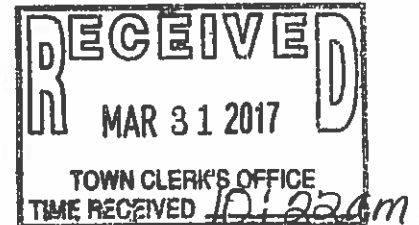


Town Manager: *Stuart Beckley*
sbeckley@townofware.com



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

**Meeting Notice Agenda
Tuesday, April 4, 2017 at 7:00 p.m.**



Meeting Opened

Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda

- **Approval of Meeting Minutes of March 21, 2017**
- **Request of Citizen to Amend Meeting Minutes of February 21, 2017**

Comments and Concerns of Citizens

Scheduled Appearances

Old Business

New Business

- **Vote of Award of Bonds**
- **Approval of Warrant – Annual Town Meeting**
- **Approval of Warrant – Special Town Meeting**
- **Reappointment of Veterans Agent and Veterans Graves Officer – Mark Avis, Term to Expire March 2020**

Town Manager Report

Adjournment

Executive Session: MGL Chapter 30A, Section 21 (a) #2, Negotiations



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

**Meeting Minutes
Tuesday, March 21, 2017 at 7:00 p.m.**

Present: Selectman Carroll, Selectman Desmond, Selectman Talbot, Selectman Fountain, Selectman Whitney, Stuart Beckley, Mary Midura, Stanley Ciukaj

Meeting Opened by Chairman Carroll at 7:00 p.m. There was a moment of silence to honor Richard Norton, former Selectman, School Committee member, and Finance Committee member.

Consent Agenda

- **Approval of Meeting Minutes of March 7, 2017**

Selectman Talbot moved approval of the above minutes; Selectman Desmond seconded. The motion passed unanimously (5-0).

Comments and Concerns of Citizens

Selectman Desmond stated that the RFP should clarify landfill, Banas property or both. Mr. Desmond noted his involvement with the landfill for over 50 years.

Resident Bill Jackson questioned the ambulance policy of not taking transfers after 5:00 p.m. He stated that this Board of Selectmen should remove this rule as the ambulance is for the citizens. Resident Maggie Sorel stated that she agreed.

Scheduled Appearances - none

Old Business

- **Update of RT's Welding Fabrication & Auto Repair, Inc.**

Attorney Donohue spoke on behalf of RT's Welding Fabrication & Auto Repair, Inc. The purchase and closing was in mid-January 2017, and they are waiting for the weather to break for estimates to install the fence. The 16 foot high shelving unit cannot be seen as it is behind a building. This stacking unit is commonly used for pallets and organization of auto parts. This is not a condition of the license. Attorney Donohue stated that the licensee is complying with the required hours of operation. The fence will be solid with chain link and slats or stockade, but will never completely block the neighbor's view, as their home is on the hill facing the junkyard. The survey has not been done; the licensee is in contact with the building inspector. There will also be arbor vitae planted along River Road.

The 2017 Class III Motor Vehicle Junk License (expiration date January 1, 2018) states: *The rear property line shall be delineated by survey and a six-foot solid fence shall be installed along the property line. Hours: Monday to Friday, 8 a.m. to 6 p.m., Saturday 8 a.m. to 2 p.m.*

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

Resident Robert Krasnecky stated he had 2 ½ pages of concerns regarding noise and other violations of the license, including video from surveillance cameras. Selectman Carroll asked Mr. Krasnecky to turn over copies of his concerns and videos to the Town Manager for review.

Resident Jason Zoledzewski stated that he has worked at several repair shops which use external towing services, and it is not the licensee's fault of breakdowns happen at odd hours. A repair shop cannot tell AAA that they can only accept vehicles at specific hours. This repair shop has been at this location for many years.

Selectman Desmond moved to continue, pending further information to be submitted and reviewed, and to schedule an update at 7:05 p.m. on June 6, 2017; Selectman Talbot seconded. The motion passed unanimously (5-0).

- **Approval of Resubmit for Reconsideration of Change of Manager application – Weir River Social Club, Inc. License #23**

Selectman Desmond moved approval of the Resubmit for Reconsideration application; Selectman Talbot seconded. The motion passed unanimously (5-0).

New Business

- **Reappointment to Board of Registrars – Francis W. Cote, Term to March 2020**

Selectman Desmond moved approval of the reappointment to March 2020; Selectman Whitney seconded. The motion passed unanimously (5-0).

- **Approval of Warrant for Annual Town Election**

Selectman Talbot moved approval of the Warrant for Annual Town Election, with voting hours to be 7:00 a.m. through 8:00 p.m.; Selectman Whitney seconded. The motion passed unanimously (5-0).

- **Approval of One-Day All-Alcoholic Liquor License Earle F. Howe American Legion Post 123, Saturday, April 8, 2017, 4:30 pm – 9:00 pm, Schnitzle Supper**

Selectman Desmond moved approval of the license; Selectman Talbot seconded. The motion passed unanimously (5-0).

- **Request for No Parking on East Court**

Resident Don Pulchtopek explained the parking situation to the Board. Emergency vehicles cannot access the street as tenants are parking along the sides. Mr. Pulchtopek requested there be a sign indicating this is a dead end street with no parking allowed on either side. There have been at least four occasions in which Mr. Pulchtopek called police for the safety officer to come and give citations. At times, there is no room to open car doors. Resident Mr. Nicoson noted he has lost a tenant because she could not get her car in or out. Resident Maggie Sorel stated that letters regarding this issue were copied to the Safety Officer and Board, and there is a bylaw, and the Board members should go view the area.

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

Selectman Carroll advised Mr. Pulchtopek that he can submit a warrant article for the Annual Town Meeting. The article must have ten signatures, and the deadline for a warrant article is March 30, 2017 at noon. If the matter is resolved before Town Meeting, the article can be dismissed at Town Meeting.

Selectman Talbot moved to authorize the Town Manager, Department of Public Works, and Safety Officer to investigate this further, and to take any action; Selectman Whitney seconded. The motion passed unanimously (5-0).

- **Request for Zoning Moratoriums – Marijuana – Request Withdrawn**

Selectman Talbot moved to delete the request from this agenda; Selectman Whitney seconded. The motion to delete passed unanimously (5-0).

Town Manager Report

Mr. Beckley noted that Faith Dulak will retire on August 1, 2017, with over 20 years' service. The Insurance Advisory Committee will meet on March 22, 2017. It appears the options available to the Town to reduce costs remain as discussed – increase in deductible and the addition of a deductible for prescriptions. With these changes, it is hoped the premium increase can be set at 12-12.5%.

The Finance Committee is continuing their budget deliberations and are meeting with departments by request to discuss modifications and needs. The School Department will be discussing their budget at the School Committee meeting tomorrow and with the Finance Committee on March 30.

The Selectmen's Candidates forum is Saturday, March 25 at 10 a.m. The Town will send a phone call to residents as a reminder.

Mr. Beckley noted that the plan for the South Street School building outlined at the March 7, 2017 meeting will not go forward. Selectman Talbot noted that Community Compact application was an opportunity; Mr. Beckley stated that Ware is not eligible this round. Mr. Beckley noted that DPW Director Kilhart will hold public forums regarding the \$6.5million RFP for Barnes; Mr. Kilhart will come to a Board of Selectman meeting to further explain the plans.

The Town received \$169,535.00 for Green Communities. Another grant from National Grid may be available for LED, weatherization and lighting.

The Building Inspector is in contact with the new owner of 92-104 Main Street about re-use of the building. Selectman Desmond noted that the roof and plywood of the Hitchcock building need to be maintained.

The joint meeting with the Hardwick Selectmen regarding the intermunicipal agreement for ambulance services will be Thursday, April 6, 2017 at 7 p.m. in Ware Town Hall.

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

The \$1.313 million borrowing for projects and equipment approved in the past 3 years will be held on April 4, 2017. The financial offices will hold a conference call with Standard and Poor's on Wednesday prior to their consideration of the Town's rating. The present rating is AA.

The Towns of Palmer, Monson, Warren and Ware are continuing discussions regarding regionalization of Animal Control services, Shelters, and Public Safety dispatch.

As Selectmen moved to adjourn, resident Kim Ring asked to speak, having arrived after public comment. Ms. Ring stated that she believes there is a clause in the ambulance contract which gives Ware first refusal to transfer. Ms. Ring stated she was told that the hospital is not calling Ware, but called West Brookfield for an ambulance transfer. Ms. Ring questioned why Ware will not transfer after 5 p.m. and asked the Board to change this. Selectman Carroll noted Ms. Ring's concerns will be reviewed.

Executive Session: MGL Chapter 30A, Section 21 (a) #2, Negotiations, #3, Litigation

Selectman Talbot moved to Adjourn Regular Session at 8:05 p.m., to move into Executive Session per MGL Chapter 30A, Section 21 (a) #2, Negotiations and #3, Litigation, NOT TO RECONVENE IN OPEN SESSION; Selectman Desmond seconded. The motion passed on a Roll Call Vote of 5 Yes, 0 No:

John E. Carroll	Yes ✓
John A. Desmond	Yes ✓
Michael Fountain	Yes ✓
Alan G. Whitney	Yes ✓
Nancy J. Talbot	Yes ✓

Attest: 
Mary L. Midura, Executive Assistant

Midura, Mary

From: DARLENE SOJKA <pdsoj@comcast.net>
Sent: Saturday, March 18, 2017 8:15 PM
To: Midura, Mary
Subject: Re: February 21, 2017 Board of Selectmen

Hi Mary:

I mentioned to Stuart that I thought a couple of additions should be made to the February 21, 2017 Board of Selectmen minutes. He asked me to notify you and/or Nancy Talbot. I do not have Nancy's email so I am forwarding to you.

There are many I would like to add - but the two most important to me are:

1) Selectmen John Desmond's questions:

'How many people that live in the designated area support this? How many people that live outside the designated area support this?'

and it's important to note on those questions that no one raised their hands.

2) Selectmen Alan Whitney's statement:

'This isn't a representative sample of people – this is a bunch of people that are angry.'

Thank you Mary,

Dar Sojka

Attorney General's Open Meeting Law Guide (March 18, 2015)

What records of public meetings must be kept?

Public bodies are required to create and maintain accurate minutes of all meetings, including executive sessions. The minutes, which must be created and approved in a timely manner, must include:

- the date, time and place of the meeting;
- the members present or absent;
- the decisions made and actions taken, including a record of all votes;
- a summary of the discussions on each subject;
- a list of all documents and exhibits used at the meeting; and
- the name of any member who participated in the meeting remotely, along with the reason under 940 CMR 29.10(5) for his or her remote participation.

While the minutes must include a summary of the discussions on each subject, a transcript is not required. No vote taken by a public body, either in an open or in an executive session, shall be by secret ballot. All votes taken in executive session must be by roll call and the results recorded in the minutes. While public bodies must identify in the minutes all documents and exhibits used at a meeting and must retain them in accordance with the Secretary of State's records retention schedule, these documents and exhibits needn't be attached to or physically stored with the minutes.

Minutes, and all documents and exhibits used, are public records and a part of the official record of the meeting. Records may be subject to disclosure under either the Open Meeting Law or Public Records Law. The State and Municipal Record Retention Schedules are available through the Secretary of State's website at: <http://www.sec.state.ma.us/arc/arcrmu/rmuidx.htm>.

[To Top](#)

Town Manager: Stuart Beckley
sbeckley@townofware.com



BOS
APPROVED
3/7/17 ✓

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

Meeting Notice Agenda Tuesday, February 21, 2017 at 7:00 p.m.

Present: Selectman Carroll, Selectman Desmond, Selectman Talbot, Selectman Fountain, Selectman Whitney, Stuart Beckley, Mary Midura, Stanley Ciukaj, Ruben Flores-Marzan, Director of Planning and Community Development

Meeting Opened by Chairman Carroll at 7:00 p.m. Mr. Carroll requested a moment of silence for Pfc. Brian Odiorne, who died February 21, 2017 in Iraq. Mr. Carroll also requested a moment of silence for the passing of Michalina Kalafarski, who was a secretary of the Ware Police Department and Gilbert Saletnik, who was on several town boards and committees.

Opening Remarks, Announcements, and Agenda review by Chair – Selectman Desmond stated that a bill should be sent to the owners of the empty Main Street properties for snow removal. Mr. Beckley noted there no policy, but the owners have been sent a letter of the fine for non-removal of snow.

Consent Agenda

- **Approval of Meeting Minutes of February 7, 2017 and September 20, 2016**
Selectman Talbot moved approval of the minutes; Selectman Fountain seconded. The motion passed unanimously (5-0).

Comments and Concerns of Citizens

Tracy Opalinski, WBCA, noted the Spring 2017 Classes at E2E, including Professional Development, Healthcare, Hospitality, Personal Enrichment, Home Repair, Elder Law and Estate Planning, and How to Get Debt Free. Ms. Opalinski noted the new Quaboag Connector transportation program. Call 413-544-3401 to request a ride to employment and education.

Resident Maggie Sorel noted the Ware Fire Department Ambulance Services letter recently sent to residents, but was told on February 4, 2017 when she took a resident to the ER that "Ware does not transport after 5:00 p.m." and Ms. Sorel's friend had to wait over 2 hours for an ambulance from Springfield to transport from MLH to Wing Hospital. Selectman Carroll noted that this must be by contract. Resident Jennifer McMartin, an ER nurse at BMLH, stated that this is true, but the resident should not get a bill for the ambulance transport.

Old Business - none

New Business

- **Approval of Equipment Lifetime for Borrowing – Parks Mower**
Mr. Beckley explained that this borrowing was approved at the November 14, 2016 special town meeting. State law requires the Board to declare a useful life for the mower.
Selectman Talbot moved to authorize and vote to declare a useful life of 10 years for the Parks Mower; Selectman Whitney seconded. The motion passed unanimously (5-0).

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

Scheduled Appearance

- **Medicinal Marijuana – Request for Letter of Non-Opposition**

Attorney McMahon, representing Healthwise Foundation, Inc., spoke for the request. The cultivation facility is in North Brookfield. The location of interest for the offsite facility as a registered marijuana dispensary is 39-41 West Main Street; there is a full finished basement, smaller entryway, and close proximity to North Brookfield. This would be safe and discreet and mutually beneficial. Attorney McMahon stated the company would continue to meet regularly with Chief Kovitch and Chief Coulombe. Attorney McMahon asked for a letter of non-objection.

Selectman Talbot noted the process started two years ago. Attorney McMahon stated that the North Brookfield facility is building ready and awaiting State approval. The facility in Ware would serve as a flagship and model, and would be the first in the state.

Selectman Desmond noted that the Board should hear from neighbors at a public meeting. Attorney McMahon noted that the facility is privately financed, and he is under a time constraint of March 15, 2017. Selectman Whitney noted that he was ready to agree to non-opposition tonight.

Selectman Desmond moved to continue the discussion to March 7, 2017; Selectman Talbot seconded. The motion to continue passed unanimously (5-0).

Scheduled Appearances

- **7:15 pm, Public Hearing on Proposed FY2017 Joint CDBG Application**

Ted Harvey, Pioneer Valley Planning Commission, and David Gravel and Tracy Opalinski of the Ware Community Development Authority, presented the information. Community Development Block Grant (CDBG) is funded by US Department of Housing & Urban Development. Projects must serve low-to moderate-income beneficiaries or eliminate “blight”. The Regional application (Ware, Warren, and Hardwick) is limited to \$1.3million in FY2017; Ware’s share is a maximum of \$464,948. Regional Housing Rehabilitation Program goal is for 11 units in Ware, 10 units in Hardwick, and 3 units in Warren (\$714,000 approximately). Public Social Services recommended by the Community Development Authority are the Regional Domestic Violence Task Force, PATCH program, Ware Adult Learning Center, Hardwick Senior Outreach Program, and Youth Center Summer Program(\$201,100 approximately). Total Budget, including grant administration and project delivery costs is \$1,056,100 approximately. The application is due March 10, 2017, with award announcement likely in July/August 2017.

Maggie Sorel questioned a previous vote of the CDA to designate \$62,000 to demolition, and questioned cost per unit, and questioned whether “Slum and Blight” designation affected this application. David Gravel noted that vote was rescinded on February 13, 2017. Cost per unit is approximately \$25,000 with additional project delivery and administrative costs. Tracy Opalinski noted that one of the requirements of the grant is to demonstrate the existence of blight. Judith Roberts, The Literacy Project, said a thank you to the town of Ware for funding this; a recipient noted that “you have given me my tomorrows”. Stacy Barr asked how people become recipients of this funding, and were there any special considerations given to senior citizens. Applicants are vetted due to need and urgency; the current wait list has 35 applicants. Ted Harvey noted he would find the answer regarding senior citizens.

Town Manager: Stuart Beckley
sbeckley@townofware.com

Selectman Desmond moved to authorize the submission of the proposed FY2017 Ware River Valley Community Development Fund Grant application to the DHCD in an amount not to exceed \$1,300,000, as detailed in the public hearing and to include funding for the Ware River Valley Regional Housing Rehabilitation Program and recommended social service programs. Further, the town authorizes the Chairman of the Board of Selectmen to sign all required forms, documents, and authorizations pertaining to the proposed FY2017 Ware River Valley Community Development Fund Grant application. The town also acknowledges and accepts the recommendation of the Community Development Advisory Committee to include a request for funding for the Domestic Violence Prevention, a program of the Regional Domestic Violence Task Force managed by the PVPC. Selectman Whitney seconded. The motion passed unanimously (5-0).

- **Joint Meeting of Community Development Authority and Director RE: Slum and Blight Designation and vote of December 6, 2016**

Chairman Carroll noted that the vote of the Board of Selectmen of December 6, 2016 has raised concerns of citizens. This meeting is held to address those concerns. Resident Dar Sojka thanked the citizens attending, and questioned the procedure of the public notice of the December 6, 2016 meeting. Ms. Sojka noted that this designation of Slum and Blight has affected real estate values. Resident George Staiti stated that this designation would affect real estate values. Tracy Opalinski submitted that all realtors must follow the code of ethics and would support elimination of all slum and blight, and this is a designation only. Resident Maggie Sorel stated that there should be a larger overlay map and a map on the town website of the designated area. Tracy Opalinski stated that the area is a Federal designation and would not be a map. Resident Keith Kruckas stated that property values and taxes are affected, and everyone should file an abatement. Resident Cathy Cascio noted her concerns of this label and how realtors must answer prospective buyers if asked.

Chairman Carroll asked Ted Harvey, PVPC, whether other communities have found the designation to be detrimental; Mr. Harvey noted that the designation is from HUD at the State level and has not been an issue for other communities. David Gravel, WCBA, noted that this designation and funds will ensure that decrepit properties will get the attention needed.

Tracy Opalinski gave a history of the CDBG begun in 1974, with over \$35million in grants awarded since 1981. Without this grant funding, local tax dollars would have been needed. The Community Development Authority has a developed strategy updated every four years, with public input, with the number one priority and focus on housing, and to eliminate and prevent blight. Ware has to demonstrate those needs and the urgent threat, if needed. Governor Baker has added more towns to the list for future grants, and this grant is an important tool to help the town. Mr. Beckley noted the CDA strategy included slum and blight research and investigation began in early Spring 2016 through June.

Resident Danielle Souza, of Buy Ware Now, noted that appraisals affect the perception of the town and it needs to be changed, as the media has hurt the town with the Slum and Blight headlines. Ms. Sojka stated this does not involve new funding, and commercial or industrial use for this funding is included and this designation will take away from housing or social services. Mr. Gravel noted that this year Prospect Street will have roadway and sewer work, with Bank Street and Spring Street to be improved next, and housing rehabs are done every year. Selectman Talbot noted that the community has always has a need with ongoing projects each year, adding that it was Selectmen's foresight years ago to apply for such grants.

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

Mr. Kruckas stated that the residents have not been informed of this designation and stated his concern that all funds would only be used in the downtown area, and the town should only hire town residents who have a vested interest in the town. Selectman Desmond questioned how many towns are served by the PVPC; Mr. Harvey answered approximately 40 towns in Hampden and Hampshire counties, in this area, Palmer and Ware have the "Slum and Blight Designation". Selectman Desmond questioned whether Ware is unique; Mr. Gravel noted a disproportionate number of blighted houses need funding. Selectman Desmond stated the "slick presentation" at the December 6, 2016 meeting was the first knowledge he had of this designation, that it was his mistake to vote for this. Selectman Whitney noted that the designation name is unfortunate. Selectman Desmond noted that the vote could be rescinded and not affect this year's application.

Ms. Sorel questioned the Selectmen as to whether any have physically driven the designated area; Selectman Whitney stated he had not. Ms. Sorel again noted that an overlay map should be on the website and should be readable. Ms. Sorel stated that funds should be used for the intended uses, not for buildings that are not fixed and not insured. Resident Donald Pulchtopek questioned how long this designation lasts; Mr. Gravel answered "10 years", and noted that the town of Spencer has had the Slum and Blight Designation, and just renewed their designation for ten years. Mr. Pulchtopek stated that the town should have legislation to require homeowners to have insurance, otherwise many more such situations will occur.

Resident Stacy Barr noted that she has personally renovated her home at 20 Church Street, and wants to see continued improvement in the area. Ms. Barr stated she would support this designation if the public was informed as to where the funds would specifically be used. Ms. Barr noted that Ware used to be a destination, and the public wants to understand the economic development of the town.

Tracy Opalinski note the CDA strategy is online under Planning and the CDA has used public input and surveys to prioritize, always ready to pivot or turn if rehab funds fall through, with a new strategy for 2018-2022 already being discussed. Ms. Opalinski noted that E2E intends to help raise up people, and the town needs this designation tool for flexibility in improving the town. Ms. Opalinski noted that the CDA has worked very hard and used out of the box thinking to get things done; the CDA may have two openings soon.

Resident Elaine Masse stated that Agawam has a Blight Law, and questioned if Ware also has such a law; Ms. Sorel noted the Vacant Building bylaw passed at the 2014 town meeting. Resident Cathy Cascio noted that all in attendance care about the town and appreciate any funds received to improve the town. Ms. Cascio noted that Mr. DiMarzio stated at town meeting that the town should not spend funds received on private property; and Ms. Cascio questioned if the town has started the procedures regarding the Main Street and West Main Street properties. Mr. Beckley noted that the town has begun procedures.

Resident Jon Hogan stated that the "Slum and Blight" designation from HUD is the negative perception. Selectman Talbot noted that the town needs to take this positive energy for the community to reinvigorate the town with these funds. Mr. Beckley acknowledged Jim Mazik and Ted Harvey of PVPC for their work on the proposed Resolution before the Board of Selectmen tonight.

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

Selectman Talbot read the following Resolution and moved to accept this Resolution; Selectman Whitney seconded. The motion passed on a voice vote of 4 Yes, 1 No (Selectman Desmond).

**RESOLUTION OF THE WARE BOARD OF SELECTMEN DESIGNATING THE
“DOWNTOWN NEIGHBORHOOD REVITALIZATION AREA”**

WHEREAS, the town of Ware recognizes the need to utilize state and federal funds to support Reinvestment and implement improvement projects within the downtown area; and

WHEREAS, the town of Ware recognizes that in order to initiate specific improvements and eliminate and/or prevent conditions that discourage investment and limit redevelopment opportunity, it must comply with specific funding terms and conditions including National Objective compliance criteria under the Federal Community Development Block Grant (CDBG) Program as well as MGL C121A and 121B; and

WHEREAS, the town of Ware accepts the slum and blight inventory of the Ware Downtown Area solely for the purpose of meeting National Objective compliance under the Federal Community Development Block Grant Program and that the downtown area is not, by true definition, a “slum”, but rather meets a threshold of condition meeting the federal criteria; and

WHEREAS, the Ware downtown area contains the majority of the town’s older housing stock, aging infrastructure, and commercial/industrial properties and buildings; and

WHEREAS, the town of Ware recognizes that scattered throughout the downtown area there are some conditions of deferred maintenance, disrepair, and disinvestment due to both age and economic conditions; and

WHEREAS, the town of Ware is committed to eliminate those conditions as defined in MGL C121A and 121B by applying for available state and federal funding that will allow for the implementation of specific improvement programs including housing rehabilitation, infrastructure improvements, demolition, redevelopment, streetscaping, façade improvements, greenspace and neighborhood park improvements, brownfields remediation, and other similar redevelopment and improvement projects.

NOW THEREFORE BE IT RESOLVED, the Ware Board of Selectmen hereby designates the area which was surveyed for the purpose of meeting the CDBG Program National Objective of the prevention or elimination of slum and blight, as the “DOWNTOWN NEIGHBORHOOD REVITALIZATION AREA” which shall serve as the focus of the town’s reinvestment, revitalization, and beautification programs.

Dated this 21st day of February, 2017.

Ware Board of Selectmen
John E. Carroll
Nancy J. Talbot
Michael Fountain
Alan G. Whitney

Town Manager: Stuart Beckley
sbeckley@townofware.com

Town Manager Report – Mr. Beckley noted important upcoming events:

Wednesday, February 22, 7 p.m. – ZBA meeting on variance for signage for Taco Bell

Friday, March 10, 8:30 a.m. – Invitation from Chief Coulombe to Western MA Chiefs Legislative Breakfast

Wednesday, March 15, 7 p.m. – Pathfinder Budget Meeting

Mr. Beckley asked the Board to place the Disposition of the South Street School on a future agenda – this will be placed on the agenda of March 7, 2017.

Mr. Desmond asked about the Hancock building – Mr. Beckley noted that the Building Inspector keeps watch on the situation. Mr. Beckley noted a conference call next week with the AG's office regarding vacant properties.

Executive Session: MGL Chapter 30 (a) Section 21 (a) #1 Discipline of Public Employee

Selectman Talbot moved to Adjourn Regular Session at 9:15 p.m., to move into Executive Session per MGL Chapter 30A, Section 21 (a) #1, To Discuss Discipline of Public Employee, NOT TO RECONVENE IN OPEN SESSION; Selectman Whitney seconded. The motion passed on a Roll Call Vote of 5 Yes, 0 No:

John E. Carroll	Yes✓
John A. Desmond	Yes✓
Michael Fountain	Yes✓
Alan G. Whitney	Yes✓
Nancy J. Talbot	Yes✓

Attest:


Mary L. Midura, Executive Assistant



**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, 239 West Street, Ware, on Monday, May 8, 2017 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 2017 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 authorize the Board of Selectmen on behalf of the Town to accept an easement for the purpose of a trail connecting community cemeteries, or take any other action relative thereto.

ARTICLE 4 To see if the town will vote to authorize the Board of Selectmen to amend the deed restrictions for 13 Church Street, or take any other 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 2017.

SELECTMEN OF WARE:

John Carroll, Chair

John Desmond, Vice Chair

Nancy Talbot, Recording Clerk

Michael Fountain

Alan 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 2017.

Constable of Ware, Massachusetts



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 8, 2017, 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 hear the reports of committees and boards and to authorize their continuation, dissolution or any changes with respect to said committees, or boards or take any other action relative thereto.
- Article 3.** To see if the Town will vote to authorize the Treasurer/Tax Collector to enter into Compensating Balance Agreements during Fiscal Year 2018 as permitted by Massachusetts General Laws, Chapter 44, §53F, or take any other action relative thereto.
- Article 4.** 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 2018, beginning July 1, 2017 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 5.** 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 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 2018 to be expended by the Pathfinder Regional

Vocational Technical High School District or take any other action relative thereto.

Article 7. 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 2018 to be expended by the Ware Public Schools or take any other action relative thereto.

Article 8. 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 9. 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 10. To see if the Town will vote to authorize revolving funds for certain Town departments under Massachusetts General Laws, Chapter 44, §53 E ½ for the fiscal year beginning July 1, 2017 or take any other action relative thereto.

Revolving Fund	Authorized to Spend Fund	Revenue Source	Use of Fund	FY 18 Spending Limit	Disposition of FY17 Fund Balance
Senior Center Rental	Town Manager and/or Council on Aging Director	Fees charged for rental of the Senior Center.	Expenses associated with rental of the Senior Center	\$20,000	Balance available for expenditure
Athletic Advertising	School Committee	Sales of advertising at the Ware Public School campus	Expenses for Ware Public School (i.e., uniforms, equipment, use of fields)	\$100,000	Balance available for expenditure
Septic Repair program	Community Development Authority	Previous grant/loan payments	Septic system repair	\$25,000	Balance available for expenditure
Community Development Fund	Community Development Authority	Previous grant/loan payments	Assistance for Community Development projects	\$120,000	Balance available for expenditure

Cemetery Maintenance and Burial	Cemetery Commission/Parks Commission	Cemetery and Burial Fees	Cemetery Maintenance and Burials	\$10,000	Balance Available for Expenditure
Bulky Waste Fund	Town Manager	Appropriation and Fees	Bulky waste disposal	\$15,000	N/A

- Article 11.** To see if the Town will vote to fix the salaries of the several Elected Officers of the Town for the Fiscal Year 2018 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 12.** To see if the Town will vote to raise and appropriate a sum of money to operate the Water Enterprise during Fiscal Year 2018 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 raise and appropriate a sum of money to operate the Sewer Enterprise during Fiscal Year 2018 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 14.** To see if the Town will vote to appropriate a sum of money for the purpose of the design and construction of an iron and manganese removal plant and that the Town Manager be authorized to file on behalf of the Town of Ware any and all applications determined necessary or appropriate for grants and/or reimbursements from the United States Department of Agriculture Rural Development Programs and under any other applicable Massachusetts or Federal grant reimbursement or other assistance programs available to fund the work within the scope of this article, 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 15.** 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 2018 or take any other action relative thereto.
- Article 16.** 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 17.** To see if the Town will vote to appropriate a sum of money to Valley Human Services a program of the Behavioral Health Network for its general operating budget to provide social and rehabilitative services to the citizens of Ware during Fiscal 2018 and to determine the matter of meeting said appropriation whether by taxation, transfer from available funds, borrowing or any other means or combination thereof or take any other action thereto.
- Article 18.** To see if the Town will vote to raise and appropriate a sum of money to pay for new patient care reporting software and upgrade of computers for system upgrade for the Ambulance service 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 19.** To see if the Town will vote to raise and appropriate a sum of money to pay for paramedic training for three (3) firefighters 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 20.** To see if the town will vote to appropriate a sum of money for the purchase of an administrative 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 21.** 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 22.** To see if the Town will vote to appropriate a sum of money for the Ware Public Schools for the purpose of completing the last phase of the SMK carpet removal project including the office area and surrounding hallways. whether by taxation, transfer from available funds, borrowing, or any other means or combination thereof, or take any other action relative thereto.
- Article 23.** To see if the town will vote to appropriate or transfer from available funds 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 24.** To see if the town will vote to appropriate a sum of money to pay for a replacement fuel pump system at the Highway Barn, 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 authorize the Board of Selectmen on behalf of the Town to accept an easement or easements for the purpose of drainage along Bacon Road, or take any other action relative thereto.
- Article 26.** To see if the Town will vote to appropriate funds for the purchase of a plot of land including home at 116 Pleasant Street for the purpose of public water supply protection and for the removal of said home, and to authorize the Board of Selectmen to complete said purchase, and that the Town Manager be authorized to file on behalf of the Town of Ware any and all applications determined necessary or appropriate for grants and/or reimbursements from the United States Department of Agriculture Rural Development Programs and under any other applicable Massachusetts or Federal grant reimbursement or other assistance programs available to fund the vehicle purchase within the scope of this article, 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 27.** To see if the town will vote to appropriate a sum of money to pay for a new Jetting/Vacuum Vehicle for the Sewer/Highway/Water 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 28.** To see if the Town will vote to appropriate or transfer from available funds a sum of money to pay for the upgrade of electric motors, variable frequency drives and associated equipment at the Waste Water Treatment Plant and that the Town Manager be authorized to file on behalf of the Town of Ware any and all applications determined necessary or appropriate for grants and or reimbursements from the State of Massachusetts and/or National Grid, or take any other action relative thereto.
- Article 29.** To see if the Town will vote to appropriate a sum of money for the purchase of a Water/Sewer response vehicle for the Department of Public Works, and that the Town Manager be authorized to file on behalf of the Town of Ware any and all applications determined necessary or appropriate for grants and/or reimbursements from the United States Department of Agriculture Rural Development Programs and under any other applicable Massachusetts or Federal grant reimbursement or other assistance programs available to

fund the vehicle purchase within the scope of this article, 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 30.** To see if the Town will vote to raise and appropriate a sum of money to fund the Bulky Waste Revolving 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 31.** 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 32.** To see if the Town will vote to consider and approve or otherwise act upon a host community agreement with Tri County Recycling, Inc and 198 East Street, LLC or take any other action relative thereto.
- Article 33.** To see if the Town will vote to reaccept MGL Chapter 32B, Section 20, related to retirees' health benefits, or take any other action relative thereto.
- Article 34.** To see if the Town will raise and appropriate a sum of money for the Stabilization Fund, and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, or any other means or any combination thereof or take any other action relative thereto.
- Article 35** Placeholder until 4/4 East Street Court property assistance.

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 2017.

SELECTMEN OF WARE

John Carroll, Chair

John Desmond, Vice Chair

Alan Whitney

Michael Fountain, Member

Nancy Talbot, Recording Clerk

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 2017.

Constable of Ware

March 27, 2017

Board of Selectmen
126 Main St.
Ware, MA 01082

Dear Members of the Board:

I am seeking reappointment as the Town of Ware Veterans Agent. I have attached a copy of the MGL Chapter 215 Section 3 which has been amended by the legislature last year and allows for an appointment of up to three (3) years rather than a yearly appointment.

I have been the Veterans Agent and Veterans Graves Officer for several years now and my term expires at the end of March 2017.

Thank you for your consideration.

Sincerely,



Mark Avis

Part I ADMINISTRATION OF THE GOVERNMENT**Title XVII** PUBLIC WELFARE**Chapter 115** VETERANS' BENEFITS**Section 3** APPOINTMENT OF VETERANS' AGENTS; POWERS AND DUTIES

[First paragraph effective until July 14, 2016. For text effective July 14, 2016, see below.]

Section 3. The mayor of each city except Boston shall, and the selectmen of each town may, annually in April, appoint a veterans' agent to act for him or them in the disbursement of veterans' benefits by such city or town; provided, however, that in each town having a part time veterans' agent the town clerk shall receive applications and assist applicants for, veterans' benefits, and shall turn over said applications to the veterans' agent. Two or more contiguous towns may, by vote of the selectmen, appoint one person to serve as veterans' agent for such towns and may apportion the payment of compensation among such towns.

[First paragraph as amended by 2016, 141, Sec. 15 effective July 14, 2016 until October 6, 2016. For text effective until July 14, 2016, see above. For text effective October 6, 2016, see below.]

The mayor of each city, except Boston, and the board of selectmen of each town may appoint a veterans' agent who shall serve for a term of up to 3 years and shall be eligible for reappointment. The veterans' agent may act for the mayor or the board of selectmen in the disbursement of veterans' benefits by the city or town; provided, however, that in each town that has a part-time veterans' agent, the town clerk shall receive applications and assist applicants for veterans' benefits and shall submit the applications to the veterans' agent. Two or more contiguous towns may, by vote of the selectmen, appoint one person to serve as veterans' agent for such towns and may apportion the payment of compensation among such towns.

[First paragraph as amended by 2016, 283, Sec. 12 effective October 6, 2016. For text effective until October 6, 2016, see above.]

The mayor of each city, except Boston, shall and the board of selectmen of each town may appoint a veterans' agent who shall serve for a term of up to 3 years and shall be eligible for reappointment. The veterans' agent may act for the mayor or the board of selectmen in the disbursement of veterans' benefits by the city or town; provided, however, that in each town that has a part-time veterans' agent, the town clerk shall receive applications and assist applicants for veterans' benefits and shall submit the applications to the veterans' agent. Two or more contiguous towns may, by vote of the selectmen, appoint one person to serve as veterans' agent for such towns and may apportion the payment of compensation among such towns.

Every veterans' agent shall, from time after the original allowance of any claim for veterans' benefits, make such investigations of the necessities and qualifications of the claimant as to prevent the payment of any such benefits contrary to any provision of this chapter.

Every such agent shall, within three days after his receipt of an application from or in behalf of a civil war veteran, his wife or widow, for special care, under the provisions of section two, notify the commissioner thereof upon blank forms approved by him; upon his refusal or unreasonable neglect to give such notice, such agent shall be punished by a fine of twenty-five dollars.

Upon the request of any veteran, the veterans' agent for the city or town in which he resides shall record his discharge or release papers, without charge, in books kept by him for that purpose. Said agent shall keep an index of papers so recorded, and copies thereof, if attested by him, shall be admissible in evidence to the same extent and with the same effect as the originals.