

Board of Selectmen: *John E. Carroll, Michael P. Fountain, Keith J. Kruckas, Tracy R. Opalinski, Alan G. Whitney*

Town Manager: *Stuart Beckley*
sbeckley@townofware.com



Board of Selectmen
Ware Town Hall, 126 Main Street, Meeting Room

Regular Meeting Notice Agenda
Tuesday, April 17, 2018 at 7:00 p.m.

Meeting Opened

Reorganization of the Board of Selectmen

Opening Remarks, Announcements, and Agenda Review by Chair

Commendations of Nancy J. Talbot and Peter D. Harder

Consent Agenda

- **Approval of Minutes of March 20, 2018 and April 3, 2018**
- **Approval of One-Day Liquor License: Workshop 13, Sunday, May 6, 2018**

Comments and Concerns of Citizens

Scheduled Appearances

Old Business

New Business

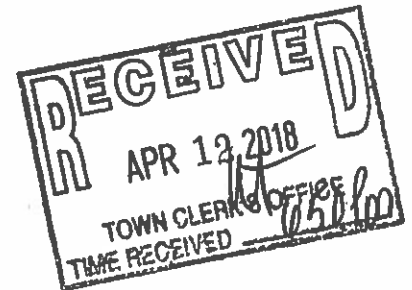
- **Request for Loan Subordination**
- **Employee Reimbursement Policy**
- **Approval of Annual Town Meeting Warrant**
- **Approval of Special Town Meeting Warrant**
- **Board Goals for Town Manager**

Town Manager Report

Adjournment

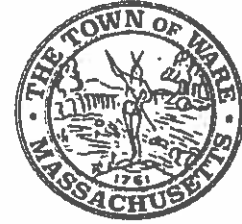
**Executive Session: MGL Chapter 30A, Section 21(a)#2 Negotiations with Town Manager,
Negotiations -Union Updates**

The next Board of Selectmen meeting will be held on Tuesday, May 8, 2018 at 7:00 p.m.



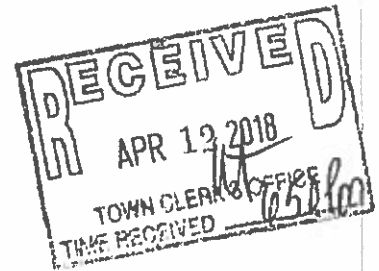
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The next Board of Selectmen meeting will be held on Tuesday, May 8, 2018 at 7:00 p.m.



**Board of Selectmen
Ware Town Hall, 126 Main Street, Meeting Room**

**Regular Meeting Minutes
Tuesday, March 20, 2018 at 7:00 p.m.**

Meeting Opened by Chairman Talbot.

Present: Selectman Nancy J. Talbot, Selectman Alan G. Whitney, Selectman Tracy R. Opalinski, Selectman John E. Carroll, Town Manager Stuart Beckley, Clerk Mary L. Midura, Animal Control Officer Sydney Plante, Board of Health Director Judy Metcalf, DPW Director Richard Kilhart, EQLT Cynthia Henshaw

Absent: Selectman Michael P. Fountain

Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda

- **Approval of Minutes of February 13, 2018**

Selectman Opalinski noted several corrections; Selectman Talbot and Selectman Carroll clarified homeowners/farmers should not be affected by new Storage of Flammables fees.

Selectman Opalinski made the motion to approve the Minutes of February 13, 2018, with changes; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

Old Business

- **GPS listing – Active Units**

Mr. Beckley submitted a report of the current status of the GPS units. Units will be installed in Fire Chief and Deputy Fire Chief's vehicles on March 21, 2018. No action of the Board is necessary.

Scheduled Appearances

- **7:05 p.m. Dangerous/Nuisance Dog Hearing**

Chairman Talbot read notice of the hearing. All parties were notified by certified and regular mail. Ms. Lynn Liquornik stated that they do not want to be afraid in their backyard. Wilma was the only dog, of their four, that was attacked by Cotton, with pain and vet bills.

Mr. Wansick noted that Cotton was interactive with his and his sister's children, neighbors, and other neighbors' dogs, with no problems prior. He stated that his new puppy ran up to Wilma, Wilma growled and snapped, and Cotton defended the new puppy. Mr. Wansick noted that he believed this incident was cause and action, not a vendetta, that dogs often scuffle, and he loves animals, offered to care for the dog and pay the vet bills, but that Mr. Maslanka yelled "that dog is gone!" without being willing to discuss the situation. Mr. Wansick stated that no one wants Cotton labeled as a "vicious dog" and Cotton is a family dog, one of three in the family. Mr. Wansick stated he is willing to put up a fence when the ground thaws.

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Animal Control Officer Sydney Plante stated that a six-foot high fence is a good plan, and she does not recommend that Cotton be euthanized, as this accident happened and all parties want to prevent this from happening again. The dog Wilma had wounds on the neck and superficial wounds; these were full bites from a dog at least 100 pounds. Wilma was attacked on her own property, so the owners of Cotton need to make efforts and restrain Cotton from running at large.

Chairman Talbot noted documentation received from the ACO this afternoon include the vet bill. Mr. Wansick stated he has requested the vet bill to try to take care of this and resolve. Chairman Talbot noted the leash laws and "dogs running loose" law.

Mr. Wansick's sister explained that Cotton was a rescue dog, and Cotton chose Mr. Wansick as a favorite. She did not give Cotton to Mr. Wansick because of problems with the dog; the dog has always been a wonderful family pet.

Chairman Talbot noted the recommendations by the ACO to build a fence and keep Cotton restrained at all times, on and off the property.

The Board of Selectmen postponed a determination of this dog and did not declare Cotton as a nuisance or dangerous.

Selectman Opalinski made the motion to not declare Cotton as a nuisance or dangerous dog, contingent upon Mr. Wansick taking the following actions:

- You shall install a 6-foot high fence with locking gate.
- Cotton must be on leash in your yard, until the fence and locking gate have been installed.
- Cotton must be restrained at all times on a leash of 6 feet whenever out of your yard.

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

• **7:15 p.m. East Quabbin Land Trust – Parking Area on Church Street**

Cynthia Henshaw spoke of the upgrade to the railroad bed into the rail trail. The plan is to formalize as parking area, with crossing safety features such as raised dividers, rumble strips, blinking lights. Selectman Carroll questioned safety issues regarding plowing, stating he was not in favor of rumble strips. Selectman Opalinski asked what other communities are doing, citing that a life is more valuable than a plow. Selectman Whitney asked Mr. Kilhart's opinion. Mr. Kilhart noted that 14 inch rumble strips allows pedestrians to cross, with room for plows, and is worth saving one person. Selectman Talbot noted communities such as Amherst and Northampton also have warning lights before the crosswalk. Resident Bill Jackson questioned the concern for the plows. Denis Ouimette, from Open Space Committee, noted this has been developing for 20 years and is a fantastic move forward. Selectman Carroll stated his opposition to the plan for rumble strips as cause for liability.

Selectman Whitney made the motion to accept the parking request as presented, and to work with EQLT; Selectman Opalinski seconded the motion. The motion passed on a vote of 3 Yes, 1 No (Selectman Carroll), 1 Absent (Selectman Fountain).

• **Request to Speak: Patrick McAvoy**

Mr. McAvoy presented the request, on behalf of his wife, Bobbi McAvoy, to be placed on the Town insurance. Mr. McAvoy stated that Mrs. McAvoy is a retired, disabled, employee of the Town. Mr. Beckley noted that Mrs. McAvoy was a call firefighter, and was not eligible for town insurance per MGL 32B. Mr. McAvoy contended that Mrs. McAvoy retired under the disability. Previously, Mr.

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McAvoy held the insurance for himself and Mrs. McAvoy. Mr. McAvoy explained that Mrs. McAvoy was two years on injured, paid as retired, disability. Mr. McAvoy noted that the Fire Department still has part-time employees not covered or eligible for Town insurance. Mr. McAvoy stated it was disgusting how the call firefighters are not eligible for benefits but put their lives on the line. Selectman Carroll requested the whole file be reviewed and present in-depth facts and information be provided at April 3, 2018 meeting. **Selectman Carroll made the motion to postpone a decision to April 3, 2018, pending facts and information be presented; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).**

Resident Jen McMartin noted that the Town is a business and should not be responsible if the policy stated the employee was not eligible for Town insurance.

- **Proposal Shared Public Health Nurse Belchertown/Ware; Approval of Inter-municipal Agreement**

Judy Metcalf, Board of Health Director, explained both public health nurses of Ware and Belchertown retired, and the proposal is to share a public health nurse. The pay will be \$26/hour, 20 hours/week, and the person will be employed through Town of Belchertown. Ware will pay employer share after one year. Work will be a 50/50 split, but emergencies do occur, and some activities will be shared such as BMLH opioid meetings. There will be no overtime pay, but comp time can be earned. Belchertown has a personnel by-law regarding strict use of comp time. The document will be finalized and presented to Selectmen soon to be signed.

Comments and Concerns of Citizens

Bill Jackson noted Open Meeting Law and stated that the people are losing their say, hopefully change after election.

Keith Krukus stated the mailing to residents for the \$50 ambulance fund was a waste to mail out.

John Desmond stated special mailings should go out with tax bills, and questioned the road override, town vehicles and mileage logs. Mr. Beckley noted that Mr. Desmond should submit a Public Records Request. Mr. Desmond stated that no one checks the mileage; Mr. Beckley noted his higher trust level for department heads. Mr. Desmond stated that almost \$4million leaves the town in employee salaries, and more employees should live in town. Mr. Desmond stated the Town should have residency requirements, and Mr. Beckley should move into town, and live in the Slum and Blight area. Mr. Desmond stated that a critical review should be done of all departments.

Cathy Cascio stated she is frustrated with the GPS issue, and questioned why these are not installed and turned on.

Jack Cascio questioned if the GPS issue was a union issue; Mr. Beckley noted that most will be installed and turned on by April 21, 2018.

Jen McMartin noted that union personnel drive the vehicles.

Selectman Opalinski noted the budget gap and suggested a subcommittee be formed to study this. Mr. Beckley stated this is a discussion every year at budget meetings, and at this time the gap is approximately \$300-\$400,000. Selectman Whitney noted that Finance Committee addresses this gap. Selectman Opalinski noted that a group to strategize would provide fresh outside eyes to the issue. Selectman Whitney suggested this issue be an agenda item. Chairman Talbot noted the Budget Gap would be placed on the April 3, 2018 agenda.

- **Roads – Ballot Question Forum**

Mr. Beckley provided handouts to explain the \$1million ballot question that provides for stabilization funds

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for road repairs. Chapter 90 is approximately \$440,000 annually.

Dick Kilhart, DPW Director noted that the Town gave him a list of roads in need of repair. The first proposal is a \$5million bond. The second proposal lists same streets in priority, class and ranking. First proposal lists Babcock Tavern Road as the worst road in need of subsurface, drainage and water and sewer infrastructure. The Town might spend all funds on one road or work to improve entire roadway network. The Town needs to begin the process. Chapter 90 funds can be used for sidewalks, compressor, design. Mr. Krukas stated that taxpayers cannot take on any more tax increases.

George Staiti questioned if the increase is continuous. Mr. Beckley noted that Stabilization Funds can only be changed by ballot; the Board of Selectmen can raise by 2 ½ percent or lower.

Cathy Cascio noted that, if we say yes, then we are relinquishing to the Board of Selectmen in perpetuity, it will never go down.

Mr. Beckley noted that he hoped the Board would listen to the DPW recommendations. The Capital Planning Commission has noted an alternative is to borrow on a bond, but that adds interest. The ballot question cannot be changed.

Mr. Jackson noted that 26% of the town are senior citizens and taxes are too high already.

- **Marijuana Ballot Question Language**

Mr. Beckley thanks Mrs. Talbot, town counsel and the Attorney General for helping formulate the language of the ballot question. It is an uncommon bylaw by ballot. If the ballot question passes, the next step is to pass at town meeting. This does not undo state law question 4 that allows people to grow and use legalized, but this would prohibit retail recreational stores in Ware.

Selectman Whitney questioned that the town can charge a town tax; Mr. Beckley noted 6% revenue generating. If the ballot fails, there can be no town meeting action.

Old Business

- **Audit Methods**

Mr. Beckley presented five suggested methods for an audit. Board members agreed on use of Method #5: *Review by a municipal management independent reviewer. There are several firms or individuals who do this work and would focus on the operations as well as fiscal budget of a department. This is what would come closest to a department "critical review." Cost \$5,000-\$10,000 depending on the department.*

Selectman Whitney made the motion to use Method #5, on a 4-year rotation, starting with the Fire Department, with this first audit to be completed by the end of the calendar year 2018; Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

Selectman Carroll noted that the Fire Department Petty Cash account should be suspended until completion of the audit.

Selectman Whitney made the motion to Suspend Fire Department Petty Cash Account, until completion of the audit; Selectman Carroll seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

New Business

- **Consideration of Opioid Lawsuit**

Mr. Beckley explained that the lawsuit is the Commonwealth and States suing the distributors of opioids. There is no cost to join. Selectman Opalinski noted Ware's reputation. Selectman Talbot agreed that the Town should join this. Mr. Beckley noted that distributors are controlled by Federal law with over \$1 billion

profits annually. Mr. Beckley will meet with Kopelman and Paige and will obtain town counsel opinion.

- **Approval of Warrant for Annual Town Election Monday, April 9, 2018**

Selectman Whitney made the motion to approve the warrant for Annual Town Election on Monday, April 9, 2018; Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Acceptance of Resignation: Council on Aging, Cindy Wloch**

- **Notice of Vacancy: Council on Aging, Term to Expire June 30, 2020**

Selectman Opalinski made the motion to dismiss the above items; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Reappointment: Board of Registrars, Sheryl A. Adamczyk, Term to Expire March 31, 2021**

Selectman Whitney made the motion to reappoint Ms. Adamczyk to the Board of Registrars; Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Appointment of Election Workers**

Selectman Opalinski made the motion to appoint the Election Workers; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Approval of One-Day Liquor Licenses: Workshop 13 – Friday, March 30, 2018, and Friday, April 13, 2018**

Selectman Whitney made the motion to approve the One-Day Liquor Licenses; Selectman Carroll seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 1 Abstention (Selectman Opalinski), 1 Absent (Selectman Fountain).

- **Approval of Special Event Permit: 2018 Gospel and Jazz Fest, Saturday, April 21, 2018**

Selectman Whitney made the motion to approve the Special Event Permit; Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Approval of Special Event Permit: Eggstravaganza, Saturday, March 24, 2018**

Brandy Brusco was present to invite all citizens to the Eggstravaganza. All proceeds will benefit the Ware Dog Park. The community has generously made donations for this event, and the organizers hope to fill a truck with needed items for two animal shelters. The 501(c)3 status approval is still pending.

Selectman Opalinski made the motion to approve the Special Event Permit; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

Town Manager Report

Upcoming Dates:

April 9 – Town Election

April 21 – Clean Up Ware

May 14 – Town Meeting

Town Manager: Stuart Beckley
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Budget. The Budget was distributed to Board boxes along with a budget cover message. The Finance Committee's last scheduled review meeting is March 27.

The Capital Planning committee is meeting with departments and will make recommendations during the first week of April. The available funds are approximately \$300,000.

The Historical Commission is working to submit a grant for an architectural envelope study of the Town Hall. This would be a 50% grant and likely cost \$15,000 to \$20,000.

Reminder: April 10 – Town Meeting Warrant closes for submittal of articles.

Mr. Beckley noted that the Sergeant's test will be on March 27, 2018. There are three applications. Interviews will be held soon for Cemetery position and Deputy DPW.

Documents presented at meeting: Information regarding Dog Hearing, MGL Chapter 140, Section 157, EQLT revised map, information regarding McAvoy request for health insurance, revised Inter-municipal Agreement Public Nurse for Belchertown/Ware, Road Stabilization Report, GPS units report, Budget report, Opioid Litigation Report, Town Warrant, Ballot question RE: marijuana, Audit Methods Report, Council on Aging information, Reappointment of Board of Registrars member, Letter RE: Election Workers, One-Day Liquor License applications, Special Event Permit applications, Town Manager Report.

Selectman Opalinski made the motion to Adjourn Regular Session at 10:00 p.m.; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

Attest: Mary L. Midura
Mary L. Midura, Executive Assistant



Board of Selectmen
Ware Town Hall, 126 Main Street, Meeting Room

Regular Meeting Minutes
Tuesday, April 3, 2018 at 7:00 p.m.

Meeting Opened

Meeting Opened by Chairman Talbot.

Present: Selectman Nancy J. Talbot, Selectman Alan G. Whitney, Selectman Tracy R. Opalinski, Selectman John E. Carroll, Selectman Michael P. Fountain, Town Manager Stuart Beckley, Clerk Mary L. Midura

Opening Remarks, Announcements, and Agenda review by Chair

**Announce MassBar Association Offers Western MA Dial-A-Lawyer (413-782-1659)
to residents on Thursday, April 12, 2018, 4pm – 7pm.**

Chairman Talbot announced the Dial-A-Lawyer information.

Chairman Talbot also read the following Important Notice from the Board of Health regarding the Needle Drop off Box (Sharps Kiosk): Please follow ALL the safety rules when using this service. The Town is at risk of losing the vendor that services our kiosk boxes because hazardous situations exist that make it risky for their workers. No loose needles EVER. Very dangerous. No needles in plastic bags. Also very dangerous. Use correct containers. Containers are provided free as long as supplies last. Do not over stuff the kiosk. If the box is full, come back another time after it has been emptied. It is very risky for a customer to push containers into the box when it is full. You risk getting a needle stick from an unknown needle. It is also dangerous for the worker emptying the box. No pills or drugs in the box. Use medication drop box at police station. Also, this service was made available free of charge by the taxpayers of Ware to help keep needles out of our parks and road sides. Also to help our seniors and other residents who take medication by injection. Commercial generators of syringes-acupuncturists, tattoo artists, dentists, and doctors should arrange their own service pick-up at their place of business.

Consent Agenda

- **Approval of Minutes of February 27, 2018 and March 26, 2018**

Selectman Opalinski made the motion to approve the minutes of February 27, 2018;

Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Selectman Opalinski made the motion to approve the minutes of March 26, 2018;

Selectman Whitney seconded the motion.

Selectman Carroll questioned the reason for the emergency meeting on March 26, 2018;

Chairman Talbot noted questions regarding jeopardy of licenses. Selectman Carroll stated his opinion that this was an Open Meeting Law violation and was not an emergency.

The motion passed on a vote of 4 Yes, 1 No (Selectman Carroll).

Comments and Concerns of Citizens

Boy Scouts – Food Drive

The Boy Scouts were not present.

Selectman Opalinski noted that E2E has a hot jobs list which includes job description, location, and pay.

Scheduled Appearances

- **Request to Speak: Keith Krukus**

Keith Krukus noted his concerns of Mr. Kilhart leaving, there is no follow through at the DPW, and Mr. Kilhart has destroyed the DPW department, being concerned only with the water aspect. Mr. Krukus stated there should be a better process in hiring and licensing. Mr. Krukus questioned the status of the \$6million water plant, and this project should be put on hold. Mr. Krukus stated that the Parks department now does all mowing and cemeteries, and this should be looked at. Mr. Krukus stated that roads have not been handled well, funds are not used appropriately, and the DPW and Water/Sewer should have separate supervisors.

Selectman Opalinski noted that the director and all employees are licensed and highly skilled, and there are so few qualified with our small rural town that must compete with other towns. Chairman Talbot noted that the DPW Director position has been posted on MA Highways, MMA and Town website. Mr. Beckley noted that the \$6million facility is the result of a year-long water & sewer master plan study, with design engineer on the project now at 60% design, and an update will be given in two weeks.

Old Business

- **McAvoy Health Insurance Request**

Mr. Beckley noted the memorandum which lists all points to why Mrs. McAvoy was not and is not eligible for Town health insurance. Mr. Beckley noted that MGL 111F and 32B applied to Injured on Duty are the determining laws. Mr. McAvoy stated he has contacted the Attorney General's office.

No vote was taken.

New Business

- **Approval of Appointment of Building Inspector**

Mr. Beckley noted Ms. Marques' experience and education, with training and certification pending, and her commitment, knowledge and current position. Ms. Marques stated this opportunity is welcome, and she will continue to work with Chris Rice. Selectman Carroll asked what the period of commitment is: Mr. Beckley stated the period of commitment is two years.

Selectman Whitney made the motion to approve the appointment of Anna Szmyd Marques as Building Inspector; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Town Manager: *Stuart Beckley*
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- **Budget Gap Discussion**

Mr. Beckley presented the five-year model prepared by Mrs. Meehan with gap between revenues and expenditures. Mr. Beckley noted there are several strategies for addressing the gap:

-Raise revenues: with new growth, higher property values, and increase in building permits, but may not cover the gap in the near future.

-Decrease expenditures: cut personnel, service departments, keep parks and senior center intact, small department cuts of personnel, or cut fire, police, schools. The Board of Selectmen, Finance Committee and Schools need to set priorities and look at leveling and/or cutting expenses. Another possible was to cut expenditures is to study regionalization of services – already using this for ACO, senior services, and ambulance.

Mr. Beckley noted that Chapter 90 funds were underfunded 6-7 years ago and are now leveling in 2018. Families look at the quality of schools and housing. The Finance Committee works on the budget, and must balance each year.

Selectman Opalinski stated that a new team or committee should look at finances. Mr. Beckley noted that the health insurance is at .9% this year, and is claims driven.

Selectman Whitney noted that health insurance costs should be a priority in negotiations. Mr. Beckley stated that if the Town is able to go to GIC, whatever is saved in the first year must be shared with employees.

Selectman Carroll stated it is time to look at regionalization and to study costs, school populations, transportation or other costs. The Board noted that discussion with School Committee should be done.

Selectman Whitney made the motion to Table the Budget Gap Discussion to meet with the School Committee; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Toll Road Application – Aspen Street Rod & Gun Club, Saturday, April 21, 2018**
Selectman Whitney made the motion to approve the Toll Road Application, *contingent upon receipt of proof of insurance*; Selectman Carroll seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Town Manager Evaluation, Contract**

Mr. Beckley noted his own evaluation, following the model of the survey, for the Board of Selectmen to give feedback. Selectman Opalinski stated that a composite survey should be completed, the Board of Selectmen's survey should take priority, and a working session should be scheduled. As there may be new members of the Board of Selectmen after the April 9, 2018 election, the Board discussed scheduling two meetings before the election to create the composite survey and discuss whether to go forward with the Town Manager's contract. In order to give the public 48 hours' notice of the meetings, the Board instructed the clerk to post the meeting immediately (at 8:00 p.m.)

Clerk Midura left the meeting at 8:05 p.m. to publish the agenda of April 5, 2018.

Chairman Talbot handed the gavel to Vice Chairman Whitney, and left the meeting at 8:05 p.m. to timestamp and post (as Town Clerk) the April 5, 2018 agenda.

Chairman Talbot and Clerk Midura returned to the meeting at 8:10 p.m.

***The meeting of the Board of Selectmen is scheduled for Thursday, April 5, 2018 at 8:15 p.m.
AND***

A meeting of the Board of Selectmen is scheduled for Saturday, April 7, 2018 at 9:00 a.m.

Town Manager Report

Upcoming dates:

April 9 – Town Election

April 10 at noon – Close of warrants for submission of articles to Town Meeting

April 21 – Clean up Ware

May 14 – Town Meeting

Main Street. The Metropolitan Planning Organization for the Western Massachusetts met last week to set the 5-year Transportation Improvement Plan. The Plan sets the funding schedule for the next five years. With review by PVPC and the MA DOT district office, it was determined that Ware’s Main Street project will be ready for bid advertising in August, 2019. This means that construction will likely be in 2020.

As part of the project, the Town will need to appraise and acquire easements for the project. Town Meeting will include authorization for the Selectmen to acquire the easements, which are all parts of the adjoining sidewalks.

The 75% design of the project is complete and most comments from the State and region departments have been received. These will be incorporated into the final design. The project engineer is aware of the responsibility to meet with the Town to present the plans.

Beaver Brook Bridge. The Massachusetts Dept. of Transportation is conducting engineering reviews of smaller bridges. The review of the small bridge across Beaver Brook on Old Belchertown Road found that some of the beams supporting the bridge have deteriorated to the point where they are not providing support. While the engineering study is being completed, DOT is waiting to hear if the Town would like to (1) shore up the bridge with timbers or (2) close the bridge until it can be repaired.

Mary Midura’s work with surplus equipment is paying off. Here are the funds received to date for surplus DPW vehicles:

1974 Clark Super 301 Grader - \$2,959

2001 Ford F350 Pickup - \$1,100

2001 Ford Crew Cab - \$1,325

Awaiting payment on 1997 Ford 6 Wheel Dump Truck - \$4,200

Total: \$9,584

Still on Municibid, closing on April 9 – 2000 Ford F250 Pickup

Previously, three surplus police vehicles were sold.

Climate change impacts. The Planning Department and a team from the University of Massachusetts led two well-attended sessions on the Town’s vulnerability during natural emergency situations. With severe weather and its impacts becoming more frequent, preparations for a variety of situations from floods to drought are important. The UMass team will prepare a final report for review and adoption. Once finalized, the plan can be used to acquire grant funding to address the identified impacts.

Communications. Finance Committee member Devin Peterson noted the many questions being raised during meetings and forums and suggested we look at methods for sharing information between

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 sbeckley@townofvare.com

committees and interested members of the public. Rather than establish a new committee to undertake this, we considered calling a regular “all boards meeting” as a way of sharing and coordinating.

Congratulations to Laura Jablonski on completing 25 years of service to the Town.

Ongoing Issues Update

Research (MMA, other towns) how other towns handle homes that need repair, demolition	Building Inspector met with owner of 73 Main Street. Has proposal for transfer of property to Town. Building Inspector attend
Meet with DPW Director to find out if Main Street project requires bike lanes	To use State funding, Main Street will require Bike lanes. <i>Main Street project is at 75% design. Decision on lighting will be needed .</i> Right of Way easements need approval from Town meeting and Selectmen prior to January 2019. Scheduled for bidding August, 2019.
Capital Plan. More clarity on descriptions and breakdowns by department. Expand Capital Plan to include long-term needs. Provide list of current assets.	<i>Capital Planning Process completed.</i> Several projected articles for Town Meeting and beginning of discussion of long-term planning
Chart of Full-time and Part-time positions. Explain advantages and disadvantages	
Social Media Policy	Prepared. Reviewed by Labor attorney. Ready for adoption.
Multifamily Inspections	Inspectors meeting held. Determined that town will be divided into 5 sectors for 5-year inspections. Based on comments from other towns, will be challenged to complete fully. Establishing coordination system utilizing new software system. On line on March 15.
Purchase of 116 Pleasant Street	Appraisal complete. Discussions with homeowner. <i>Second appraisal conducted.</i>
GPS	6 units installed. Negotiations with unions initiated on appropriate vehicles. Working with Verizon on next order of units.

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sbeckley@townofware.com

Jim Russell, MassLive reporter, questioned the needed licensing for the new building inspector. Mr. Beckley noted that the State has determined Ms. Marques eligible, training and tests within 6 months, and completed in 18 months, for a 2 year commitment. Cost is \$1,500 for the first year.

Mr. Russell questioned the evaluation composite and commitment to negotiate a new contract for the Town Manager. Selectman Opalinski stated that the goal was to complete the evaluation composite and vote to extend the Town Manager's contract.

Mr. Russell questioned the progress of the Main Street design, and who will be on the mitigation committee mentioned at the MassDOT hearing. Mr. Beckley stated that the design is at 75%. No mitigation committee has been formed, but the goal is to invite all affected by the design to a meeting to participate in the discussion.

Jen McMartin questioned how the survey would be taken into account; Selectman Whitney noted the Board would glean out the scores and comments.

Nicole Sicard questioned the licenses of the DPW; Mr. Beckley noted that all water department employees have the correct licenses.

Selectman Carroll made the motion to Adjourn Regular Session at 8:21 p.m.; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Attest: *Mary L. Midura*
Mary L. Midura, Executive Assistant

The next Board of Selectmen meeting will be held on Tuesday, April 17, 2018 at 7:00 p.m.



APPLICATION FOR SPECIAL SERVICE OF
ALCOHOLIC BEVERAGES
MGL CHAPTER 138, SECTION 14
TOWN OF WARE

Name: Workshop 13 Application Date: 4-11-18
Contact Phone: 413-277-6072 Email: info@workshop13.org
Effective Date(s) of License: May 16, 2018
Hours of Service (In conformity with MGL): 2-4³⁰ pm
Event (describe activities): Ware Community Jazz Band
Anticipated Attendance: 65
Sponsoring Organization: _____

For Profit: Beer & Wine (only) Non Profit: All Alcoholic Beer & Wine

Address (include Street & Number): 13 Church St. Ware

Names of All Servers (bartenders) for this event: Lisa D. Marzio

Estimated Number of Attendees 65
Crowd Control Manager Roc Gaudreau

I have received, and agree to abide by, all regulations of the Board of Selectmen. Furthermore, pursuant to MGL Chapter 52C, Section 49A, I hereby Certify under penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and all state taxes required under law.

Signature of Applicant: Lisa D. Marzio
Social Security # or Federal I.D.#: _____

Fire Inspection
Date: 12/18/17 TO 12/31/18

Building Inspection
Date: 12/18/17 TO 12/31/18

Date Received: <u>4/12/2018</u>	Insurance Certificate: <u>EFFECTIVE TO 7/9/2018</u>
Application Fee: <u>\$30</u>	
Action Taken: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	Date: <u>04/11/2018</u>
Police Chief Review and Action <u>Shawn C Crevier</u> Shawn Crevier, Police Chief	

2018-11



WARRANT FOR ANNUAL TOWN MEETING
TOWN OF WARE
COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, ss

To any of the Constables of the Town of Ware, in said County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn all of the inhabitants of the Town of Ware, Precincts A, B and C qualified to vote on Town affairs to meet at the Ware High School Auditorium, 237 West Street Ware, on Monday May 14, 2018, at seven (7:00 PM) o'clock in the evening, then and there to act on the following articles:

Article 1. To see if the Town will vote to hear the report of the Finance Committee or take any other action relative thereto.

Article 2. To see if the Town will vote to authorize the Treasurer/Tax Collector to enter into Compensating Balance Agreements during Fiscal Year 2019 as permitted by Massachusetts General Laws, Chapter 44, §53F, or take any other action relative thereto.

Article 3. To see if the Town will vote to authorize the Treasurer/Tax Collector, with the approval of the Selectmen to borrow money from time to time in anticipation of the revenue of the Fiscal Year 2019, beginning July 1, 2018 in accordance with the Provisions of Massachusetts General Laws, Chapter 44, §4, and to renew notes or notes payable as may be given for a period of less than one (1) year in accordance with Massachusetts General Laws, Chapter 44, §17 or taken any other action relative thereto.

Article 4. To see if the Town will vote to accept and appropriate any Grant Funds awarded to the Town of Ware under Massachusetts Community Development Fund by the Executive Office of Housing and Economic Development and to authorize the Board of Selectmen and Community Development Authority to expend the funds in accordance with the Terms and Conditions of the Grant Agreement or take any action relative thereto.

Article 5. To see if the Town will vote to accept all State and Federal Educational Grants in any amount as may be awarded for the direct educational expenditures for Fiscal Year 2019 to be expended by the Pathfinder Regional Vocational Technical High School District or take any other action relative thereto.

- Article 6.** To see if the Town will vote to accept all State and Federal Educational Grants in any amount as may be awarded for the direct educational expenditures for Fiscal Year 2019 to be expended by the Ware Public Schools or take any other action relative thereto.
- Article 7.** To see if the Town will authorize the Board of Selectmen and Town Manager to apply for, accept and expend any grants or donations from State or Federal governments or private agencies, individuals or institutions, or take any other action relative thereto.
- Article 8.** To see if the Town will vote to raise and appropriate a sum of money to be expended for road repairs in anticipation of reimbursement by the Commonwealth of Massachusetts Highway Department under the Chapter 90 State Highway Aid Program and to determine the manner of meeting said appropriation, whether by taxation, transfer from available funds, borrowing, or any other means or any combination thereof or take any other action relative thereto.
- Article 9.** To see if the Town will vote to establish the total amount to be expended from each of the Town's revolving funds for certain Town departments under Massachusetts General Laws, Chapter 44, §53 E ½ for the fiscal year beginning July 1, 2018 or take any other action relative thereto.
- Article 10.** To see if the Town will vote to fix the salaries of the several Elected Officers of the Town for the Fiscal Year 2019 and to determine whether any Town Board, Commission or Committee shall be authorized to employ any of its members for additional salary or compensation, or take any other action relative thereto.
- Article 11.** To see if the Town will vote to raise and appropriate a sum of money to operate the Water Enterprise during Fiscal Year 2019 and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof or take any other action relative thereto.
- Article 12.** To see if the Town will vote to raise and appropriate a sum of money to operate the Sewer Enterprise during Fiscal Year 2019 and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof or take any other action relative thereto.
- Article 13.** To see if the Town will vote to determine what sums of money the Town will raise and appropriate including appropriations from Available Funds of whatever type, to defray the charges and expenses of the Town including Debt and Interest for Fiscal Year 2019 or take any other action relative thereto.

- Article 14.** To see if the Town will vote to authorize the Board of Selectmen to acquire land parcels and or rights in land parcels for the purpose of obtaining a secure and public right of way. This will allow for the construction and roadway safety improvements of Main Street Reconstruction. Further that the Selectmen may acquire these parcels, or modification of these parcels or other required parcels through all legal means, including donations, purchase or eminent domain, or to take any other action thereon.
- Article 15.** To see if the Town will vote to adopt MGL Chapter 59, section 5K, reduction of tax liability for senior citizens, or take any other action relative thereto.
- Article 16.** To see if the Town will vote to adopt MGL Chapter 59, section 5N, reduction of tax liability for veterans, or take any other action relative thereto.
- Article 17.** To see if the town will vote to adopt MGL chapter 90 § 17C, thereby reducing the statutory speed limit from 30 mph to 25 mph on any or all town-owned roadways within a thickly settled or business district, or take any other action relative thereto.
- Article 18.** To see if the Town will vote to amend the local skateboard bylaw or take any other action relative thereto.
- Article 19.** To see if the Town will vote to appropriate a sum of money from the sale of lots account for part-time seasonal help for the care and maintenance of the cemeteries, or take any other action thereto.
- Article 20.** To see if the Town will vote to raise and appropriate a sum of money for the purchase of conducting one or more departmental financial and operational audits, and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof or take any other action relative thereto.
- Article 21.** To see if the town will vote to appropriate a sum of money for the purchase of a response vehicle for the Fire Department, and to determine the manner of meeting said appropriation, whether by taxation, transfer from available funds, borrowing, or any other means or combination thereof or take any other action relative thereto.

- Article 22.** To see if the Town will vote to raise and appropriate a sum of money for the purchase of a police vehicle, and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof or take any other action relative thereto.
- Article 23.** To see if the Town will vote to raise and appropriate a sum of money for the equipping of a Police Department vehicle, and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof or take any other action relative thereto.
- Article 24.** To see if the Town will vote to raise and appropriate a sum of money for the purchase of a pick up truck for the Department of Public Works, Highway Division, and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof or take any other action relative thereto.
- Article 25.** To see if the Town will vote to raise and appropriate a sum of money for the purchase of a replacement truck for the Department of Public Works, Highway Division, and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof or take any other action relative thereto.
- Article 26.** To see if the Town will vote to raise and appropriate a sum of money for the purchase of a truck with Chipper Box and a leaf assist assembly for the Department of Public Works, Cemetery and Highway Divisions, and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof or take any other action relative thereto.
- Article 27.** To see if the town will vote to raise and appropriate a sum of money to pay for the surface repair to extend the life of roadways, and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto.
- Article 28.** To see if the town will vote to raise and appropriate a sum of money to pay for the for the replacement of water mains, and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto.

Article 29. To see if the town will vote to raise and appropriate a sum of money to pay for the replacement and or relining of sewer mains,, and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto.

Article 30. To see if the town will vote to appropriate a sum of money to pay for the cleaning and redevelopment of Well # 5 and to determine the manner of said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto.

Article 31. To see if the town will vote to appropriate a sum of money to pay for the removal of garage doors and replacement of walls at the Ware Senior Center, and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto.

Article 32. To see if the town will vote to appropriate a sum of money to pay for the Town's share of an Historic Preservation Grant to conduct an architectural envelope study of Ware Town Hall and to determine the manner of said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, contingent on the receipt of a Massachusetts Preservation Projects Fund grant, or take any other action relative thereto.

Article 33. To see if the town will vote to appropriate a sum of money to fund the operations of the local and regional transportation service, the Quaboag Connector, and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto.

Article 34. To see if the town will vote to appropriate a sum of money to fund the acquisition of the property located at 73 West Main Street and to authorize the Selectmen to acquire the property through donation, purchase or eminent domain, and further to authorize the Selectmen to seek funds or means for the restoration of said property and/or to dispose of said property with the intent of cleanup and reuse of the property, and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto.

- Article 35.** To see if the Town will vote to place \$8000 into the celebrations account for the purpose of funding the fireworks displays or take any action thereon, and to determine the manner of meeting said appropriation, whether by taxation, transfer or from available funds or any other means. (petition)
- Article 36.** To see if the Town of Ware will vote to purchase 6 new A.E.D.'s (Automatic External Defibrillators) at the cost of \$7,200-, to be located within the Police Cruisers and be utilized by trained Police First Responders. The money for the cost of these units to be funded from the Ambulance Receipts Fund or other means identified. This Language may be altered by the Ware Town Attorney as needed. (petition)
- Article 37.** To see if the Town of Ware will propose to change the current title of Fire Chief, from Strong Fire Chief to that of a Weak Fire Chief, by rescinding the adoption MGL Chapter 48, Section 42 or take any other action thereon. This language may be altered by the Ware Town Attorney as needed. (petition)
- Article 38.** To see if the Town will vote to adopt a bylaw addition to the Town of Ware that requires all newly hired full-time town employees, and those currently hired full time employees within the last 5 years, and all department heads, (no matter when hired) to be required to move into the town of WARE, after 6 months of employment. This language may be altered by the Ware Town Attorney as needed. (petition)
- Article 39.** To see if the Town will vote to accept a revised layout of Buckley Court and to authorize the Board of Selectmen to record said layout in the Hampshire County Registry of Deeds, or take any other action relative thereto.
- Article 40.** To see if the Town will vote to authorize the Board of Selectmen to ratify agreements made between the Town of Ware and solar energy developers pursuant to G.L. C. 59, §38H, and regulations promulgated thereunder, with respect to annual payments in lieu of real and personal property taxes over a 20 year period relative to a parcels of land located in the town of Ware; said PILOT agreements are based upon the proposed construction and operation of a solar photovoltaic power plant and shall be executed in conjunction with a Massachusetts Solar Net Excess Generation Credit Purchase Agreement, or take any other action relating thereto..

And you are directed to serve up this Warrant by posting attested copies thereof at the Town Hall, at the Post Office calling the same at least seven (7) days before the time of said meeting and also by publishing a copy of the warrant on the Town of Ware website at least seven days before said meeting and make due return of this Warrant with doings thereon, to the Town Clerk of Ware on or before the time of said meeting.

Given under our hand at Ware this ____ day of April 2018.
SELECTMEN OF WARE

John E. Carroll

Michael P. Fountain

Keith J. Kruckas

Tracy R. Opalinski

Alan G. Whitney

HAMPSHIRE ss.

By virtue of this Warrant I have posted two attested copies; one at the Post Office, and one at the Town Hall. I have also caused to be posted one attested copy on the Ware website.

Signed this _____ Day of April 2018.

Constable of Ware



**WARRANT FOR SPECIAL TOWN MEETING
TOWN OF WARE
COMMONWEALTH OF MASSACHUSETTS**

Hampshire, ss.

To any of the Constables of the Town of Ware, in said County,

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn all of the inhabitants of the Town of Ware, Precincts A, B and C, qualified to vote on Town affairs, to meet at the Ware High School Auditorium, 237 West Street, Ware, on Monday, May 14, 2018 at six thirty o'clock in the evening (6:30 P.M.), then and there to act on the following articles:

ARTICLE 1. To see if the town will vote to appropriate or transfer from available funds a sum of money to pay unpaid bills from prior fiscal years, and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto.

ARTICLE 2. To see if the Town will vote to amend or adjust any of the line items of the Fiscal Year 2018 Town Budget, including debt and interest, and to determine what sums of money the Town will appropriate for any such adjustments or amendments and to determine the manner of meeting said appropriation, whether by transfer from available funds, transfer from other items or appropriations, borrowing, or any other means or combination thereof, or take any other action relative thereto.

ARTICLE 3. To see if the Town will vote to raise and appropriate a sum of money to fund the Employee Compensated Absences Reserve Fund and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof; or take another action relative thereto.

ARTICLE 4. To see if the Town will vote to raise and appropriate a sum of money to fund the conversion of lights in the Fire Station bay to LED lights, and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof; or take another action relative thereto.

And you are directed to serve up this Warrant by posting attested copies thereof at the Town Hall, at the Post Office calling the same at least fourteen (14) days before the time of said meeting and also by publishing a copy of the warrant on the Town of Ware website at least fourteen days before said meeting and make due return of this Warrant with doings thereon, to the Town Clerk of Ware on or before the time of said meeting.

Given under our hands at Ware this _____ day of April 2018.

SELECTMEN OF WARE:

John E. Carroll

Michael P. Fountain

Keith J. Kruckas

Tracy R. Opalinski

Alan G. Whitney

Hampshire, ss.

By virtue of this Warrant, I have posted two attested copies; one at the Post Office, and one at the Town Hall. I have also caused to be published one attested copy on the Town of Ware website.

Signed this _____ Day April 2018.

Constable of Ware, Massachusetts



TOWN OF WARE
Office of the Town Manager

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

To : Board of Selectmen
From : Stuart Beckley
Subject: DRAFT Proposed Goals -2018

Below is a list of Goals for the Town Manager for calendar year 2018. I would be pleased to discuss any or all of these with you or the Board, and to modify or expand the list as guided.

Fiscal Management

1. Prepare a balanced budget. With financial team, update the five year budget and capital expenditure model. Create plan for reducing budget to match anticipated gap.
2. Work with Insurance Advisory Committee to reduce premium increases.
3. Energy conservation and savings. Convert streetlights to LED with Green Communities Grant Program
4. To identify efficiencies within Town Departments including practices and cost savings. To increase departmental teamwork.
5. Review and identify revenue streams and cost savings including fees, taxes, and enterprises. Establish with the Board which are worthy of pursuit.

Relationship with the Select Board

1. With Board of Selectmen, establish basis for union negotiations. Initiate and complete negotiation process with four bargaining units.

Long Range Planning

1. Continue upgrades to Town Hall – Review electrical system, create plan for replacement. Increase information available on website.
2. Capital Planning. Complete capital plan and establish long-term funding strategy. Track large items which will need funding beyond the 5-year scope of the plan.
3. With departments, create a plan for infrastructure and redevelopment in the Mill Yard.

Staff and Personnel Relations

1. Create process and implement evaluations of Department Heads
2. Finalization of a Personnel Manual. Establish consistent policies and practices for employees. Offer training to all employees.

Community and Intergovernmental Relations

1. Recycling. Establish a recycling program for residents, including drop off center
2. Create and implement a sustainability plan for Quaboag Connector.
3. Prioritize, fund and implement construction from Pavement Management System
4. Create process and funding for clean-up/removal of problem properties.
5. Oversee Dog Park construction
6. Increase use of social media such as Facebook to quickly answer community questions. Delegate employee to oversee.