attached map
 - e. During daylight hours
- 2. Visibility Conditions
 - a. Warning Signs alerting oncoming traffic of a voluntary Toll Road shall be located at least 150 feet prior to intersection and should be a legible text such as Arial or Times Roman and be at least 2 ½" letters. The signs should read – WARNING VOLUNTARY TOLL ROAD AHEAD. The sign should be Yellow or Orange with black lettering.
 - b. ALL participants are required to wear ANSI II reflective clothing at all times.
- 3. Minors shall not be allowed to participate in the street at a Toll Road in the Town of Ware if under the age of 18.
- 4. Frequency
 - a. The Board of Selectman shall limit the number of occurrences an organization will be allowed to conduct a Toll Road to two (2) per calendar year.

1.7 COMPLIANCE OF POLICY

- 1. Violations
 - a. Minors in the road
 - b. Toll collectors outside of designated areas.
 - c. Acts that endanger public safety
 - d. Lack of Warning Signs or signs not in compliance with this policy
 - e. Lack of reflective clothing
 - f. Report of violations from safety officials
- 2. Penalties
 - a. First offense - Organization banned from conducting Toll Roads for 1 year.
 - b. Second offense – Organization banned from conducting future Toll Roads

3. Enforcement

- a. The Board of Selectman shall implement penalties as appropriate**
- b. The Ware Police Department shall have the authority to terminate a Toll Road immediately if the standards as described in Section 1.6 are being violated**
- c. The Ware Police Department shall notify the Board of Selectman of the violation**

Policy Adopted: May 26, 2009



June 8, 2022

The Board of Selectmen of Ware, Massachusetts

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Ken Creigle 413-207-5733

Please notify National Grid's Lisa Ayres of the **hearing date / time** to lisa.ayres@nationalgrid.com

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Lisa Ayres; 1101 Turnpike Street; North Andover, MA 01845
978-725-1418

Very truly yours,

A handwritten signature in blue ink that reads "Jim Kehrner/lla".

Jim Kehrner
Supervisor, Distribution Design

Enclosures

Questions contact - Ken Creigle 413-207-5733
PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

North Andover, Massachusetts

To the Board of Selectmen
Of Ware, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Old Gilbertville Rd. - National Grid to install (2) JO midspan poles 20-50 and 21-50 on Old Gilbertville Rd. beginning at a point approximately 4000 feet north of the centerline of the intersection of Church St. and continuing approximately 300 feet in a north direction to correct existing long spans.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Old Gilbertville Rd. - Ware, Massachusetts.

30567321

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Jim Kehner/lla*

BY _____
Engineering Department

VERIZON NEW ENGLAND, INC.
BY *Albert F. Bessette*
Manager / Right of Way

Dated: May 12, 2022

Ware

Questions contact – Ken Creigle 413-207-5733

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen - Ware, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 12th day of May 2022.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Old Gilbertville Rd. - Ware, Massachusetts.

30567321 Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Old Gilbertville Rd. - National Grid to install (2) JO midspan poles 20-50 and 21-50 on Old Gilbertville Rd. beginning at a point approximately 4000 feet north of the centerline of the intersection of Church St. and continuing approximately 300 feet in a north direction to correct existing long spans

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the *select Board*
Of the City/Town of *Ware*, Massachusetts held on the *19th* day of *July* 2022

Massachusetts

City/Town Clerk.

20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on July 19th 2022 at 7:05 o'clock, PM
At Ware Town Hall, 126 Main St, Ware, MA a public hearing was held on the petition of
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND,
INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded,
and that we mailed at least seven days before said hearing a written notice of the time and place of
said hearing to each of the owners of real estate (as determined by the last preceding assessment
for taxation) along the ways or parts of ways upon which the Company is permitted to erect
Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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.....

Board or Council of Town or City, Massachusetts

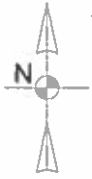
CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of
hearing with notice adopted by the _____ of the City of
Massachusetts, on the _____ day of 20____ and recorded with the records of location orders
of the said City, Book _____, and Page _____. This certified copy is made under the
provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk

Exhibit A – Not to Scale

The exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof.



JOINTLY OWNED POLE PETITION

- Proposed JO Pole Locations
- ⊙ Existing JO Pole Locations
- △ Proposed JO Anchor Locations
- - - Proposed Span Guy Wire

NGRID CONTACT: KEN CREIGLE 413-207-5733

DISTANCES ARE APPROXIMATE

**nationalgrid
AND
VERIZON**

Date: 5/4/2022

Plan Number: WR# 30567321

To Accompany Petition Dated:

To The: TOWN Of WARE

For Proposed: JO Pole: 20-50 & 21-50 **Location:** SIDE OF ROAD

Date Of Original Grant:

Memo: Fire Damaged Structures



To: Members of the Ware Select Board
Stuart Beckley, Town Manager

From: Anna Marques, Building Commissioner *agm*

This memo is to clarify the procedure for acting on a property that had sustained fire damage. The process falls under the powers of MGL Ch 143, sections 6-14

At the event of a fire, the Building Commissioner establishes contact with the property owner. It is conveyed to the property owner that the property must be made secure within 24 hours under the Unsafe Structures regulation in the Building Code Regulations. Assistance is offered to the owner to find contractors who are able to do the required work. During this time, the Building Commissioner also informs the property owner what the next steps will be in moving forward with repairs. Many times, it involves communications with contractors and insurance companies. Non-criminal Code violations may be issued if a property is not secured in the time allotted or if work is started without obtaining permits. If the violations are not acted on, court action then may be required through guidance from Town Counsel.

If a property is significantly damaged and the owner chooses not to pursue complete demolition, then an Order to Demolish may be made in one of two ways; 1) the Building Commissioner may issue the order if the building is found structurally unsafe which may require a Board of Survey to conduct an inspection and issue a report of their findings, and 2) the Select Board may take action to deem a property as a nuisance and order demolition.

In either of these two cases, once an order of Demolition is made, the Town cannot retreat from pursuing demolition. If the property still does not comply with the Order to Demolish, then court action is required and the Town must pay for the demolition and then place a lien on the property. Depending on the estimated cost, a special town meeting may be held.

Because court action would be inevitable, Town Counsel must be involved in the process. Each fire event is unique and depending on the circumstances, Town Counsel would offer proper guidance accordingly.

Attached is additional correspondence with details on the above process.

GRANTOR: East Quabbin Land Trust, Inc.

GRANTEE: Town of Ware, Conservation
Commission

ADDRESS OF PREMISES: Old Stagecoach Road,
Ware MA 01082

FOR GRANTOR'S TITLE SEE: Hampshire County
Registry of Deeds at Book 14566, Page 77.

GRANT OF CONSERVATION RESTRICTION

I. STATEMENT OF GRANT

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

II. PURPOSES:

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

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

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

- Open Space. The Premises contributes to the protection of the scenic and natural character of Ware and the protection of the Premises will enhance the open-space value of these and nearby lands. The Premises abuts land already conserved, including the East Quabbin Land Trust's Hyde Woodland Preserve.
- Soils and Soil Health. The entirety of the Premises includes Prime Forestland Soils as identified by the USDA Natural Resources Conservation Service. The protection of the Premises will promote healthy soils and healthy soils practices as such terms are defined in Chapter 358 of the Acts of 2020, which added definitions of these terms to Section 7A of Chapter 128 of the Massachusetts General Laws.
- Public Access. Public access to the Premises will be allowed for passive outdoor recreation, education and nature study.
- Water Quality. Protection of a Forest Core area or other large, forested landscape can help maintain water quality for public drinking water; protection of a riparian corridor can help maintain water quality critical to cold water fisheries.
- Working Farmland and/or Forest Land. The protection of the Premises will ensure that the forests contained on the Premises will be permanently available for forest management that is consistent with the Purposes.
- Climate Change Resiliency. The Premises is identified as an area of above average Terrestrial Resilience according to The Nature Conservancy's (TNC) Resilient Land Mapping Tool, including 1.37SD in Landscape Diversity and 0.69SD in Local Connectedness. TNC's Resilient Land Mapping Tool was developed in order to map 'climate-resilient' sites that are 'more likely to sustain native plants, animals, and natural processes into the future.' The protection of these climate resilient sites is an important step in both reducing human and ecosystem vulnerability to climate change and adapting to changing conditions.
- Consistency with Clearly Delineated Federal, State, or Local Governmental Conservation Policy. Conservation of the Premises meets community goals for expanding passive recreational opportunities and establishing a town-wide greenway system which are enumerated in the 2016 Open Space and Recreation Plan for the Town of Ware. In addition, creating diverse types of trails across the Commonwealth is a key goal of the 2017 Statewide Comprehensive Outdoor Recreation Plan.
- Historic and Archaeological Resources. Conservation and appropriate management of the Premises has an important public benefit by preserving historic and archeological resources within the Premises.

III. PROHIBITED and PERMITTED ACTS AND USES

A. Prohibited Acts and Uses

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

1. Structures and Improvements. Constructing, placing, or allowing to remain any temporary or permanent structure including without limitation any building, tennis court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, graveled area, roads, sign, fence, gate, billboard or other advertising, antenna, utilities or other structures, utility pole, tower, solar panel, solar array, conduit, line, septic or wastewater disposal system, storage tank, or dam;
2. Extractive Activities/Uses. Mining, excavating, dredging, withdrawing, or removing soil, loam, peat, gravel, sand, rock, surface water, ground water, or other mineral substance or natural deposit, or otherwise altering the topography of the Premises;
3. Disposal/Storage. Placing, filling, storing or dumping of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, tree and other vegetation cuttings, liquid or solid waste or other substance or material whatsoever;
4. Adverse Impacts to Vegetation. Cutting, removing, or destroying trees, shrubs, grasses or other vegetation;
5. Adverse Impacts to Water, Soil, and Other Features. Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, natural habitat, archaeological conservation, or ecosystem function;
6. Introduction of Invasive Species. Planting or introducing any species identified as invasive by the Massachusetts Invasive Plant Advisory Group or identified as invasive in such recognized inventories as the Massachusetts Introduced Pests Outreach Project, the Northeast Aquatic Nuisance Species Panel, or other such inventories, and any successor list as mutually agreed to by Grantor and Grantee;
7. Motor Vehicles. Using, parking, or storing motorized vehicles, including motorcycles, mopeds, all-terrain vehicles, off-highway vehicles, motorboats or other motorized watercraft, snowmobiles, launching or landing aircraft, or any other motorized vehicles, acknowledging that vehicles necessary for public safety (i.e., fire, police, ambulance, other government officials) may have a legal right to enter the Premises;
8. Subdivision. Subdividing or conveying a part or portion of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted), it being the Grantor's and Grantee's intention to maintain the entire Premises under unified ownership;

9. Use of Premises for Developing Other Land. Using the Premises towards building or development requirements on this or any other parcel;
10. Adverse Impacts to Stone Walls, Boundary Markers. Disrupting, removing, or destroying stone walls, granite fence posts, or any other boundary markers;
11. Residential or Industrial Uses. Using the Premises for residential or industrial purposes;
12. Inconsistent Uses. Using the Premises for commercial purposes that are inconsistent with the Purposes or that would materially impair the Conservation Values, or for any other uses or activities that are inconsistent with the Purposes or that would materially impair the Conservation Values.

B. Permitted Acts and Uses

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

1. Vegetation Management. Maintaining vegetation, including pruning, trimming, cutting, and mowing, and removing brush, all to prevent, control, and manage hazards, disease, insect or fire damage, and/or in order to maintain the condition of the Premises as documented in the Baseline Report (see Paragraph XV.);
2. Non-native, Nuisance, or Invasive species. Removing non-native, nuisance, or invasive species, interplanting native species, and controlling species in a manner that minimizes damage to surrounding, non-target species and preserves water quality;
3. Composting. Stockpiling and composting stumps, trees, brush, limbs, and similar biodegradable materials originating on the Premises.;
4. Natural Habitat and Ecosystem Improvement. With prior written approval of the Grantee, conducting measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, ecosystem function, or rare or endangered species including planting native trees, shrubs, and other vegetation;
5. Indigenous Cultural Practices. With prior written notice to the Grantee, allowing indigenous peoples to:
 - a. Conduct cultural land ceremonial uses. Cultural practices are defined, for the purposes of this Conservation Restriction, as including traditional spiritual ceremonies, seasonal celebrations, offerings, and cultural, educational, and interpretive programming; and

- b. Harvest plant-life for traditional cultural practices, using methods which, ensure sustainable populations of the harvested species within the Premises, including regrowth and replanting;
- 6. Archaeological Investigations. Conducting archaeological activities, including without limitation archaeological research, surveys, excavation and artifact retrieval, but only in accordance with an archaeological field investigation plan, which plan shall also address restoration following completion of the archaeological investigation, prepared by or on behalf of the Grantor and approved in advance of such activity, in writing, by the Massachusetts Historical Commission State Archaeologist (or appropriate successor official) and by the Grantee. A copy of the results of any such investigation on the Premises is to be provided to the Grantee;
- 7. Trails. Maintaining and constructing trails as follows:
 - a. Trail Maintenance. Conducting routine maintenance of trails, which may include widening trail corridors up to eight (8) feet in width overall, with a treadway up to six (6) feet in width.
 - b. New Trails. With prior written approval of the Grantee, constructing new trails or relocating existing trails, provided that any construction or relocation results in trails that conform with the width limitations above.
 - c. Trail Features. With prior written approval of the Grantee, constructing bog bridging, boardwalks, footbridges, railings, steps, culverts, benching, cribbing, contouring, or other such features, together with the use of motorized equipment to construct such features;
- 8. Signs. Constructing, installing, maintaining, and replacing signs and informational kiosks with respect to the Permitted Acts and Uses, the Purposes, the Conservation Values, trespass, public access, identity and address of the Grantor, sale of the Premises, the Grantee's interest in the Premises, boundary and trail markings, any gift, grant, or other applicable source of support for the conservation of the Premises;
- 9. Motorized Vehicles. Using motorized vehicles by persons with mobility impairments provided however the manner of such vehicle use complies with Grantor's policy and approved in advance by Grantee, and as otherwise permitted herein;
- 10. Outdoor Passive Recreational and Educational Activities. Hunting, trapping hiking, horseback riding, cross-country skiing, snowshoeing, nature observation, nature and educational walks and outings, outdoor educational activities, and other non-motorized outdoor recreational and educational activities;
- 11. Forest Management
 - a. Permitted Activities. Conducting sound silvicultural uses of the Premises, including the right to harvest forest products (as such term may be defined from time to time in Section 1 of Chapter 61 of the Massachusetts General Laws, or successor law) or conduct other forest management activities, reestablish

historic woods roads and establish new woods roads, and the use of motorized vehicles, all as necessary to conduct such activities (“Forestry Activities”), provided that any Forestry Activities are carried out pursuant to a Forest Stewardship Plan (as defined below). All Forestry Activities shall avoid any stone structures or historical and cultural resources and shall prevent damage thereto to the extent feasible. All commercial cutting operations shall be supervised by a licensed forester.

- b. Requirement of a Forest Stewardship Plan. Before any Activities occur on the Premises, Grantor shall submit a Forest Stewardship Plan to the Grantee, the Massachusetts Department of Conservation and Recreation (“DCR”) or appropriate successor agency, and to any other required state agencies for their approval. The Forest Stewardship Plan shall:
 - i. be prepared by a forester licensed through DCR and shall follow the “Directions for the Preparation of the Chapter 61 Forest Management Plans and Forest Stewardship Plans” (as such guidelines may be amended by DCR or its successor agency) and such statutes, regulations and directions in effect at the time of the approval of said Forest Stewardship Plan; and
 - ii. include provisions designed to comply with the recommended activities and guidelines and required best management practices established in the Massachusetts Forestry Best Management Practices Manual (Catanzaro, Fish & Kittredge, University of Massachusetts, Amherst & DCR; 2013) and subsequent versions as may be approved by the Massachusetts Bureau of Forest Fire Control and Forestry (“Forestry BMPs”); and
 - iii. address how the Forest Stewardship Plan complies with this Paragraph II.B.10; and
 - iv. be effective for a ten (10) year period and shall be resubmitted once every ten (10) years as necessary if additional Forestry Activities are desired.
- c. Harvesting For Personal Use. The sustainable cutting of trees only for the Grantor’s personal use, not to exceed one (1) cords or equivalent volume, shall not require a Forestry Plan provided that any such cutting complies with the Forestry BMPs.

12. Agricultural Activities.

- a. Permitted Activities. “Agricultural Activities” are collectively defined as “Animal Husbandry” and “Horticulture,” defined below:
 - i. Animal Husbandry. Raising animals, including but not limited to dairy cattle, beef cattle, poultry, sheep, swine, horses, ponies, mules, goats, and bees, for the purpose of using, consuming, or selling such animals or a product derived from such animals in the regular course of business; or when primarily and directly used in a related manner which is incidental thereto and represents a customary and necessary use in

- raising such animals and preparing them or the products derived therefrom for use, consumption, or market.
- ii. Horticulture. Raising fruits, vegetables, berries, nuts, and other foods for human consumption, feed for animals, flowers, trees, nursery or greenhouse products, and ornamental plants and shrubs, all for the purpose of selling such products in the regular course of business; or when primarily and directly used in raising forest products under a Forest Stewardship Plan designed to improve the quantity and quality of a continuous crop for the purpose of using, consuming, or selling these products in the regular course of business; or when primarily and directly used in a related manner which is incidental to those uses and represents a customary and necessary use in raising such products and preparing them for use, consumption, or market;
- b. Requirement to Follow Best Agricultural Practices. Agricultural Activities shall be conducted in a manner consistent with generally accepted best management practices for sustainable farming as those practices may be identified from time to time by appropriate governmental or educational institutions such as the USDA Natural Resources Conservation Service (NRCS), UMass Extension, Northeast Organic Farming Association (NOFA), Massachusetts Department of Agricultural Resources, and the like, (collectively, “Best Agricultural Practices”) and in a manner that promotes healthy soils and healthy soil practices, as such terms are defined in Chapter 358 of the Acts of 2020, which added definitions of these terms to Section 7A of Chapter 128 of the Massachusetts General Laws (“Healthy Soils and Practices”), and in a manner that does not hinder the ability of future generations to engage in Agricultural Activities on the Premises;
- c. Requirement for a Farm Conservation Plan. Agricultural Activities shall require a farm conservation plan, such as an NRCS Conservation Plan (“Farm Conservation Plan”), prepared for the Premises, and approved in writing by the Grantee. The Farm Conservation Plan shall be developed in accordance with generally-accepted Best Agricultural Practices, and shall, at a minimum, address the following:
- i. establish wetland buffers and/or filter strips to prevent adverse impacts to the water quality of existing wetlands and waterways;
 - ii. in the event animal husbandry activities are proposed, establish and govern the type and number of each type of animal unit permitted on the Premises, and analyze the pasturage potential of the Premises and establish and govern the cycling of pasturage, and any other measures necessary to ensure the carrying capacity of the Premises is not exceeded in order to protect water quality, prevent soil erosion, and otherwise protect the Conservation Values; and
 - iii. describe how Agricultural Activities will maximize soil and water conservation, and promote Healthy Soils and Practices.

- d. Agricultural Structures and Improvements. Constructing and maintaining structures and improvements to conduct Agricultural Activities, provided:
 - i. The total footprint (as defined herein) of all permanent structures and any temporary structures (as defined below) that have a roof shall not exceed two percent (2%) of the total area of the Premises in the aggregate. For the purposes of this Conservation Restriction, the term “footprint” shall mean that measurement encompassing the enclosed ground floor area, as measured from the exterior, at the point of contact with the ground.
 - ii. Grantor must obtain prior written approval from the Grantee for the following improvements:
 - 1. Wells, including but not limited to artesian wells, and any irrigation structures that require subsurface installation;
 - iii. The following improvements are permitted without prior approval from the Grantee:
 - 1. Temporary Structures. Constructing, using, maintaining, repairing, and/or replacing temporary structures and improvements directly related to or in support of Agricultural Activities, including, but not limited to, fencing, hayracks, “run-in” shelters or other three-sided shelters, hoop houses (also known as “high tunnels”), and the like. For the purposes of this Conservation Restriction, the term “temporary” shall mean any improvement without a foundation that can be constructed or removed without significant disturbance of the soil;
 - e. Agri-tourism. The use of the Premises for “Agri-tourism” activities, which activities shall be defined as ancillary commercial activities and events that support the financial viability of the use of the Premises for Agricultural Activities, which activities shall be limited to farm-based entertainment such as harvest festivals and farm-based education addressing the subjects of sustainable agriculture, food production and nutrition, and/or environmental conservation and ecology; with prior approval of the Grantee, Grantor may host unrelated educational activities such as painting or yoga classes, and the like, and up to four (4) recreational events, weddings, or similar types or scale of events per year, provided that said events shall be incidental and subordinate to the primary use of the Premises for Agricultural Activities.
13. Green Energy. With prior written approval of the Grantee, constructing energy producing structures and associated transmission lines that produce negligible or no pollution or carbon emissions (“Green Energy Structures”) to supply power for any Permitted Acts and Uses on the Premises. In addition to the terms of Paragraph III.E., when considering whether to grant approval, the Grantee will take into consideration the energy needs related to the relevant Permitted Act(s) and Use(s). While it is agreed that some power may be fed back into the public power grid during high production

periods, such Green Energy Structures shall be limited to a capacity not higher than that necessary to meet, or exceed by up to 20% at the time of installation, the power requirements of the Permitted Acts and Uses.

C. Site Restoration

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

D. Compliance with Permits, Regulations, Laws

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

E. Notice and Approval

1. Notifying Grantee. Whenever notice to or approval by Grantee is required, Grantor shall notify or request approval from Grantee, by a method requiring proof of receipt, in writing not less than sixty (60) days prior to the date Grantor intends to undertake the activity in question, unless a different time period is specified herein. The notice shall:
 - a. Describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity;
 - b. Describe how the proposed activity complies with the terms and conditions of this Conservation Restriction, and will not materially impair the Purposes and/or Conservation Values;
 - c. Identify all permits, licenses, or approvals required for the proposed activity, and the status of any such permits, licenses, or approvals;
 - d. Describe any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the Purposes and Conservation Values.
2. Grantee Review. Where Grantee's approval is required, Grantee shall grant or withhold approval in writing within sixty (60) days of receipt of Grantor's request. Grantee's approval shall only be granted upon a showing that the proposed activity will minimize impacts to the Conservation Values and will not materially impair the Purposes and/or Conservation Values. Grantee may require Grantor to secure expert review and evaluation of a proposed activity by a mutually agreed upon party.

3. Resubmittal. Grantee's failure to respond within sixty (60) days of receipt shall not constitute approval of the request. Grantor may subsequently submit the same or a similar request for approval.

IV. INSPECTION AND ENFORCEMENT

A. Entry onto the Premises

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

B. Legal and Injunctive Relief

1. Enforcement. The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain compensatory relief, and equitable relief against any violations, including, without limitation, injunctive relief and relief requiring restoration of the Premises to its condition prior to the time of the injury (it being agreed that the Grantee will have no adequate remedy at law in case of an injunction). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction.
2. Notice and Cure. In the event the Grantee determines that a violation of this Conservation Restriction has occurred and intends to exercise any of the rights described herein, the Grantee shall, before exercising any such rights, notify the Grantor in writing of the violation. The Grantor shall have thirty (30) days from receipt of the written notice to halt the violation and remedy any damage caused by it, after which time Grantee may take further action, including instituting legal proceedings and entering the Premises to take reasonable measures to remedy, abate or correct such violation, without further notice. Provided, however, that this requirement of deferment of action for thirty (30) days applies only if Grantor immediately ceases the violation and Grantee determines that there is no ongoing violation. In instances where a violation may also constitute a violation of local, state, or federal law, the Grantee may notify the proper authorities of such violation.
3. Reimbursement of Costs and Expenses of Enforcement. Grantor covenants and agrees to reimburse to Grantee all reasonable costs and expenses (including counsel fees) incurred by the Grantee in enforcing this Conservation Restriction or in taking reasonable measures to remedy, abate or correct any violation thereof. In the event of a dispute over the boundaries of the Conservation Restriction, Grantor shall pay for a survey by a Massachusetts licensed professional land surveyor and to have the boundaries permanently marked.

C. Non-Waiver

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

D. Disclaimer of Liability

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

E. Acts Beyond the Grantor's Control

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

V. PUBLIC ACCESS

Subject to the provisions of this Conservation Restriction, the Grantor hereby grants access to the Premises to the general public and agrees to take no action to prohibit or discourage access to and use of the Premises by the general public, but only for daytime use and only as described in Paragraph III.B.10. provided that such agreement by Grantor is subject to the Grantor's reserved right to establish reasonable rules, regulations, and restrictions on such permitted recreational use by the general public for the protection of the Purposes and Conservation Values. Grantor has the right to control, limit, or prohibit by posting and other reasonable means activities or uses of the Premises not authorized in Paragraph III.B.10. The Grantee may require the Grantor to post the Premises against any use by the public that results in material impairment of the Conservation Values. This grant of public access to the Premises is solely for the purposes described in Section 17C of Chapter 21 of the Massachusetts General Laws and the Grantor and Grantee hereto express their intent to benefit from exculpation from liability to the extent provided in such section.

VI. TERMINATION/RELEASE/EXTINGUISHMENT

A. Procedure

If circumstances arise in the future that render the Purposes impossible to accomplish, this Conservation Restriction can only be terminated, released, or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law after review and approval by the

Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, or successor official ("Secretary"), and any other approvals as may be required by Section 32 of Chapter 184 of the Massachusetts General Laws.

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

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

C. Grantee's Receipt of Property Right

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

D. Cooperation Regarding Public Action

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

VII. DURATION and ASSIGNABILITY

A. Running of the Burden

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

B. Execution of Instruments

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

C. Running of the Benefit

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

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

VIII. SUBSEQUENT TRANSFERS

A. Procedure for Transfer

The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, including a leasehold interest and to notify the Grantee not less than twenty (20) days prior to the effective date of such transfer. Any transfers shall receive prior approval by Grantee to assure that the Premises is transferred to a qualified conservation organization. Failure to do any of the above shall not impair the validity or enforceability of this Conservation Restriction. If the Grantor fails to reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, then the Grantee may record, in the applicable registry of deeds, or registered in the applicable land court registry district, and at the Grantor's expense, a notice of this Conservation Restriction. Any transfer will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

B. Grantor's Liability

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

IX. ESTOPPEL CERTIFICATES

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

X. NON MERGER

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

XI. AMENDMENT

A. Limitations on Amendment

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

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

B. Amendment Approvals and Recording

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

XII. EFFECTIVE DATE

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

XIII. NOTICES

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

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

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

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

XIV. GENERAL PROVISIONS

A. Controlling Law

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

B. Liberal Construction

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

C. Severability

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

D. Entire Agreement

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

XV. BASELINE DOCUMENTATION REPORT

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

XVI. MISCELLANEOUS

A. Pre-existing Public Rights

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

B. Release of Homestead

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

C. No Surety Interest

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

D. Executory Limitation

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

E. Prior Encumbrances

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

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

Grantor

Grantee Acceptance

Approval of Select Board of Ware

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

G. The following exhibits are attached and incorporated herein:

Exhibit A: Legal Description of Premises

Exhibit B: Reduced Copy of Recorded Plan of Premises

WITNESS my hand and seal this 11 day of July, 2022,

East Quabbin Land Trust, Inc.

Judith C. Jones, duly authorized
Judith C. Jones, President

_____, duly authorized
George A. Reilly, Treasurer

THE COMMONWEALTH OF MASSACHUSETTS

Worcester County, ss:

On this 11 day of July, 2022, before me, the undersigned notary public, personally appeared Judith C. Jones, President of East Quabbin Land Trust, Inc., and proved to me through satisfactory evidence of identification which was personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that s/he signed it voluntarily for its stated purpose.

Cynthia W. Henshaw
Notary Public
My Commission Expires:



CYNTHIA W. HENSHAW
Notary Public
Commonwealth of Massachusetts
My Commission Expires
May 18, 2029

THE COMMONWEALTH OF MASSACHUSETTS

Worcester County, ss:


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

Notary Public
My Commission Expires:

ACCEPTANCE OF TOWN OF WARE CONSERVATION COMMISSION

We, the undersigned, being a majority of the Conservation Commission of the Town of Ware, Massachusetts, hereby certify that at a public meeting duly held on July 13, 2022, the Conservation Commission voted to approve and accept the foregoing Conservation Restriction from the East Quabbin Land Trust, Inc. pursuant to Section 32 of Chapter 184 and Section 8C of Chapter 40 of the Massachusetts General Laws and do hereby accept the foregoing Conservation Restriction.

**TOWN OF WARE CONSERVATION
COMMISSION:**



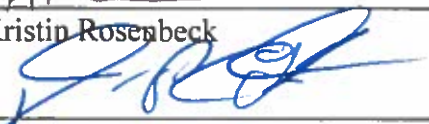
Mark Swett



Thomas Barnes



Kristin Rosenbeck



Dennis Cote

Peter Topor, IV

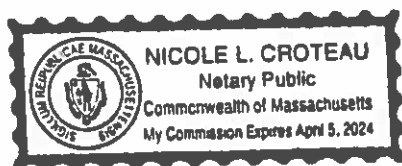
THE COMMONWEALTH OF MASSACHUSETTS


Hampshire County, ss:

On this 13th day of July, 202~~1~~², before me, the undersigned notary public, _____ personally appeared

Mark Swett

member(s) of the Ware Conservation Commission, and proved to me through satisfactory evidence of identification which was personally known to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.





Notary Public
My Commission Expires: April 05, 2024

APPROVAL OF TOWN OF WARE SELECT BOARD

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

TOWN OF WARE SELECT BOARD

John J. Morrin, Chair

Caitlin M. McCarthy, Vice-Chair

Thomas H. Barnes, Clerk

Keith J. Kruckas, Member

Joshua A. Kursnierz, Member

THE COMMONWEALTH OF MASSACHUSETTS

Hampshire County, ss:

On this _____ day of _____, 2022, before me, the undersigned notary public, _____ personally _____ appeared

_____, member(s) of the Ware Select Board, and proved to me through satisfactory evidence of identification which was _____ to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

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

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

Dated: _____, 2022

Bethany A. Card
Secretary of Energy and Environmental Affairs

THE COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss:

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

Notary Public
My Commission Expires:

EXHIBIT A

Description of the Premises

The land in Ware, Hampshire County, Massachusetts, containing 25.11 acres +/-, on a plan of land titled "Plan of Land in Ware Owned by Mary M. McManus, Bk. 3129 – Pg. 342", dated March 27, 1989, prepared by R. H. LeMaitre, and recorded in the Hampshire County Registry of Deeds, Plan Book 162, Page 70.

EXHIBIT B

Plan of Premises

For official full size plan see Hampshire Registry of Deeds Plan Book 162 Page 70.



TOWN OF WARE

Town Manager

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

To : Selectboard

From : Stuart Beckley, Town Manager

Subject: Quaboag Connector update and costs

Attached are data and a grant request that summarize the usage of the Quaboag Connector. The Connector is a partnership between the Town of Ware and the Quaboag Valley CDC. The Connector was established in January 2017. In its first full month, it had 35 riders. The last month had over 1300 rides. The system has added a software program and dispatchers to assist with the efficiency of routes.

In addition to the 10-town connector area serviced by curb to curb service for medical, employment, education and other needs, the Connector has added other routes to expand access to other regions. A grant with the Health Foundation of Central Massachusetts funds a shuttle route from Belchertown to Spencer where connections can be made east and west. Similarly the Connector works with UMass Transit/PVTA to operate a full sized bus from Amherst to Worcester, with connections to Boston. Palmer funds the connector for rides to work. Baystate Health and the Connector are about to begin operation of service for medical rides from Ware and Warren to and from health facilities.

A majority of the funding in the five years of operation has been from MassDOT grants. These grants have generally required matching funds which have been procured from foundations, businesses, and the towns of Ware, Monson and Palmer. Fares generate approximately \$20,000 in revenues annually. If 10% of riders are veterans, this would be a reduction in revenues of \$2,000.

QUABOAG CONNECTOR

June 2022 Reports

Reporting done on July 5, 2022 by Mel-Jean Gravel

Trip By Purpose - This report counts only completed trips.

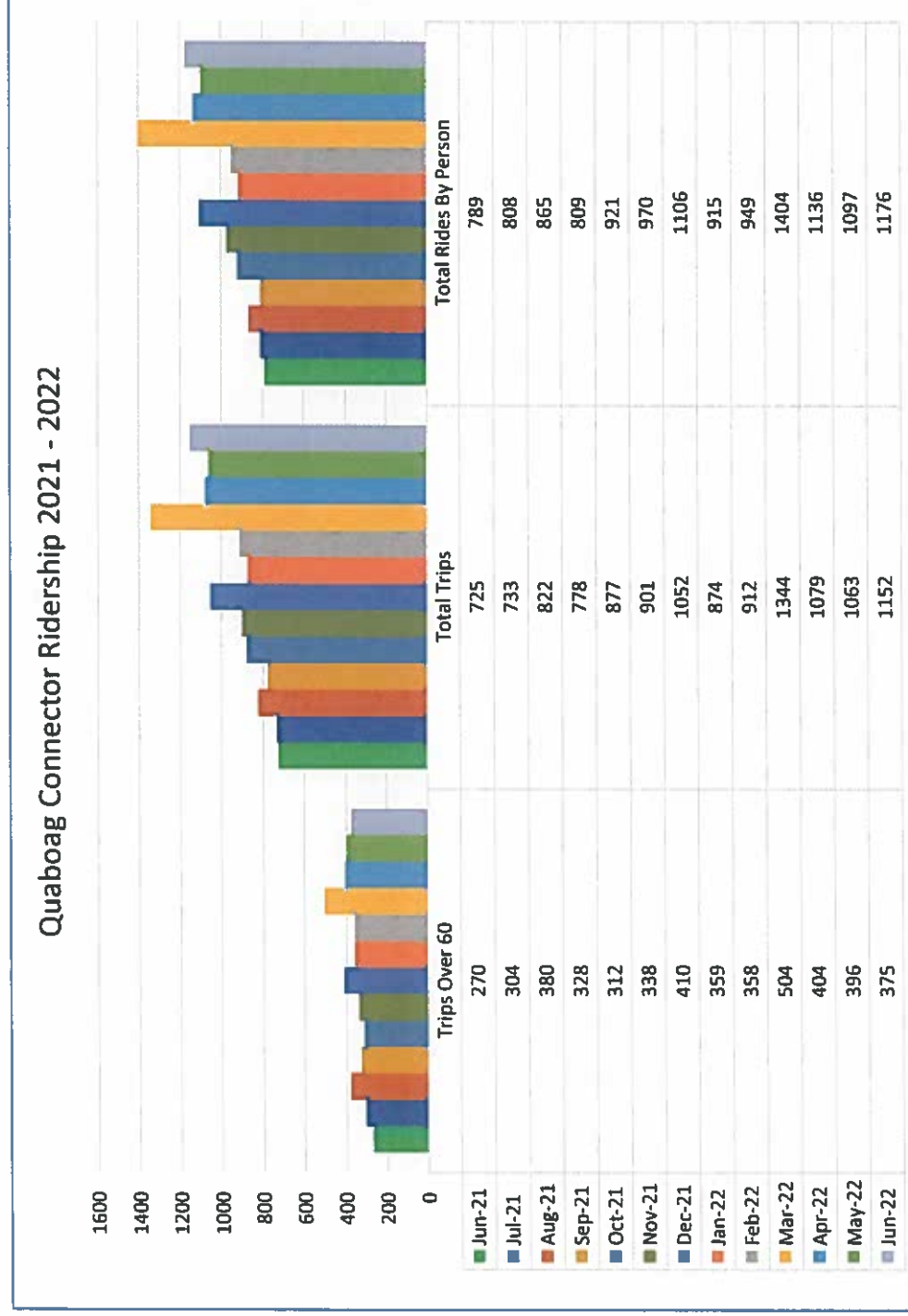
Date range: 06/01/2022 – 06/30/2022. Provider types: General Public and Palmer Rides to Work

Passenger types: clients, assistants, children, companions, and other passengers included in the totals.

	2022/06	Total for purpose
Bank	15	15
Court	14	14
Hairdresser	4	4
Medical	108	108
Other	57	57
Senior Center	10	10
Shopping	205	205
Social	60	60
Work	703	703
Total for period	1,176	1,176

Trip Count Report - This report counts only completed trips.

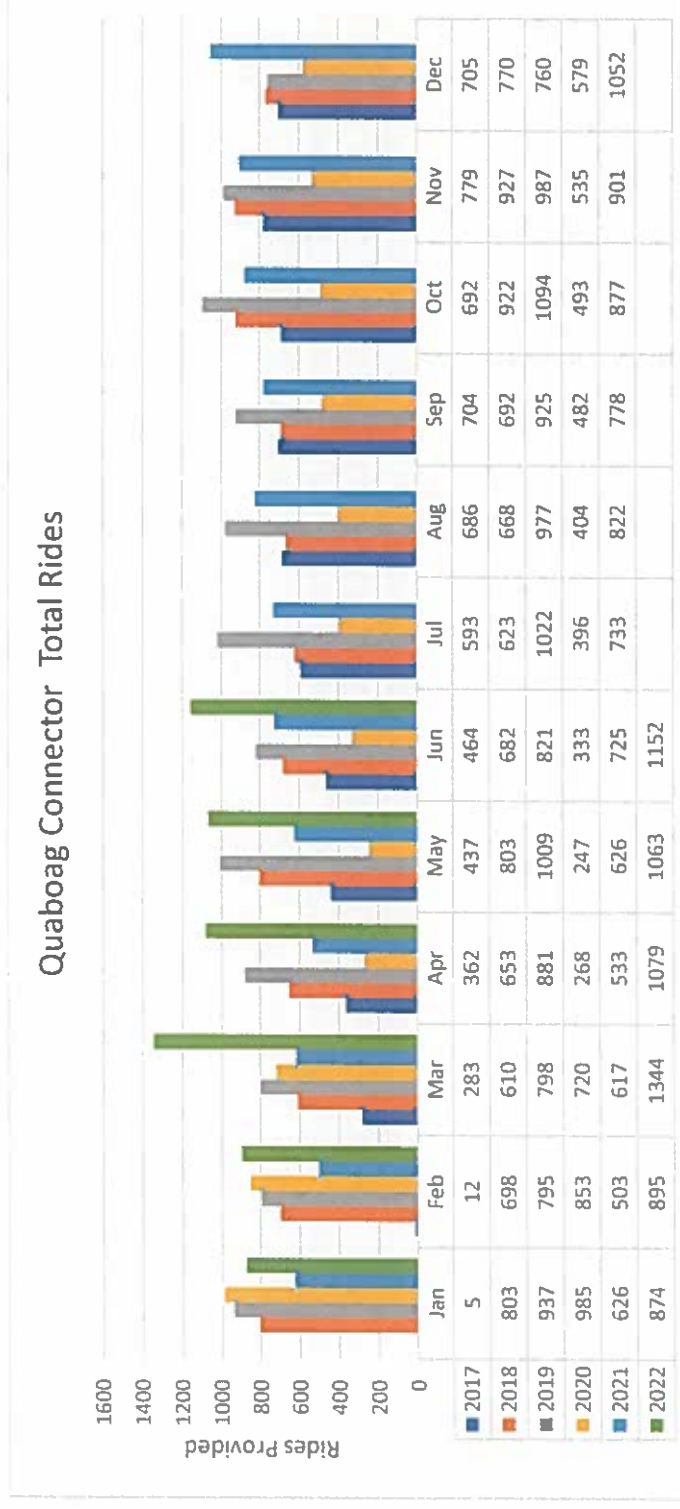
Date range: 06/01/2021 – 06/30/2022. Provider types: General Public and Palmer Rides to Work



Of these trips: Palmer Rides to Work rides equal 158 provided for June 2022. Total is included in this chart

Trip Count Report - This report counts only completed trips.

Date range: 01/01/2017 – 06/30/2022. Provider types: General Public and Palmer Rides to Work



Ecolane Tracking – Started Using Software April 2021

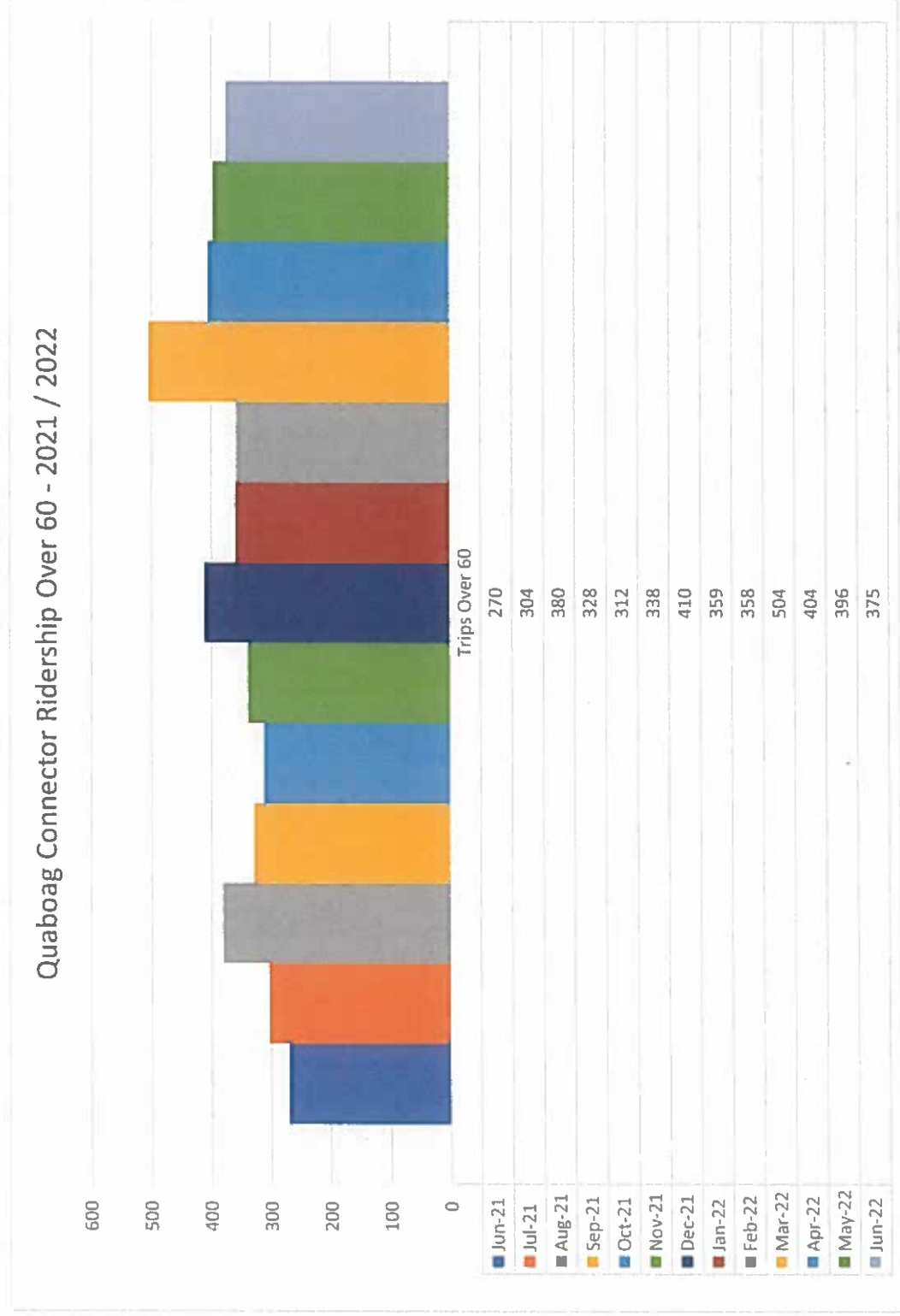
While using the software from April 2021 – June 30, 2022 – There has been 13,454 rides that were scheduled and completed.

As of June 30, 2022 – The Quaboag Connector has completed a grand total of 47,074 rides to date. Date ranges from Jan 2017 – June 2022

Of these trips: Palmer Rides to Work rides equal 158 provided for June 2022. Total is included in this chart

Trip Count Report Over 60- This report counts only completed trips.

Date range: 06/01/2021 – 06/30/2022. Provider types: General Public and Palmer Rides to Work



Average Passenger Trip Distance



This report counts only completed trips.

Date range: 07/01/2021 - 06/30/2022. Counted passenger types: clients, assistants, children, companions, other passengers.
Transportation company: Quaboag. Information is grouped by month.

Period	Distance, mile	Number of passengers	Average trip distance, mile
2021.7	5,357.8	857	6.25
2021.8	5,802.9	903	6.43
2021.9	6,260.5	905	6.92
2021.10	7,047.6	970	7.27
2021.11	8,206.5	1,102	7.45
2021.12	8,396.3	1,171	7.17
2022.1	6,869.6	1,038	6.62
2022.2	8,014.1	1,109	7.23
2022.3	12,113.1	1,592	7.61
2022.4	9,834.8	1,339	7.34
2022.5	8,848.4	1,178	7.51
2022.6	8,570.4	1,176	7.29
Summary:	95,322.0	13,340	7.15



Applicant Organization Name: Town of Ware

Organization Profile - FY23

RTAs ARE NOT REQUIRED TO COMPLETE THIS INFORMATION. All other applicants, complete information as applicable. If applicant is an organization applying for a mobility management type project and does not have a transportation program, complete only the questions that are applicable to the organization and its objectives in relation to transportation service. All organizations are required to complete the budget information to the extent applicable.

Program Information

- 1. Organization Mission.** Describe the organization's overall purpose and services. (610 characters)

Ware, Massachusetts is a vibrant and growing community as well as the commercial hub for the Quaboag region. Our hometown is one where we meet at unique shops and businesses in our revitalized downtown, where a growing diverse economy is being cultivated, where we respect the land and enjoy unrivaled outdoor recreation opportunities, and where our government and its partners work together to provide efficient and up-to-date services for all of our citizens. Ware's purpose is to provide health, safety, and educational, cultural and financial services to town residents and businesses.

- 2. Transportation Specific Program.** Describe the organization's current transportation program, to include geographic area(s) served, and if the services are provided by the applicant or a contractor. (865 characters)

The Town of Ware partners with the Quaboag Valley Community Development Corporation to provide the Quaboag Connector transit van service to ten towns. The purpose of the service is to provide (1) transportation for needed services including medical appointments with a priority for seniors and persons with disabilities; (2) transportation for jobs and employment related services and; (3) transportation for education related services. The geographic area covered by this service includes the towns of Belchertown, Brookfield, East Brookfield, Hardwick, Monson, North Brookfield, Palmer, Ware, Warren, and West Brookfield. Additionally, the recently launched Route 9 Shuttle travels on a fixed schedule along Route 9 from Belchertown to Spencer as more flexible, regular option for residents traveling in the Quaboag Region.

- 3. Transportation Service Area.** Indicate approximate percentage of census designated geographic areas the organization serves. Total percentage should equal 100%. To assist in determining your geographic service area, please see the 'Urbanized Areas 2010' map in the Resources tab on GrantsPlus+. Please also list, above the table, the **primary** communities served (either towns, cities or counties).

Percent of Total Trips		<i>*If in urbanized area, identify which urbanized area(s) service is provided.</i>
5	%	*Urbanized Area
	%	Small Urbanized Area
95	%	Rural Area
100	%	Total Percentage

- 4. Transportation Service Operations.**

- a.** What type of transportation service(s) is provided (e.g., demand response, route deviation, fixed route)?
demand response and fixed route
- b.** What days of the week does your service operate? (e.g., M-F)
Monday-Saturday
- c.** What hours of the day does your service operate? (e.g., 5:00 am-7:30 pm)
6AM-7PM Monday to Friday; 8AM-7PM Saturday

Applicant Organization Name: Town of Ware

5. Transportation Service Clientele. Describe rider clientele & service eligibility requirements. (735 characters)

In order to be eligible, riders must reside in and be traveling within the described town service area. The program is designed for low and moderate income riders with limited access to transportation. Clientele includes senior citizens, people with disabilities, employees, students, and general citizens. Currently, 37% of rides are for people over 60 years old. Riders are, when appropriate, redirected to the Ware Senior Center vans. Current clientele is approximately 783 unduplicated riders.

6. Transportation Service Trip Purpose. Indicate approximate percentage of the type of transportation trip(s) the organization offers. Total percentage should equal 100%.

Percent of Total Trips		Trip Type
58	%	Work/Employment Related
12	%	Medical
2	%	Education
1	%	Senior Programs
21	%	Social, Recreation, Shopping
6	%	Other (describe):
100	%	Total Percentage

7. Transportation Service Vehicles. Provide the number of active fleet vehicles currently used in the transportation program. (Do not include non-revenue service/staff specific vehicles.)

Number	Description
6	"Full-Time" Service
2	"Back-Up" or Spare

8. Transportation Service Fare/Donation. Describe the fare or donation structure for the transportation program. (735 characters)

Fares on the Quaboag Connector are \$2 per ride, \$4 for round trip.

Riding the Route 9 Shuttle is \$1 per ride

The Senior Center van accepts donations from riders.

9. Transportation Program Staff. Provide the number of staff employed in the transportation program.

Number	Description	Number	Description
3	Paid Full-Time Drivers	1	Paid Full-Time Operation Supervisors
10	Paid Part-Time Drivers		Paid Part-Time Operation Supervisors
	Volunteer Drivers	2	Paid Full-Time Dispatchers
1	Paid Full-Time Administrative Staff	2	Paid Part-Time Dispatchers
2	Paid Part-Time Administrative Staff		Paid Mechanics

Applicant Organization Name: Town of Ware

10. Transportation Program Budget.

Revenues - define the type and amount of revenue used to support transportation service operation costs on an annual basis.		
	Cash	In-Kind
City, Town, or County General Funds	\$ 26,000.00	\$ 15,000.00
Title III (Older Americans Act)	\$	\$
TANF (Temporary Assistance to Needy Families)	\$	\$
Medicaid	\$	\$
Rider Fares or Donations	\$ 20,750.00	\$
Advertising	\$	\$
Private Program Donations	\$	\$
Grants (List Type Below)		
a. Mass DOT (CTG)	\$ 258,000.00	\$
b. Synergy HFCM	\$ 111,000.00	\$
c. Bay State Wing	\$ 10,000.00	\$
In-Kind Support (List Type Below)		
a. QVCDC	\$	\$ 15,000.00
b. HFCM	\$	\$ 2,000.00
c.	\$	\$
TOTAL REVENUE SOURCES	\$ 425,750.00	\$ 32,000.00

Expenditures - define the type and amount of transportation program expenditures tied to the revenue sources on an annual basis.		
	Cash	In-Kind
Transportation Program Related Administrative Costs*	\$ 28,000.00	\$ 28,000.00
Transportation Operations Salaries/Wages (drivers, dispatch, etc.)	\$ 295,500.00	\$
Transportation Operations Fringe Benefits	\$ 65,000.00	\$
Transportation Operations License Fees and Taxes	\$ 400.00	\$
Transportation Operations Vehicle & Facility Insurance	\$	\$ 3,000.00
Vehicle Fuel	\$ 20,000.00	\$
Vehicle Materials & Supplies (e.g. oil, tires, etc.)	\$ 1,400.00	\$
Vehicle Maintenance & Repair Services	\$ 15,400.00	\$
Contract (purchased) Transit Services	\$	\$
Vehicle Depreciation	\$	\$
TOTAL EXPENSES	\$ 425,700.00	\$ 31,000.00
Explain the expenditures under transportation program related administrative costs. (125 Characters)		

If revenue sources do not match expenses, explain why. (200 Characters)

Applicant Organization Name: Town of Ware

Training and Safety Program

Complete the information below, as applicable. It is not required that every answer be "yes" to question 1.

1. Please answer the following questions. The transportation program:

Yes	No	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Obtains a copy of the driving record before hiring a new driver?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Makes a road test part of the driver applicant review process?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Performs criminal history checks on new hires?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Requires drivers to obtain Defensive Driver training?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Requires drivers to obtain CPR training?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Requires drivers to obtain First Aid training?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Requires drivers to obtain training in Accessible Lift Use and Passenger Securement?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Requires drivers to obtain training in Disability Awareness?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Requires drivers to obtain training in evacuation procedures?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Requires drivers to complete a pre- or post-trip inspection for every service day or shift?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Requires staff to obtain training in Drug & Alcohol Awareness Safety Sensitive?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has a Federal Transit Administration approved Drug & Alcohol Testing Policy & Program?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Formally investigates accidents and incidents, maintains an accident/incident log, & prepares a report for the file
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has a file in which records of all accidents are kept?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has a specific safety/risk management manual?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Developed a written transit safety & security policy?

How many accidents did the transportation program have last year?

2. As clarification to any answers provided in Question 1, briefly describe the transportation program's ongoing safety and/or operational training program for drivers, dispatchers, and supervisors to include how often training is provided. (565 characters)

In cooperation with the Town of Ware's senior van program, the town coordinates training for its drivers with MARTAP initially. Drivers are required to complete a defensive driver course and training in accessible lift use. All drivers receive criminal history checks, and all new drivers shadow trained drivers in a road test. The town developed shift logs include daily trip inspections. The town works with local fire departments to provide CPR and first aid training. Dispatchers are trained in scheduling, routing, and troubleshooting.

3. Do transportation program staff members receive in-house training?

☒ Yes ☐ No

If no, where and by whom do they receive training? (340 characters)



Applicant Organization Name: Town of Ware

GrantsPlus Project Number / UPIN:

Project Name/GrantsPlus Project Description: Quaboag Connector

Mark if project was funded
with CTGP funds previously.

☒ Yes

☐ No

Operating Project Request - FY23

(Information requested is for the project funding request only, not the entire transportation program or service.)

1. **Funding Request.** Please enter only the total project cost. The form will auto-calculate federal and local match.

FTA Section 5310 Operating Funding Request	\$ 216,000.00
Local Match	\$ 216,000.00
Total Project Cost	\$ 432,000.00

2. Provide an in-depth **Project Description** related to the funding request. Include information on service start date, service type (demand response, etc.), and service area to include cities and towns supported by the project. Please identify in this section if a companion vehicle replacement or new service request is being applied for to support this project. (1055 characters)

Service start date 1/2/2023. The Quaboag Connector will service elderly and disabled residents in the towns of the Quaboag Region for trips to medical, shopping, education, and employment purposes. With the assistance of a pilot project developed with a grant from the Health Foundation of Central MA and coordination with the PVTA, the program has expanded to connect with more towns and to hubs such as Amherst, Worcester, and Springfield. The Connector coordinates trips with the area senior center vans. With this coordination, the Connector provides other residents with transportation for the same services, amounting to over 900 rides per month, in addition to the 250-300 rides per month by CoAs. The service will continue to be primarily demand response, although a new fixed route, from Belchertown to Spencer has been launched, and coordination with fixed routes in Palmer continue. The service includes the following towns: Belchertown, Brookfield, East Brookfield, Hardwick, Monson, North Brookfield, Palmer, Warren, Ware, and West Brookfield.

- a. **Project Service Area.** Indicate approximate percentage of census designated geographic areas the project will or does serve. Total percentage should equal 100%. To assist in determining your geographic service area, please see the 'Urbanized Areas 2010' map in the Resources tab on GrantsPlus+.

Percent of Total Trips		*If in urbanized area, provide name(s) of service area:
5	%	*Urbanized Area
	%	Small Urbanized Area
95	%	Rural Area
100	%	Total Percentage

Applicant Organization Name: GrantsPlus Town of Ware

Project Number / UPIN:

Project Name/GrantsPlus Project Description: Quaboag Connector

3. Project Service Operations.

Days and Hours of Project Operation	Monday-Friday 6am-7pm; Saturday 8am-7pm
Service Project Operator (applicant, subcontractor, other)	Applicant with QVDC as subcontractor
Average Project Fare or Donation	\$ 2.00
Primary Project Trip Purpose (medical, shopping, etc.)	Employment/Shopping/Medical
Estimated Project One-Way Passenger Trips per Day	39

Describe how the estimated trip number was determined. (345 characters)

Total trips divided by operating days June 2021-May 2022. It should be noted that, during our previous application, vehicle capacity was limited to one passenger/household per trip due to COVID-19. Since then, we have opened up vehicle capacity, so overall passenger trips have increased despite average trips per day decreasing.

4. Project Effectiveness and Performance Indicators.

- a.(1) **Project Implementation Plan - Complete for New Operating Projects Only.** Describe the proposed project implementation plan. Information should include project tasks, benchmarks, key milestones, key personnel, routes and schedules as applicable. How will the organization market the project to target populations? Include as attachments, if applicable: formal service plan, timetable, route map, and/or service map. (990 characters)

N/A

- a.(2) **Performance Measure Data - Complete for Existing Operating Projects Only.** Data is requested for the previous and current year as comparison.

Data Type	2021 Data	2022 Data (YTD)
Total Operating and Related Administrative Expenses:	\$ 180,000.00	\$ 134,000.00
Annual One-Way Passenger Trips:	8,793	6,369
Annual Vehicle Service Miles:	61,551	44,583
Total Vehicles in Service (exclude spares/backups):	6	8
Cost Per Mile:	\$ 2.90	\$ 3.00
Cost per Passenger Trip:	\$ 20.00	\$ 21.00

Applicant Organization Name: Town of Ware

GrantsPlus Project Number / UPIN:

Project Name/GrantsPlus Project Description: Quaboag Connector

- b. How did your organization determine that the service type (i.e. fixed route, demand response, etc.) and route/schedule proposed or currently in place is the most effective to meet the needs of the passengers served? (330 characters)

PVTA provides service to only 3 towns in our region and has reduced service since 2019. Most towns have no public or private transportation; demand response provides door-to-door service that better matches the population's need. Data research/survey for CHNA confirmed demand response is most effective service type.

- c. Describe what performance measures have been identified or are being used to evaluate the effectiveness of the project. Measures can include number of passengers, cost per mile, or cost per trip. (330 characters)

The Connector uses passengers, miles, trip purpose and cost per mile as measures. With new software, the system is also tracking timeliness and trip purposes. Data on location of pickup and drop-off are also used to demonstrate that the service reaches the full project area. Additionally, total fare revenue is tracked.

- d. Describe the organization's plan for monitoring and evaluating project performance. What types of documentation will be used (i.e.: demographic materials, surveys)? (330 characters)

Performance metrics are tracked via Ecolane scheduling and dispatching software. Rider, community, and business surveys have been administered to evaluate satisfaction and awareness of service within the Quaboag Region.

5. **Proposed Project Budget** (do not complete all expense categories, only specific to project type and applicable to the total requested project cost.) All in-kind and indirect costs listed must be approved by MassDOT in advance of application submission. Fares and donations for service are subtracted from total operating expenses to calculate total project cost eligible for reimbursement.

Expenses	Cash	In-Kind
a. Drivers/Dispatch Salaries	\$ 295,500.00	\$
b. Drivers/Dispatch Fringe Benefits	\$ 65,000.00	\$
c. Vehicle Insurance	\$	\$ 3,000.00
d. Vehicle Fuel	\$ 30,000.00	\$
e. Vehicle Materials and Supplies (e.g., oil, tires, etc.)	\$ 3,400.00	\$
f. Vehicle Maintenance and Repair Services	\$ 8,000.00	\$
g. Operations License Fees and Taxes	\$ 600.00	\$
h. Contract (Purchased) Transit Services (identify):	\$	\$
i. Transportation Project Direct Administrative Costs*	\$ 30,255.00	\$ 45,000.00
j. Indirect Cost Rate through approved ICAP or 10% de minimis rate	\$	\$
Total Expenses:	\$ 432,755.00	\$ 48,000.00

* Explain the expenditures proposed for transportation project direct administrative costs. Costs can include office supplies, telephone services, office rental. (435 characters)

Project oversight (QV CDC): 10%, Office Supplies: \$1,000, In-Kind project oversight , finances, and sustainability (QV CDC and Town of Ware): \$10,000 Training: \$1,000, Office and Telephone In-Kind

Applicant Organization Name: Town of Ware

GrantsPlus Project Number / UPIN:

Project Name/GrantsPlus Project Description: Quaboag Connector

Revenue: Local Match Sources - IDENTIFY SOURCE(S) OF LOCAL MATCH (BOTH CASH and IN-KIND)	Status - Attach Local Match Letter to support Status	Cash	In-Kind
a. Baystate Health	Committed, but not Received <input checked="" type="checkbox"/>	\$ 57,000.00	\$
b. Town of Ware/CDC	Committed, but not Received <input checked="" type="checkbox"/>	\$ 25,000.00	\$ 46,000.00
c. Other Communities	Committed, but not Received <input checked="" type="checkbox"/>	\$ 24,000.00	\$
d. Foundations	Committed, but not Received <input checked="" type="checkbox"/>	\$ 100,000.00	\$
e. PVTA	Committed, but not Received <input checked="" type="checkbox"/>	\$ 10,000.00	\$ 2,000.00
Total Local Match:		\$ 216,000.00	\$ 48,000.00

6. Describe the organization's efforts to leverage funds from other contract revenue sources to help implement or continue the project. Examples are human service or workforce type contracts. (790 characters)

We are leveraging funds from some local human service providers, such as Behavioral Health Network, Health New England, The Literacy Project, Baystate Health, and Wing Hospital Foundation, Fallon Health and local employers. The Connector has annual support from the Health Foundation of Central Massachusetts, primarily focused on the Route 9 Shuttle fixed route and Ecolane scheduling and dispatching software.

7. Describe the service area's local commitment to transportation funding. Is the organization receiving local sources of city or county revenue to sustain transit service for the proposed project? (790 characters)

Funding will be included in the Town of Ware's annual budget as well as the Town of Monson

8. Will you be acquiring goods or services from an external source as part of the project and needing to conduct a procurement to do so?

☐ Yes ☒ No

If yes, please fill out the supplemental procurement questionnaire.



Applicant Organization Name: Town of Ware

GrantsPlus Project Number / UPIN:

Project Name/GrantsPlus Project Description: Quaboag Connector

Coordination Of Transportation Services and Collaboration With Other Organizations

Please answer the following questions in regards to transportation service coordination and organization partnerships. The ability to coordinate and collaborate with regional and local entities = 20% of your total application score.

1. Does the organization regularly attend, and engage in, Metropolitan Planning Organization (MPO) and/or Regional Planning Agency (RPA) planning meetings tied to regional coordination requirements (such as coordinated human service transportation plan updates)?

☒ Yes ☐ No

2. Does organization staff regularly attend and actively participate in Regional Coordinating Council (RCC) meetings / activities?

☒ Yes ☐ No

3. Has your organization verified that the project applied for not only meets Coordinated Human Service Transportation Plan inclusion requirements, but is not duplicating any other regional service efforts?

☒ Yes ☐ No

If yes, please describe how. (575 characters)

The need of the Quaboag Connector is included in the Human Services Transportation Plan of May 2015 from Central Massachusetts Regional Planning Commission. The Connector works closely with area Senior Centers to avoid duplication and enhance options for riders. State partners keep the system informed of other efforts in the region and State.

4. Is your organization participating in any service coordination initiatives with other organizations or through a Regional Coordinating Council project?

☒ Yes ☐ No

If yes, please describe. (575 characters)

The Quaboag Connector, through the Quaboag Valley CDC and the Town of Ware, participates with other partners on the Regional Coordinating Council. Partners include other communities' planning departments, the PVTA and WRTA, MassMobility, the Synergy project of The Health Foundation of Central MA, local school systems, area employers, and local health care providers. The Synergy project is focused on exploring connectiosn and equity in rural transportation.

Applicant Organization Name: Town of Ware

GrantsPlus Project Number / UPIN:

Project Name/GrantsPlus Project Description: Quaboag Connector

- 5.** Does your organization partner with any medical type organizations to provide appropriate service coverage for medical related trips (e.g.: hospitals, clinics, non-emergency medical transportation (NEMT) broker)?

☒ Yes ☐ No

If yes, describe what partnerships have formed and what has been the result. (685 characters)

The Quaboag Connector provides rides to medical appointments. Baystate Wing Hospital has provided [DOLLAR AMOUNT] to date in funding to the Quaboag Connector. Behavioral Health Network, the Literacy Project, and the Ware Regional Recovery Center have purchased vouchers for the Connector for their patients. Baystate Health provides second year medical students for technical assistance and research. In the wake of Mary Lane Emergency Room closing in Ware, the Connector is currently in the process of launching a service to transport patients to Baystate Wing Hospital in Palmer and other Baystate facilities.

- 6.** Does your organization partner with any local or regional human service type organizations to develop service area criteria or client eligibility for work or social related trips?

☒ Yes ☐ No

If yes, describe what partnerships have formed and what has been the result. (685 characters)

We work with Councils on Aging to determine the need and boundaries of the region.

- 7.** Is your organization listed within a regional referral system that provides information on transportation services, programs, and resources? (example is RideMatch)

☐ Yes ☐ No ☒ There is no such resource list in our region.

- 8.** Organization procedures that support transportation coordination in the following areas. The organization:

Yes

No

☒

☐

a. Has shared vehicle agreements with other organizations.

☒

☐

b. Participates in training provided by other organizations (i.e. travel training, driver training).

☒

☐

c. Makes current training programs available to other organizations (i.e. travel training, driver training).

☐

☒

d. Has an agreement in place with another organization to provide or obtain services if needed (e.g. if there is a vehicle breakdown or a staff shortage).

☐

☐

e. Other: (describe) We can borrow a Ware Senior Center van if needed, share software with PVTA



Applicant Organization Name: Town of Ware

GrantsPlus Project Number / UPIN:

Project Name/GrantsPlus Project Description: Quaboag Connector

Demonstration of Need and Project Benefit

Please answer the following questions in regards to transportation service need and benefit. The ability to maximize resources to address a formally documented (identified) need in the Coordinated Human Service Transportation Plan = 20% of your total application score.

- 1.** Describe the local or regional unmet need or gap in service that the project applied for seeks to address. Please provide any census or concrete population data that can illustrate how many individuals in your population area are underserved due to this gap in service. (1345 characters.)

The Quaboag Connector provides demand-response service for elderly and disabled residents and to the general public, as time and resources allow for medical appointments, education, employment, shopping, social services and related purposes. In the 10-town service region the elderly population grew 23% from 12,393 in 2010 to 15,286 in 2017, which is higher than the state rate. From 2010-2025 the statewide population 65+ is projected to grow 58%, from 903,573 to 1,435,387 individuals, and the proportion of total residents aged 65+ is expected to increase from the 13.8% (2010 census) to 20.2% by 2025. Estimated growth rate of the elderly population in the Quaboag region from 2010-2025 is 150% that of the state. Given a 34% low income rate, there are currently 5,197 persons 60 or older/3,618 65+ with limited resources to provide their own transportation, forecast to increase to 7,348 low income persons 60 or older, and 5,330 aged 65+ by 2025. The Connector operates in a rural area which requires the type and level of service described. The ridership on the Quaboag Connector (more than 1000 rides provided per month) is made up of 35% elderly. The need for medical rides is heightened by the ER in Ware closing and will be followed by other medical service closures.

- 2.** Describe how this unmet need / gap in service was identified.

- | Yes | No | |
|----------------------------------|-----------------------|---------------------------------------------------------------------------------|
| <input checked="" type="radio"/> | <input type="radio"/> | a. Coordinated Human Service Transportation Plan? |
| <input checked="" type="radio"/> | <input type="radio"/> | b. Through Regional Coordination Council (RCC) meetings/activities? |
| <input checked="" type="radio"/> | <input type="radio"/> | c. Local service evaluation/research? |
| <input checked="" type="radio"/> | <input type="radio"/> | d. Other: (describe) Rider and non-rider survey, CHNA, Rider numbers over time. |

- 3.** Provide the target number of individuals this project will serve. How did your organization determine this number? (360 characters)

Based on ridership numbers tracked in our software system, the Quaboag Connector will serve 500 distinct individuals.

- 4.** Who will be served by the proposed project? List client and trip type. (360 characters)

Priority will be given to seniors (over 60 years) and people with disabilities. Subsequently, priority will be given to those traveling for medical, employment, shopping (food and prescription) and educational purposes.



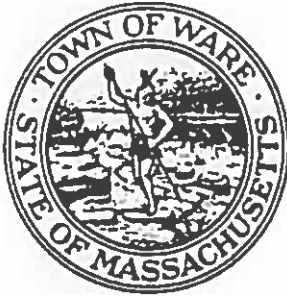
Applicant Organization Name: Town of Ware

GrantsPlus Project Number / UPIN:

Project Name/GrantsPlus Project Description: Quaboag Connector

5. Are all Section 5310 funds used for services that meet the specific needs of seniors and individuals with disabilities?

☐ Yes ☒ No



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: June 24, 2022
Re: WWTP Screener Project Update

The Ware Waste Water Treatment Plant (WWTP) has been and continues to receive a significant amount of rags and non-dispersible material i.e. personal wipes, in the waste water stream entering the Treatment Plant. The existing comminutor does not have the capacity remove the rags and non-dispersible material, leading to the clogging of the influent pump on a regular basis, requiring the *weekly* shutdown and manual clearing out of the pump chambers. Additionally, the rags and non-dispersible materials that make it through the influent pumps routinely clog and impeded the downstream pumps and process equipment. It is only due to the diligence of the Waste Water Plant operators that a major backup and overflow of sewerage has not occurred.

In December 2021 a Design/Engineering agreement was entered into with Tighe & Bond Engineers/Environmental Specialists (T&B) to develop plans and specifications for the; Removal of the existing influent comminutor, Installation of a mechanical screen within the main influent channel, Installation of a washer/compactor to consolidate screenings (rags & non-dispersible materials) and transport them to a new dumpster at the ground level of the WWTP, Structural Improvements within the WWTP to accommodate the new equipment, and the ancillary electrical, mechanical, and HVAC upgrades to support the new equipment.

T&B has completed their work to the 60% design level and submitted an Engineer's opinion of probable construction cost of \$1,800,000 (see attached document). Lead WWTP Operator David Comeau and I have reviewed the 60% design with the T&B project team and have concurred with their approach /design. Based on our discussions with them the following project schedule has been developed:

Project design completed and approved by DEP advertised for bid September 2022, post Labor Day. A six (6) week bid period is required receive the trade subcontractor bids and the following General Contractor's bids, complete project Bids are expected to be received mid-October 2022. After review and approval by all parties the project could be awarded by late November 2022. After the General Contractor receives a Notice to Proceed, over the following six (6) weeks it is expected the shop drawings for the materials and equipment will be submitted for review and approval. By late January 2023 the General Contractor is expected to have received approval of the submittals and be able to issue purchase orders for materials and equipment. Based on input from the screener manufacturer the screener equipment is not anticipated to arrive on site until late September 2023. T&B has estimated the construction time for three (3) months resulting with a January 2024 anticipated project completion.

To proceed with the advertisement for bids the project funding will need to be authorized as follows; \$1,800,000 for construction, \$11,850 Engineer's Bidding Services, and \$107,500 Engineer's Construction Administration for a combined project total of \$1,919,350.

There are several factors that can adversely affect the outlined schedule; a prolonged design review by DEP, issues arising during the bid period requiring a delay of the bid opening, higher than estimated construction cost, slower than expected receipt of the shop drawing from the General Contractor, prolonged review of the shop drawings, longer than anticipated delivery times for materials and equipment, delays resulting from recurrent public health issues. As a result, it would not be incomprehensible for the completion of the project to be delayed until the spring/summer of 2024.

The existing WWTP influent comminutor cutters are worn out and ineffective, as evidenced by the larger debris being removed by the pump housings. We have been able to secure a quotation of \$26,326 for a new set of the propriety comminutor cutters upgraded to better handle non-dispersible materials, with a lead time of 6-8 weeks that can be installed by our existing staff. It is recommended we proceed with the replacement of the comminutor cutters immediately as an interim remedy to reduce the possibility of a sewerage backup and/or overflow.

Approved ARPA Expenditures (updated 01/04/2022)

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



TOWN OF WARE

Town Manager

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

Rail Trail Update

Through the generosity of the Urban Trust and the work of the Open Space Committee, an additional 2900 feet of trail had a gravel surface installed in May and June. This improves accessibility in the section from Robbins Road to Gibbs Crossing. During this time, there has been some vandalism and environmental erosion due to weather. The bollards at the road intersections were removed. The Town has ordered locks to secure the bollards in the future. The intersection at Mountainview Road creates washouts during heavy rain, so the DPW will install a low slope berm to direct the water past the trail. This will still allow access. One section of fencing for screening is to be installed at the Mountainview intersection area.

The construction of the sections of the trail from Church Street toward the covered bridge on Old Gilbertville Road and toward Grenville Park is moving along rapidly through a grant received by the East Quabbin Land Trust. The surface will be similar to that along the southern section.

The State Golden Spike conference which highlights the Central MA Rail Trail (Boston to Northampton) will be held in Gilbertville at the end of July. Field trips will be held which highlight the Ware sections.

The kiosks for the southern section are on order. The goal is for their construction and installation prior to the conference field trips.

Resident Keith Davies is spearheading the Blue Trails connections along the Rail trail. There will be access to the Ware River at Church Street and Robbins Road.

Nolan, Christopher

From: Beckley, Stuart
Sent: Tuesday, July 12, 2022 12:15 PM
To: Nolan, Christopher
Subject: FW: July 7 agenda

From: anenni <anenni@snet.net>
Sent: Tuesday, July 12, 2022 11:59 AM
To: Beckley, Stuart <sbeckley@townofware.com>
Subject: RE: July 7 agenda

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 Stuart,

I would like to be reappointed to the Finance Committee.

Lynn

Sent from my T-Mobile 5G Device

----- Original message -----

From: "Beckley, Stuart" <sbeckley@townofware.com>
Date: 7/1/22 1:52 PM (GMT-05:00)
To: A NENNI <anenni@snet.net>
Subject: RE: July 7 agenda

Thank you . It would be great for the town if you decide to continue.

From: A NENNI <anenni@snet.net>
Sent: Friday, July 1, 2022 1:49 PM
To: Beckley, Stuart <sbeckley@townofware.com>
Cc: Nolan, Christopher <cnolan@townofware.com>
Subject: Re: July 7 agenda

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Thanks Stuart, I must have missed the first ask. I will decide after we meet next week.

Lynn

On Friday, July 1, 2022 at 01:26:33 PM EDT, Beckley, Stuart <sbeckley@townofware.com> wrote:

Hi Lynn,

Just checking again if you would like to be re-appointed to the Committee?

Thank you,

Stuart

From: A NENNI <anenni@snet.net>

Sent: Friday, July 1, 2022 12:51 PM

To: Devin Peterson <devinpetererson826@gmail.com>; Ken Willette <kennethwillette@gmail.com>; T. Smith <terrance.smith@comcast.net>; Beckley, Stuart <sbeckley@townofware.com>; Meehan, Tracy <TMeehan@townofware.com>

Subject: July 7 agenda

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 Everyone,

Job Title: Town Manager	Hours per week: Exempt	FLSA Status: Exempt
Reports to: Board of Selectmen	Department: Town Manager	Grade: Contractual
Created date: 3/22/22	Revised date: 7/11/2022	Approved date:
Created by: HR	Revised by: HR	Approved by: HR

TOWN OF WARE TOWN MANAGER

Statement of Duties

The Town Manager is the Chief Operating and Administrative Officer of the Town and shall act as the agent of the Board of Selectmen in supervising and directing the administration of all departments, commissions, boards and offices, except the Board of Selectmen, the School Department, Police Chief, Fire Chief, Finance Committee and any other boards or committees appointed under other authority.

Supervision

Works under the general direction of the Board of Selectmen. Works in accordance with applicable Federal Laws, Massachusetts General Laws, the Home Rule Charter, and local bylaws.

Performs highly responsible functions of a complex and technical nature requiring the significant exercise of judgment and initiative to ensure that all actions conform to law and to professional standards; works independently within established policies and procedures.

Job Environment

- Work is performed under typical office conditions; attends evening meetings as needed.
- May be required to work outside of normal business hours including weekends.
- Operates computer and general office equipment, such as calculator, copier, and facsimile machine.
- Work requires contact with the general public, regular contact with all town departments, state, federal and private organizations, requiring administrative and technical knowledge and ability.
- Has access to all town-wide confidential information, such as bid proposals, personnel records, loan documents, contract information and union contracts.
- Errors could result in excessive costs, major financial losses from unauthorized expenditures, failure to receive funds due, or deterioration of the town's financial position; errors may also result in legal ramifications.

Essential Functions

The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

- Implements the goals and policies of the Board of Selectmen;
- Acts as the chief administrative officer and manager of the Town;
- Participates in the development and oversees implementation of the Board of Selectmen's long-term initiatives;
- Make strategic recommendations to the Board of Selectmen regarding priority initiatives, particularly related to finance, personnel, customer service to residents and legal matters;
- Act as a liaison with, and represent, the Board of Selectmen before state, federal and regional authorities;
- Identify and screen applicants for appointment to Town boards, committees and commissions as necessary and as requested by the Board of Selectmen;
- Maintain complete records of his office and make reports to the Selectmen when requested;
- Represent the Board of Selectmen at meetings;
- Supervise, direct and be responsible for the efficient administration of all departments and employees within the Town;
- Organize, reorganize, consolidate, abolish or establish departments, commissions, boards, and offices under his/her supervision.
- Evaluate the effectiveness of units reporting to him and take actions necessary to achieve optimum performance levels;
- Appoint, transfer, promote or remove and compensate employees under his jurisdiction in accordance with the General Laws, the Town Charter and the collective bargaining agreements.
- Evaluate annually the job performance of all Town officers and department heads;
- Oversee the inventory of all Town-owned real estate and personal property;
- Work with the relevant department heads to ensure proper maintenance, upkeep and repair of Town buildings and structures;
- Develop long-term financial strategies for the town and establish budgetary guidelines for the annual budget;
- Prepare and present Annual Town Budget;
- Oversee the administration of annual and special Town Meeting warrants;
- Coordinate activities involving the development, implementation and execution of Town-wide economic development policies, procedures and programs;
- Oversee the legal issues for all Town boards, departments, committees and commissions in collaboration with Town Counsel, including procurement, contracts, litigation and employment matters;
- Provide access to legal counsel; coordinate legal issues; obtain legal opinions and administer the legal budget;
- Monitor and ensure compliance with federal, state and town laws and established Town policies and procedures to minimize the Town's exposure to liability and risk;
- Serve as the Town's chief procurement officer under the provisions of Massachusetts General Laws 30B as provided and consistent with the Town Charter and State law.
- As provided and consistent with the Town Charter and State law, negotiates personnel contracts for the Town that are subject to approval or ratification by the Board of Selectmen, except those pertaining to the School Committee.
- Serve as the Town's chief spokesperson and principal contact.

- Coordinate efforts to ensure that cross-departmental services to residents and others are effectively and consistently delivered;
- Oversee the preparation, filing and maintenance of reports and records on behalf of the Town;
- Make any investigations deemed necessary and perform other such duties consistent with his office.
- Performs all other related work as required.

Recommended Minimum Qualifications

Education and Experience

- Bachelor's degree in Public Administration, Government, Business Administration, or related field;
- Master Degree in Public Administration, Business Administration, or a Law Degree preferred.
- 5-7 years of experience in public sector management, preferably in a municipal setting; or any equivalent combination of education and experience.

Licenses/Certificates

Must possess a valid driver's license.

Knowledge, Ability and Skill

Knowledge:

- Thorough knowledge of the principles and practices of human resources, personnel administration, and labor relations.
- Thorough knowledge of applicable provisions of the Massachusetts General Laws and state regulations.
- Thorough knowledge of all applicable provision of Federal laws and regulations.
- Working knowledge of computer applications for accounting and financial management and analysis.

Ability:

- Ability to provide leadership, planning, management, organizational and supervisory skills in a highly matrixed organization.
- Ability to promote strategic thinking and to facilitate change.
- Ability to determine work priorities and to meet established schedules and deadlines.
- Ability to facilitate teamwork, collaboration and build consensus.
- Ability to work with accuracy and attention to detail.
- Ability to interact in a positive and effective manner with personnel and the public at all levels of authority.

Skill:

- Excellent interpersonal skills and written and verbal communication skills.

- Skill in working with numbers and detail.
- Excellent analytical and communication skills.
- Computer skills including proficiency with intermediate spreadsheet analysis, database updating, report generation, and internet research.

Physical Requirements

- Minimal physical effort required to perform functions under typical office conditions.
- Position requires the ability to operate a keyboard and standard office equipment at an efficient speed. The employee is required to use hands to finger, handle or feel objects tools, or controls, and to reach with hands and arms.
- The employee is frequently required to sit, talk, and hear.
- Occasionally may be required to lift objects up to 30 pounds.
- Specific vision requirements include close vision, distance vision, and the ability to adjust focus.

This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirement of the job change.



TOWN OF WARE, MASSACHUSETTS
OFFICE OF THE TOWN CLERK

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

NANCY J. TALBOT
TOWN CLERK

July 13, 2022

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

Dear Selectboard Members:

Please find attached a list of eligible Election Workers for the Town of Ware that need to be appointed for the upcoming year.

These individuals, most of whom had regularly worked at elections in the past will serve at the discretion of the Town Clerk for the State Primary, State Election and the Annual Town Election, once appointed.

It is important to note, that with the Votes Act which was recently passed in MA that these individuals will once again receive an updated training; one that will cover the recent changes in the law and which will provide a refresher course to them.

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

Attachment

cc: 2022 Election Worker File

t/

2022
ELECTION WORKERS
TOWN OF WARE

(U)	Allard, Merle	23 Old Poor Farm Rd.
(U)	Allard, Richard Jr.	23 Old Poor Farm Rd.
(D)	Blodgett, Denise	12 Storrs St.
(U)	Dansereau, Linda	193 North St.
(D)	Deschamps, Kathleen	11 Cottage St.
(U)	Desjardins, Rebecca	60 Fisherdk Rd.
((U)	Dulak, Faith	234 West St.
(D)	Gendreau, Susanna	480 Belchertown Rd.
(U)	Granger, Valerie	44 Walker Rd.
((U)	Harris, Clifford	193 Upper Church St.
(D)	King, Carole	71 Beaver Lake Rd.
(D)	Labarge, Susan	11 Gould St.
(U)	Lavallee, Caroline	7 Oak Ridge Circle
(U)	Lavallee, Robert	7 Oak Ridge Circle
(R)	Leeman, Norris	14 Millers Rd.
(R)	Leeman, Rosemarie	17 Millers Rd.
(U)	Malboeuf, Phillip	22 Dugan Rd.
(U)	Malboeuf, Therese	22 Dugan Rd.
(D)	Pelletier, Melinda	294 Malboeuf Rd.
(U)	Poppel, David	79 Beaver Rd.
(U)	Poppel, Deborah	79 Beaver Rd.
(U)	Renaud, Judy	7 Ware Brook Dr.
(U)	Robidoux, Lorrain	22 Westbrook Ave.
(U)	Rude, Lynn	47 Horseshoe Circle
(U)	Saletnik, Jane	25 Monroe St.
(U)	Sharpe, Graydon	23 Otis Ave.
(D)	Shumate, Darlene	138 Greenwich Rd.
(U)	Silloway, Norma	60 Cummings Rd.
(D)	Silver, Marie	101 Beaver Rd.
(U)	Skutnik, John	111 Church St.
(U)	Skutnik, Patricia	111 Church St.
(U)	Socha, David	21 Malboeuf Rd.
(U)	Socha, Susan	12 Sky View Dr.
(U)	Socha, Sylvester	12 Sky View Dr.
(U)	Soos-Staiti, Anna	221 Upper North St. # 16
(U)	Staiti, George	221 Upper North St. # 16
(D)	Trietsch, Carlin	22 Lower Cove Rd.
(R)	Trudeau, Helen	31 Berkshire Circle
(U)	Wheeler, Kathleen	37 Old Gilbertville Rd.



TOWN OF WARE

Town Manager

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

Town Manager Updates July 19, 2022

Upcoming dates:
August 2 – National Night Out, 6-8

The East Street underpass accessibility work has been completed. The DPW touched up the drainage structure.

Grants:

The Grants Coordinator, Parks Manager and Planner worked to submit a PARC grant for improvements at Memorial Field including a reconstructed full basketball court, irrigation for the fields, and additional seating and plantings. The total project cost is approximately \$120,000 with State reimbursing 70%. The Town should hear in mid-Fall if the application is successful.

The same PARC program inspected and approved the drainage repairs at Ballfield #1 at Grenville PARC. The Town has submitted the reimbursement paperwork.

The Town was not successful with its Small Culvert application for the replacement of the culvert on Old Poor Farm Road. The project engineer will follow up with the program for feedback.

Working with the Planning Department, a partnership of other communities, and the University of Massachusetts, the Town is part of a grant to develop a small solar project that will use credits to reduce energy costs for local residents. This grant will be submitted on Monday to the USDA with hopes of funding in the Fall.

The Assessors are gathering information from other towns regarding relief offered to homeowners for crumbling foundations. Several towns in the region offer a similar graded and time-limited system for abatements.

The IT personnel from the Town and Country Bank will be walking through the Main Street building next week to review the existing IT infrastructure. Country Bank has also asked if the Town is interested in keeping any of the surplus furniture.

The Parks Commission and Department have installed two pickleball courts at Grenville Park. The ribbon cutting will be during National Night Out, but the courts are available for

use. The Commission will also be meeting on July 25 with one of the proposed companies designing the new Grenville Park playground. They have invited the Disability Awareness Committee to the meeting to assist with the review for accessibility.

Lucas Wright of Ware River Power will submit a report about the operations of the Ware River dam and may attend a board meeting. In the past, he has been willing to give tours of the dam and turbine operations. Attached are a list and map showing communities with current water use restrictions. DEP is updating the list for next week.

Attached: Rail Trail update, department reports from Planning, DPW, and Police, Water flow data



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[Contact USGS](#)
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National Water Information System: Web Interface

USGS Water Resources

Data Category:
Current Conditions ▼

Geographic Area:
United States ▼

GO

Click to hideNews Bulletins

- Explore the [NEW USGS National Water Dashboard](#) interactive map to access real-time water data from over 13,500 stations nationwide.
- [Full News](#) 



We're replacing this page with a [Next Generation Monitoring Location Page](#).

We're modernizing Water Data for the Nation delivery. [Find out what this means for you.](#) This page will be discontinued Jan.1, 2023.

USGS 01173500 WARE RIVER AT GIBBS CROSSING, MA

PROVISIONAL DATA SUBJECT TO REVISION

Available data for this site

Time-series: Current/Historical Observations ▼

GO

Click to hidestation-specific text

LOCATION--Lat 42° 14'10", long 72° 16'23", Hampshire County, Hydrologic Unit 01080204, on right bank 0.5 mi upstream from Gibbs Crossing, 1.8 mi upstream from Beaver Brook, 2.5 mi southwest of Ware, and 8.8 mi upstream from mouth.

DRAINAGE AREA--197 mi².

PERIOD OF RECORD--Discharge: August 1912 to current year.

Water-quality records: Water years 1953--54.

REVISED RECORDS--WSP 1031: 1944. WSP 1301: 1914(M). WDR MA-RI-84-1: drainage area.

GAGE--Data Collection Platform with satellite telemeter. Datum of gage is 379.15 ft above NAVD 1988. Prior to May 8,

2020, datum reported as 379.79 ft above NGVD 1929. Prior to Mar. 1, 1930, at site 0.5 mi downstream at different datum.

REMARKS--Diversion at times: Since March 1931 from 96.3 mi² for supply of Boston metropolitan district and since 1955 from 6.5 mi² for municipal supply of Fitchburg. Flow regulated by mills upstream and by Barre Falls Reservoir (see station 01172500) since 1958.

COOPERATION BY--Massachusetts Department of Conservation and Recreation, Office of Water Resources.

ICE EFFECTS ON STREAMFLOW During winter, ice formation in streams can cause stage and corresponding discharge values to appear higher than expected during periods of no precipitation. Ice effects from partial ice cover or shore ice may be minor, where stage and discharge appear to increase at night and decrease to base-line conditions around midday for one or more days. Major ice effects from complete ice cover appear as constantly increasing stage and discharge over several days during prolonged cold periods. Stage and discharge values for streams experiencing minor ice effects will continue to be displayed on the web to enable the user to estimate the approximate base-line discharges. Note that this method of estimation should only be used when no runoff occurs. During periods of major ice effects, display of discharge data on the web will be temporarily discontinued to prevent misuse of erroneous discharge data. The discharge record will resume when it is determined that ice conditions are no longer present. Display of stage data during periods of minor and major ice effects will continue to be displayed on the web. Daily mean discharges will be estimated for all periods of ice-affected discharges.

Boating safety tips

This station managed by the Northborough MA Field Office.

Available Parameters		Available Period
<input type="checkbox"/> All 2 Available Parameters for this site		
<input checked="" type="checkbox"/> 00060 Discharge		1990-10-01 2022-07-15
<input checked="" type="checkbox"/> 00065 Gage height		2007-10-01 2022-07-15

Output format

- ☒ Graph
- ☐ Graph w/ stats
- ☐ Graph w/o stats
- ☐ Graph w/ (up to 3) parms
- ☐ Table
- ☐ Tab-separated

Days (7)

Summary of all available data for this site
Instantaneous-data availability statement

-- OF --

Begin date

7/15/22, 11:39 AM

USGS Current Conditions for USGS 01173500 WARE RIVER AT GIBBS CROSSING, MA

2022-07-08

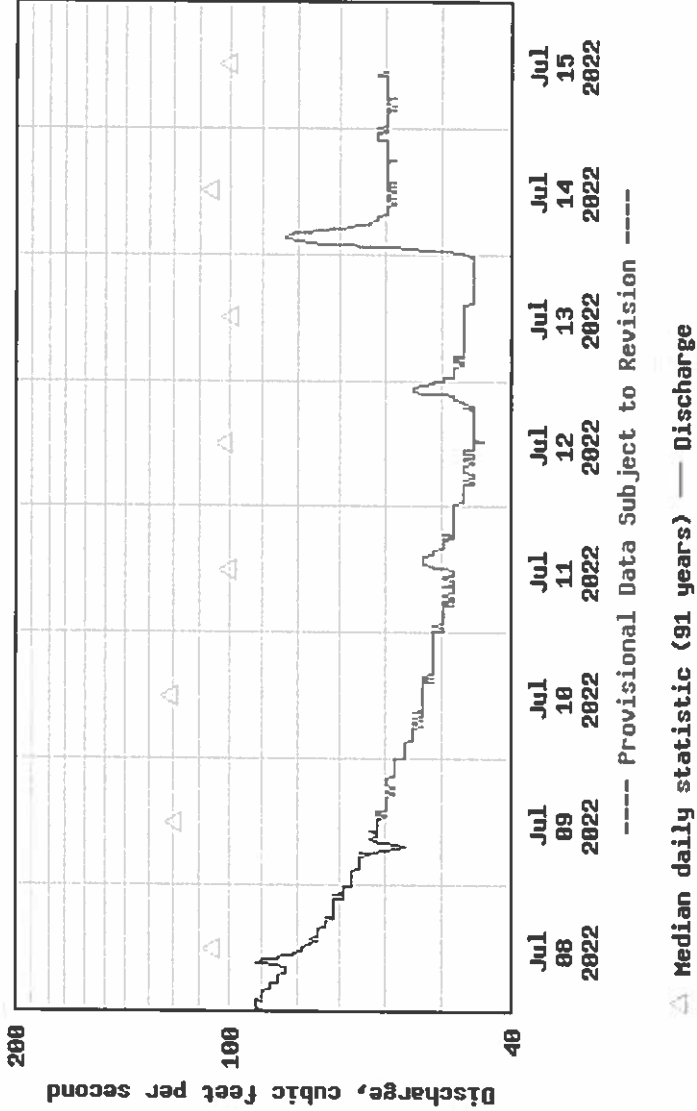
End date

2022-07-15

Discharge, cubic feet per second

Most recent instantaneous value: 59.9 07-15-2022 10:30 EDT

USGS 01173500 WARE RIVER AT GIBBS CROSSING, MA



Add up to 2 more sites and replot for "Discharge, cubic feet per second"

?

Add site numbers

Note

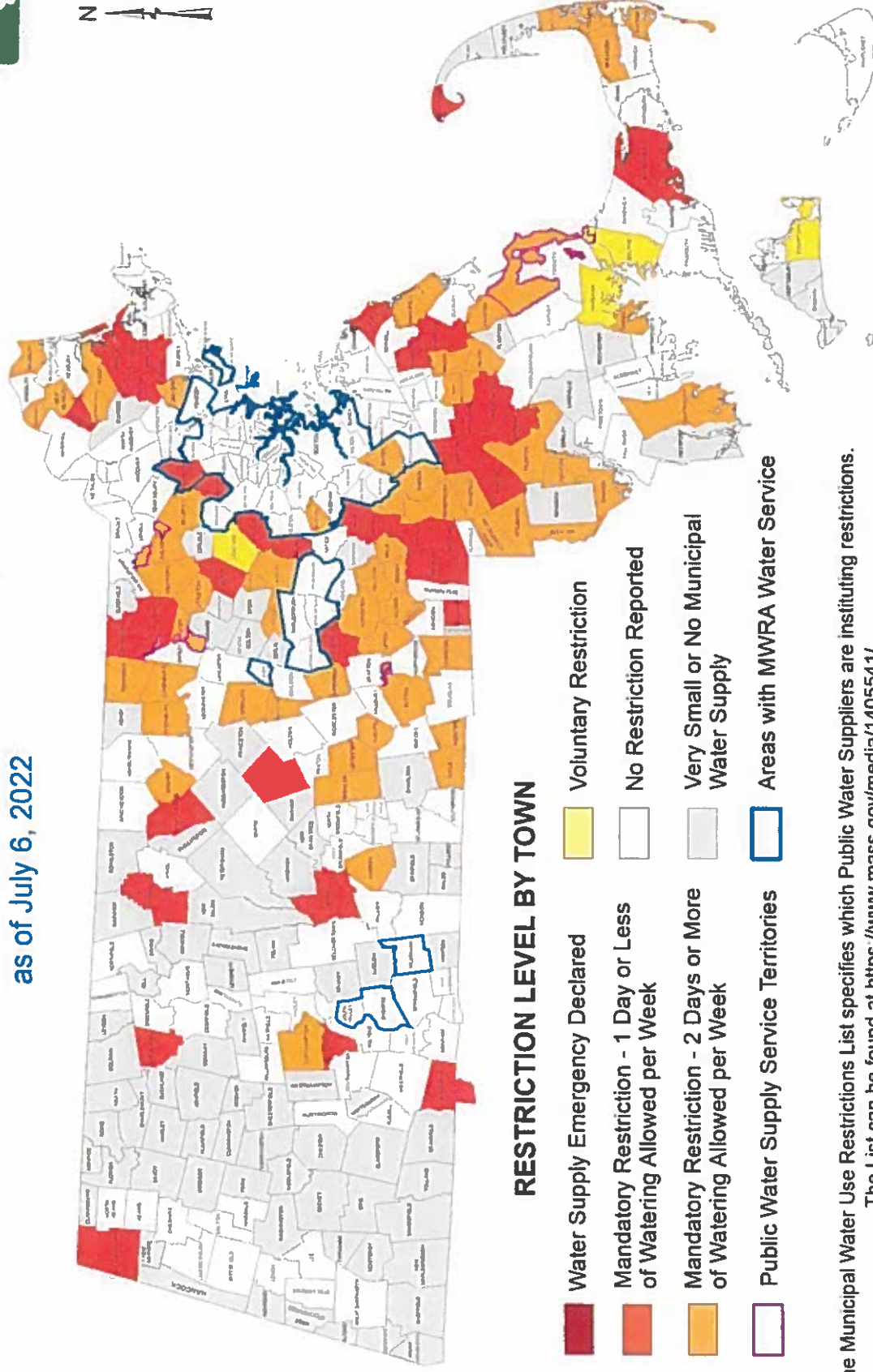
Enter up to 2 site numbers separated by a comma. A site number consists of 8 to 15 digits

GO

CURRENT MUNICIPAL WATER USE RESTRICTIONS

Non-Essential Outdoor Water Use Restrictions

as of July 6, 2022



RESTRICTION LEVEL BY TOWN

- Water Supply Emergency Declared
- Mandatory Restriction - 1 Day or Less of Watering Allowed per Week
- Mandatory Restriction - 2 Days or More of Watering Allowed per Week
- Voluntary Restriction
- No Restriction Reported
- Very Small or No Municipal Water Supply
- Public Water Supply Service Territories
- Areas with MWRA Water Service

The Municipal Water Use Restrictions List specifies which Public Water Suppliers are instituting restrictions. The List can be found at <https://www.mass.gov/media/1405541/>.

SOURCES:
 MassDEP Bureau of Water Resources, Water Management Program; MassDEP GIS Program, MassGIS.
 Restriction Level data provided by municipal Public Water Suppliers or by MassDEP internet search.
 For more information contact MassDEP Water Management Program at 617-292-5706.
 NOTE: Sub-town water supply service areas are approximate.

Massachusetts Municipal Water Use Restrictions as of June 21, 2022

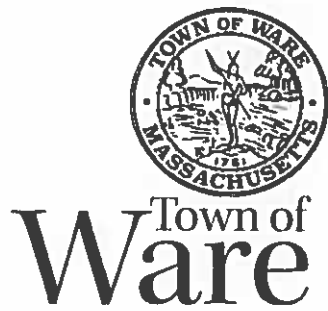
Town	Public Water Supplier	Implementation Date	Restriction Level	Days Watering allowed per week
Acton	Acton Water Supply District	5/1/2022	Mandatory	1
Ashburnham	Ashburnham Water Dept.	5/1/2022	Mandatory	3
Attleboro	Attleboro Water Department	5/1/2022	Mandatory	7
Auburn	Auburn Water District	5/1/2022	Mandatory	3
Ayer	Ayer Water Dept.	5/1/2022	Mandatory	3
Barnstable	Centerville-Osterville-Marstons Mills Water Department	6/1/2022	Voluntary	NA
Billerica	Billerica Water Works	5/1/2022	Mandatory	2
Blackstone	Blackstone Water Dept.	6/21/2022	Mandatory	1
Bourne	Buzzards Bay Water District	6/1/2022	Voluntary	NA
Brewster	Brewster Water Dept.	5/16/2022	Mandatory	3
Bridgewater	Bridgewater Water Dept.	1/1/2022	Mandatory	0
Byfield	Byfield Water District	5/16/2022	Mandatory	3
Canton	Canton Water Dept.	5/1/2022	Mandatory	2
Chatham	Chatham Water Dept.	4/15/2022	Mandatory	0
Chelmsford	Chelmsford Water District	5/1/2022	Mandatory	3
East Bridgewater	East Bridgewater Water Department	5/1/2022	Mandatory	2
East Chelmsford	East Chelmsford Water	5/15/2022	Mandatory	3
North Chelmsford	North Chelmsford Water District	5/1/2022	Mandatory	3
Concord	Concord Water Department	5/1/2022	Voluntary	NA
Danvers	Danvers Water Division	5/23/2022	Mandatory	3
Dartmouth	Dartmouth Water Dept.	5/1/2022	Mandatory	7
Devens	Devens-MassDevelopment	5/1/2022	Mandatory	7
Dighton	Dighton Water District	5/1/2022	Mandatory	2
Dover	Aquarion Water Company	5/1/2022	Mandatory	1
Dudley	Dudley Water Department	5/1/2022	Mandatory	7
Eastham	Eastham Water Department	5/1/2022	Mandatory	2
Easthampton	Easthampton Water Dept.	6/16/2022	Mandatory	1
Easton	Easton Water Division	5/1/2022	Mandatory	1
Edgartown	Edgartown Water Dept.	5/1/2022	Voluntary	NA
Fitchburg	Fitchburg DPW	5/26/2022	Mandatory	7
Foxborough	Foxborough Water Department	5/1/2022	Mandatory	2
Franklin	Franklin Water Department	5/12/2022	Mandatory	1
Gardner	Gardner Water Department	5/25/2022	Mandatory	7
Georgetown	Georgetown Water Department	5/18/2022	Mandatory	2
South Grafton	South Grafton Water District	5/1/2022	Mandatory	3
Groton	Groton Water Dept.	5/1/2022	Mandatory	3
Halifax	Halifax Water Department	5/1/2022	Mandatory	4
Hamilton	Hamilton Water Dept.	5/1/2022	Mandatory	7
Hanover	Hanover Water Department	5/23/2022	Mandatory	0
Hanson	Hanson Water Department	5/1/2022	Mandatory	7
Holliston	Holliston Water Department	5/1/2022	Mandatory	2
Hopedale	Hopedale Water Dept.	5/21/2022	Mandatory	3
Hopkinton	Hopkinton Water Dept.	5/1/2022	Mandatory	7
Hudson	Hudson Water Dept.	5/1/2022	Mandatory	7
Hyannis	Hyannis Water Dept.	5/1/2022	Mandatory	0
Ipswich	Ipswich Water Dept.	6/6/2022	Mandatory	0
Kingston	Kingston Water Dept.	5/1/2022	Mandatory	3 or 4

Massachusetts Municipal Water Use Restrictions as of June 21, 2022

Town	Public Water Supplier	Implementation Date	Restriction Level	Days Watering allowed per week
Leicester	Cherry Valley and Rochdale Water	5/1/2022	Mandatory	7
Lincoln	Lincoln Water Dept.	5/1/2022	Mandatory	0
Littleton	Littleton Water Dept.	5/1/2022	Mandatory	7
Lunenburg	Lunenburg Water District	5/1/2022	Mandatory	7
Mansfield	Mansfield Public Works Water Division	5/12/2022	Mandatory	3 or 4
Marshfield	Marshfield Water Department	5/1/2022	Mandatory	3 or 4
Maynard	Maynard Water Dept.	5/1/2027	Mandatory	7
Medfield	Medfield Water Department	5/6/2022	Mandatory	0
Medway	Medway Water Dept.	5/1/2022	Mandatory	3
Merrimac	Merrimac Water Dept.	6/1/2022	Voluntary	NA
Milford	Milford Water Co.	1/1/2022	Mandatory	2
Millis	Millis Water Dept.	5/1/2022	Mandatory	3
Norfolk	Norfolk Water Division	1/1/2022	Mandatory	0
North Attleborough	North Attleborough Water Dept.	5/1/2022	Mandatory	2
Northampton	Northampton Water Dept.	6/8/2022	Mandatory	7
Norton	Norton Water Dept.	5/1/2022	Mandatory	0
Orleans	Orleans Water Dept.	1/1/2022	Mandatory	2
Pembroke	Pembroke Water Dept.	5/18/2022	Mandatory	0
Pepperell	Pepperell Water Department	5/1/2022	Mandatory	0
Plymouth	Plymouth Water Division	5/1/2022	Mandatory	3
Plymouth	Pinehills Water Company	5/1/2022	Mandatory	2
Plymouth	Aquarion Water Company	5/1/2022	Mandatory	1
Provincetown	Provincetown Water Dept.	6/1/2022	Mandatory	0
Raynham	North Raynham Water District	5/1/2022	Mandatory	1
Rowley	Rowley Water Department	5/18/2022	Mandatory	7
Rutland	Rutland Water Department	5/31/2022	Mandatory	1
Sagamore	North Sagamore Water District	6/8/2022	Voluntary	NA
Salisbury	Salisbury Water Department	5/23/2022	Mandatory	3 or 4
Scituate	Scituate Water Division	5/1/2022	Mandatory	1
Seekonk	Seekonk Water District	5/1/2022	Mandatory	3
Sharon	Sharon Water Department	5/1/2022	Mandatory	2
Shelburne	Shelburne Falls Fire District	5/16/2022	Mandatory	0
Shrewsbury	Shrewsbury Water Department	5/1/2022	Mandatory	2
Southwick	Southwick Water Dept.	5/31/2022	Mandatory	1
Spencer	Spencer Water Dept.	5/1/2022	Mandatory	7
Sterling	Sterling Water Dept.	5/1/2022	Mandatory	3 or 4
Sudbury	Sudbury Water District	5/1/2022	Mandatory	2
Sutton	Wilkinsonville Water Dept.	5/1/2022	Mandatory	7
Swansea	Swansea Water District	5/1/2022	Mandatory	3 or 4
Taunton	Taunton Water Dept.	5/25/2022	Mandatory	7
Templeton	Templeton Municipal Light & Water	6/21/2022	Mandatory	0
Topsfield	Topsfield Water Dept.	6/3/2022	Mandatory	0
Upton	Upton Water Dept.	5/1/2022	Mandatory	7
Uxbridge	Uxbridge Water Dept.	5/1/2022	Mandatory	7
Walpole	Walpole Water Dept.	5/1/2022	Mandatory	2
Ware	Ware Water Department	6/14/2022	Mandatory	0
Wareham	Wareham Fire District	5/18/2022	Voluntary	NA

Massachusetts Municipal Water Use Restrictions as of June 21, 2022

Town	Public Water Supplier	Implementation Date	Restriction Level	Days Watering allowed per week
Warren	Warren Water District	5/25/2022	Mandatory	7
Warren	West Warren Water District	5/25/2022	Mandatory	7
Wayland	Wayland Water Department	5/25/2022	Mandatory	1
Webster	Webster Water Dept.	5/1/2022	Mandatory	3
Wellesley	Wellesley Dept. of Public Works	5/23/2022	Mandatory	3
Wenham	Wenham Water Dept.	6/16/2022	Mandatory	0
West Boylston	West Boylston Water District	6/1/2022	Mandatory	3
West Bridgewater	West Bridgewater Water Dept.	5/1/2022	Mandatory	0
West Groton	West Groton Water District	5/1/2022	Mandatory	2
West Newbury	West Newbury Water Dept.	5/1/2022	Mandatory	7
Westborough	Westborough Water Department	5/19/2022	Mandatory	0
Wilmington	Wilmington Water Dept.	1/1/2022	Mandatory	1
Wrentham	Wrentham Water Dept.	5/18/2022	Mandatory	1



P&CD June 2022 Status Report

Planning Initiatives

West Street Corridor Study (Planning Assistance Grant)

expecting final report from consultants

presented findings to Selectboard on 6/21/2022

Open Space and Recreation Plan

initial research and plan review still in progress

Annual Demographic Report

initial research and data collection still in progress

Zoning Amendments Passed on May 23, 2022

zoning amendments submitted to the Attorney General's Office

Battery Storage Research

PVPC applied for grant to help facilitate region wide research

Right to Farm

discussions are ongoing

Scenic Road Bylaw

draft document completed

discussion between HC and PB set to continue on July 21

Subdivision Regulations final draft in review by PCD Department

will be discussed with the Planning Board over the next several meetings

Economic Development

ED Grant Opportunities

One Stop for Community Growth Grant Applications

Mary Lane Hospital Underutilized Properties (submitted 6/3/22)

Monroe Street Parking Lot/Pickle Ball Court (submitted 6/3/22)

Tractor Supply Research

zoning research for proposed use have halted

Permitting

Respond to inquiries/ongoing

special permits and site plan reviews

SP-2021-04 (Kulas Earth Removal Special Permit)

continued hearing date tbd

SP-2022-05 & SPR-2022-02 (Green Adventure, LLC Marijuana Dispensary)

special permit approved by Planning Board on April 28, 2022

site plan review still in progress

SP-2022-06 (Verizon Wireless, Cellphone Tower)

special permit granted on June 2, 2022

Permit Fee Schedule Public Hearing

continued to the July 7 Planning Board meeting

Fieldstone Commons Definitive Subdivision Review

subdivision approved on June 16, 2022

SP-2022-07 (The Boston Puppy Accessory Use Kennel)

special permit granted on June 2, 2022

SPR-2022-03 (McDonald's)

site plan review set for July 7, 2022

Cmty. Dev & CDBG

Façade Improvement Program

design guidelines and application creation are being finalized

design review committee has met twice in June

CDA Research

proposed vacant units/buildings catalog for potential investors and business owners

Bank St & Park Ave Reconstruction Projects

work expected to be completed on July 1, 2022

CDA approved \$35,000 for Park Avenue component on 6/6/22

Consultant Working with Town to Assess Brownfield Site

Weston & Sampson is continuing their Phase II site assessment

Grants

\$30,000 from REDO program for LED Sign

sign design and location will be discussed with DTIC

\$45,075.20 from MassDOT Shared Streets & Spaces Program

funds expected around the fall

Interdepartmental

Consult with Building Commissioner/ZEO on ongoing matters

Consult with Town Manager in regard to HR Client Lien Payoffs

Boards/Committees

PB and CDA are at full membership, no current vacancies

ZBA has one vacant alternate position

General

HR Lien Discharges

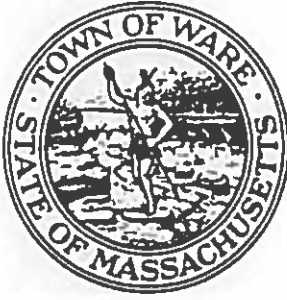
Office/Technology

Ongoing IT Trainings for Cybersecurity

Staff/Department

Search for new PCD Admin

interviews expected to be held early-mid July



TOWN OF WARE

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

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

Memorandum

To: Stuart Beckley, Town Manager
From: Geoff McAlmond, DPW - Director
Date: July 14, 2022
Re: June 2022 – Monthly Report

This is my first of many monthly reports for the operations of the Public Works Department. First, I want to express my thanks to you and the Select Board for my appointment as the Director of Public Works for the Town of Ware.

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.

On June 15, 2022, the Ware River reached the low level requiring the implementing water restrictions. Requiring outdoor watering to be limited to the hours before 9 a.m. or after 5 p.m. A Code Red was issued as well as the Notice being posted on the Town website.

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, collecting water samples and generally maintaining the system.

Wastewater Division

Wastewater Treatment Plant Chief Operator David Comeau and the Assistant Chief Operator 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.

The Screener (to alleviate the rags and debris issues) design is at the 60% complete stage and is expected to be out for bids before the end of the calendar year. Unfortunately, due to anticipated supply chain issues the projects completion is not expected before the end of calendar year 2023.

Notice was received from the firm handling the transportation and disposal for the sewerage sludge produced by the plant, of a 18 % increase in cost. The increase is mostly due to the increased costs of transportation, additionally disposal increased by 5.9% as well. The Treatment Plant staff have been endeavoring to consistently raise the Sludge's percentage of solids in an effort to mitigate the price increase.

Highway Division

Highway Supervisor Charles Niedzwiecki has been able to focus on the Highway Division's priorities with my assumption of the Director of Public Works position. Mr. Niedzwiecki has been a tremendous asset to my assimilation into the position with the Town of Ware and I feel very fortunate to have him on the DPW team.

Mr. Niedzwiecki has been working very closely with Palmer Paving Companies representative to ensure the Town of Ware's road paving is on their schedule for completion this season. As well as having the preparations in place for the Highway Crew to have the preparatory work completed prior to the beginning of the paving work.

The Highway Division employees have been patching roads, sweeping the streets, performing roadside mowing, and completing drainage work this month.