



**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 Kruckas**

Keith Kruckas 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. Kruckas stated there should be a better process in hiring and licensing. Mr. Kruckas questioned the status of the \$6million water plant, and this project should be put on hold. Mr. Kruckas stated that the Parks department now does all mowing and cemeteries, and this should be looked at. Mr. Kruckas 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.**

- **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

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. <b><i>Main Street project is at 75% design. Decision on lighting will be needed .</i></b> 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.	<b><i>Capital Planning Process completed.</i></b> 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. <b><i>Second appraisal conducted.</i></b>
GPS	6 units installed. Negotiations with unions initiated on appropriate vehicles. Working with Verizon on next order of units.

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.*