



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Notice Agenda – Tuesday, April 6, 2021 at 7:00 p.m.

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

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

Meeting ID: 784 604 1861

Passcode: 01082

Phone: 929-205-6099

Meeting Opened

Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda

- Approval of March 16 and March 23, 2021 Meeting Minutes

Scheduled Appearances

- 7:05 p.m. Nuisance or Dangerous Dog Hearing: 16 Howard Road

Old Business

- DPW Director Search
- Vacant/Blighted Property By-Law
- Town Attorney Search

New Business

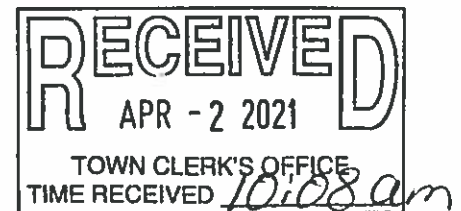
- Water Resources Committee – Long-Term Planning
- Waiver of Right of First Refusal, Chapter 61B, 150 Old Gilbertville Road
- Schedule Annual Town Meeting

Comments and Concerns of Citizens

Town Manager Report

Adjournment

Executive Session: M.G.L. Chapter 30A, Section 21 (a) (2) Contract Negotiations RE: Hardwick Ambulance Service, Negotiations with Non-Union Personnel





Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Minutes – Tuesday, March 16, 2021 at 7:00 p.m.

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

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

Meeting ID: 784 604 1861

Passcode: 01082

Phone: 929-205-6099

Present: Selectman Alan G. Whitney, Selectman Keith J. Kruckas, Selectman Nancy J. Talbot, Selectman Thomas H. Barnes, Selectman John J. Morrin, Town Manager Stuart B. Beckley, Executive Assistant Mary L. Midura, Fire Chief Chris Gagnon, Building Inspector Anna Marques, Denis Ouimette, Terrance Smith, John Desmond, Mr. Barber (from Warren)

Absent: None

Present via Zoom: Health Director Judy Metcalf, Ware River News Editor Eileen Kennedy, Craig Simmons

Meeting Opened by Chairman Whitney at 7:00 p.m.

Opening Remarks, Announcements, and Agenda review by Chair

Commendation: Laura Jablonski

Chairman Whitney read the commendation with thanks from the Board for Ms. Jablonski's 28 years of service to the Town of Ware.

Selectman Barnes asked about the underpass on Rte. 9; Mr. Beckley noted a meeting on Thursday, March 18 with MA DOT. Chairman Whitney asked about the search for new town counsel; Mr. Beckley noted this is in process. The Board asked Mr. Beckley about the search for a DPW Director; Mr. Beckley noted the salary is an issue. Chairman Whitney asked that this be an item on the April 6, 2021 agenda. Selectman Kruckas asked why the audit of Town Hall was not in the budget; Mr. Beckley explained that the funding would be at town meeting. Selectman Kruckas questioned if there is a policy regarding sale of town property; Mr. Beckley noted property is declared surplus, then most items are sold through Municibid. Selectman Kruckas asked for a full report of all sales of property since Mr. Beckley began to work for the Town of Ware.

Consent Agenda

- Approval of February 16, March 2, and March 8, 2021 meeting minutes

Selectman Morrin made the motion to approve the minutes above. Selectman Talbot seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Abstention (Selectman Kruckas).

Scheduled Appearances

- Judy Metcalf, Health Director

Ms. Metcalf noted the latest Covid number was 9 cases, with 12, 16, and 10 in prior weeks. She hopes to see the numbers drop with spring weather but will most likely advise all to continue to wear masks through summer and fall and avoid crowds. There are variants, with one case of the Brazilian in Massachusetts today. The Governor will announce more sites for vaccination tomorrow, however, supply did not yet increase.

Chairman Whitney asked about vaccines for the town; Ms. Metcalf noted the state controls the distribution. She noted that Wing Hospital offers a new therapy that is lifesaving for those over 65 who get Covid.

Mr. Beckley asked Ms. Metcalf her recommendation for the opening of Town Hall; Ms. Metcalf recommended waiting until at least April 5 as it would give more town employees the chance to get the first vaccine. Mr. Beckley asked Ms. Metcalf's opinion regarding holding town meeting; Ms. Metcalf noted that town meeting is exempt from restrictions as buildings. Selectman Morrin stated that town hall should open next Monday (March 22, 2020). Selectman Barnes noted that Amherst is going to shut-ins; Ms. Metcalf noted the Governor allows this in specific regions.

Chairman Whitney noted that the proposed special town meeting is April 10, 2021. Selectman Kruckas noted that residents are upset that town hall is closed. Selectman Talbot noted that the meeting would be held as a drive-in.

Selectman Talbot made the motion to approve April 10, 2021 at 10:00 am for the Special Town Meeting at the Ware High School parking lot. Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Chairman Whitney asked about opening town hall; Mr. Beckley noted that monitors would be at the door to log visitors in, masks must be worn, floor spaces would be marked, with additional sanitization and fogging would be twice per week. Ms. Metcalf noted April 5, 2021 would be the better date to re-open. Ms. Midura stated that senior citizens would be monitors and would feel safer if they have had both vaccines. Chairman Whitney noted that town hall employees could cover the monitoring of the door. Resident Terrance Smith questioned why the Board of Selectmen would go against the advice of the Health Director. The Board of Selectmen stated that town hall will open to the public on Monday, March 22, 2021.

Old Business

- **Water Rate Increase Details**

Mr. Beckley noted the listing of funding options using retail sales marijuana revenue and solar funds. Selectman Talbot noted that USDA wants a commitment from the Town. Selectman Morrin noted the tax base use. Chairman Whitney noted the water plant must be built and the town vote is needed. He noted that to dedicate the marijuana and solar revenue to this will offset the rate increase.

Selectman Talbot made the motion that the Board of Selectmen approve and recommend that Town Manager use these funds and water treatment stabilization fund to defray the costs of the Water Treatment Facility. Selectman Barnes seconded the motion. The motion passed on a vote of 4 Yes, 1 No (Selectman Morrin).

- **Update Main Street Buildings**

Building Inspector Anna Marques noted there are different procedures for each building. Selectman Kruckas questioned the progress of 92-104 Main Street; Ms. Marques noted that fines have not been paid. Fines have been issued to the maximum allowed. Selectman Kruckas questioned the overall building permit process, noting complaints by residents of their permits taking more than a month. Ms. Marques noted that some applications are incomplete and must be completed before signoffs. Chairman Whitney asked for a list of any outstanding permits. Ms. Marques noted that she gives out three phone numbers of the office plus her personal cell number, and residents can reach her through Viewpoint and email.

- **Hardwick Ambulance Service**

Acting Fire Chief Chris Gagnon noted that the BMLH closing of the emergency room will affect costs. He stated that Ware is in the best position to provide service to Hardwick. Billable calls are down \$20,000. If Ware opts not to cover Hardwick, or if Hardwick contracts with another town or towns, Ware would still be on the Mutual Aid call list. His recommendation would be to firm up the frontal costs up to \$133,000 and consider the level of services. Selectman Kruckas questioned use of overtime; Chief Gagnon noted there would be 1.5 hours minimum per call and if we provide mutual aid only, there is potential revenue loss. He noted there was Hardwick Rescue Squad in 2018-2019, and that may be considered again. He suggested an effort to find middle ground to maintain

services to Hardwick. Chairman Whitney noted this topic for a 6:30 pm Executive Session on April 6, 2021. Resident John Desmond noted that seconds count to protect people and delays can be devastating.

New Business

- **Approval of Warrant – Annual Town Election of April 12, 2021**

Selectman Talbot made the motion to approve the warrant for Annual Town Election on Monday, April 12, 2021, voting to begin at 7:00 a.m. and end at 8:00 p.m. The motion passed on a vote of 5 Yes, 0 No.

- **Vote by Board of Selectmen to Change Polling Location to 126 Main Street**

Selectman Kruckas made the motion to change the polling location to 126 Main Street for the April 12, 2021 Annual Town Election. Selectman Barnes seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Reappointment: Sheryl Adamczyk, Board of Registrars, Term to Expire March 31, 2024**

Selectman Barnes made the motion to reappoint Sheryl Adamczyk to the Board of Registrars, Term to Expire March 31, 2024. Selectman Morrin seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Water Resources Committee Applications**

- Terrance Smith
- Late file: Catherine Buelow-Cascio

Selectman Talbot made the motion to appoint Terrance Smith, Catherine Buelow-Cascio, Town Manager, DPW manager, Water Department supervisor, and Town Planner to the Water Resources Committee. Selectman Barnes seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

The Board announced there is one opening on the Water Resources Committee, preferably someone representing the business/restaurant community. The Water Resources Committee shall give monthly reports to the Board of Selectmen.

- **Hospital Discussion Committee Applications**

- Terrance Smith
- Craig Simmons
- Denis Ouimette
- Howard G. Trietsch M.D.
- Late file: Elena Palladino
- Late file: Catherine Buelow-Cascio

Selectman Kruckas made the motion to appoint Terrance Smith, Craig Simmons, Denis Ouimette, Howard Trietsch, M.D., Elena Palladino, Catherine Buelow-Cascio, and Selectman Talbot to the Hospital Discussion Committee. Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Selectman Talbot noted the Hospital Discussion Committee will be facilitator and factfinder with research, analysis and give a monthly report to the Board. The Committee shall work with Baystate officials. The Board asked Mr. Beckley if he contacted other medical entities. Mr. Beckley noted that he did contact eight other entities, and three have answered to date.

- **Discuss Use of Marijuana Revenue**

This was discussed above under the Water Rate Increase Details topic.

- **Discuss Special Town Meeting articles – easement, trusts of Mary Lane Hospital**

Mr. Beckley will make corrections and present to the Board of Selectmen for approval at a posted zoom meeting on Tuesday, March 23, 2021 at 5:00 p.m.

- **Town Hall Re-Opening Plan**

Discussed above under Special Appearances.

- **Town Meeting Date**

Discussed above under Special Appearances.

Comments and Concerns of Citizens

Resident John Desmond noted that the new water plant is not a panacea to the water issues, but this needs to be fully explained at town meeting, including attendance by the consultant.

A man who did not identify himself brought out water samples and suggested that all residents replace water tanks and filter systems. *(on the sign in sheet, the man's signature was unreadable, and the address was in Warren, MA)*

Town Manager Report

The Pathfinder Vocational Technical School presented its recommended budget at a hearing on Wednesday. Details are attached. With a decline of 25 students from last year, Ware's assessment will be lower in FY2022 by \$118,000. In addition to the budget, attendees also congratulated Dr. Paist on his retirement after 48 years of tremendous service to the region and school.

With Representative Smola's assistance, a contact at MassDOT Rail was established for the East Street rail bridge and underpass. The Town has reached out with a request to discuss bridge repair and an accessible route through the underpass.

Congratulations to Laura Jablonski on her pending retirement after 28 years of exemplary town service.

The Town awaits clarification of the use of funds from the federal government appropriation related to COVID relief. Depending on allowed uses there will be significant opportunity for the Town to assist residents and businesses while still providing necessary safety equipment for employees.

The FY2022 budget summary is attached. The Finance Committee is beginning review meetings this week.

The Insurance Advisory Committee is meeting on Tuesday to learn about and discuss options for health insurance for FY2022.

Projects. The Town received bids for the demolition of 13 & 15 Parker Street with the low bidder being just under \$50,000. The bid documents for the brick repair to the Town Hall are available and generating a lot of interest. Bids are due on April 2. MassDOT has scheduled a meeting to discuss the re-start of the Main Street construction project. Of key interest will be the demolition timing of 114 Main Street. The street lighting project is moving forward with designs being finalized. If there are adequate funds, the lights in front of the millyard will be replaced with lights matching Main Street.

Adjournment

Selectman Kruckas made the motion at 9:05 p.m. to Adjourn the Regular Meeting. Selectman Talbot seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Attest: _____

Mary L. Midura
Executive Assistant to Town Manager



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

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Phone: 929-205-6099

Present: Selectman Alan G. Whitney, Selectman Nancy J. Talbot, Selectman Thomas H. Barnes, Selectman John J. Morrin, Town Manager Stuart B. Beckley, Executive Assistant Mary L. Midura

Absent: Selectman Keith J. Kruckas

Present via Zoom: Ware River News Editor Eileen Kennedy

Meeting Opened by Chairman Whitney

- **Approval of Special Town Meeting Warrant, Saturday, April 10, 2021, Ware High School Parking Lot**

The Board discussed the articles. Articles 3 and 4 will be switched. Selectman Morrin noted only three retail marijuana have been approved; Mr. Beckley noted that retail marijuana would be dedicated to the water stabilization fund. Selectman Talbot noted that Article 6 is a standard article, and the motion would be more specific. Mr. Beckley noted the borrowing of \$13million would be paid by certain methods. Selectman Talbot noted the date of the meeting must be changed to Saturday, April 24, 2021 at the football field. Selectman Morrin stated that Mr. Beckley and Mrs. Talbot as Town Clerk "dropped the ball" and the "town business should not rely on one person" indicating the moderator. Mr. Beckley recommended that the April 24 date be adhered to based on much work to organize all parties. Chairman Whitney stated that future discussions of town meetings should include the moderator.

Selectman Talbot made the motion to approve the Special Town Meeting Warrant of Saturday, April 24, 2021 at 9:00 a.m., to be held at the Ware High School auditorium or grounds. Selectman Barnes seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Kruckas).

Selectman Morrin noted the Department of Public Health will hold a hearing on April 1, 2021 at 6:00 p.m. regarding Baystate Mary Lane Hospital closing plans.

Selectman Talbot made the motion at 5:23 p.m. to Adjourn the Regular Meeting. Selectman Morrin seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Kruckas).

Attest: _____

**Mary L. Midura
Executive Assistant to Town Manager**



**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, 237 West Street, Ware, on Saturday April 24, 2021-at nine o'clock in the morning (09:00 A.M.), then and there to act on the following articles:

ARTICLE 1. To see if the Town will vote to appropriate and authorize the Treasurer with the approval of the Board of Selectmen to expend the sum of \$ 72,000 for the re-constructing for recreational purposes the Grenville Park drainage and ballfield repairs, located at Grenville Park, 73 Church Street, and that the Park shall be managed and controlled by the Ware Parks Commission and the Parks Commission be authorized to file on behalf of the Town of Ware any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Urban Self Help Act (301 CMR and /or any others in any way connected with the scope of this article, and the Town of Ware and the Recreation Commission be authorized to enter into all agreements and execute any and all instruments as may necessary on behalf of the Town of Ware to affect such redevelopment. Grenville Park is dedicated to park and recreation purposes under M.G.L. Chapter 45, Section 3, or take any other action related thereto.

ARTICLE 2. To see if the Town will vote to release the easement at 127 Church Street as originally accepted by Article 5 of Town Meeting on September 7, 1938, or take any other action relative thereto.

ARTICLE 3: To see if the Town will vote to create a Water Filtration Plant Stabilization Fund for the purpose of providing funds for the design and construction and operation of the Water Filtration Plant, or take any other action relative thereto.

ARTICLE 4. To see if the Town will vote to accept the fourth paragraph of MGL Chapter 40, Section 5B, or take any other action relative thereto.

ARTICLE 5. To see if the Town will vote to dedicate 100% of the revenue raised from the Town's local tax on retail marijuana to the Water Plant Stabilization Fund, or take any other action relative thereto.

ARTICLE 6.

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 7

To see if the Town will vote to rescind the approval by Town Meeting of Article 14 of the Annual Town Meeting held May 8, 2017, or take an 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 twenty-third day of March, 2021.

SELECT BOARD OF WARE:


Alan G. Whitney, Chairman


Nancy Talbot


Keith J. Kruckas, Vice Chairman


John Morrin


Thomas Barnes



TOWN OF WARE

Town Hall, 126 Main Street
Ware, Massachusetts 01082

March 24, 2021

Keith McConnell and Jenafer Kularski
16 Howard Road
Ware, MA 01082

Dear Mr. McConnell and Ms. Kularski:

The Ware Board of Selectmen has set a public hearing for **Tuesday, April 6, 2021 at 7:05 p.m.** for a complaint filed under MGL Chapter 140 § 157 Nuisance or Dangerous Dogs. The complaint regarding your dog is attached.

You are requested to attend this hearing. The Animal Control Officer will also be asked for an opinion on this situation. The Board of Selectmen will receive testimony from all individuals present at this hearing and then make a determination.

If you have any questions, please call Ware Police at 413-967-3571 and ask for the Animal Control Officer.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary L. Midura".

Mary L. Midura
Executive Assistant to the Town Manager

Sent via Certified Mail 7019 0160 0000 3349 6229
Enclosures

Cc: Ms. Julie Nicolliello, 17 Howard Road, Ware, MA 01082
Animal Control Officer
Town Clerk
Board of Selectmen

Midura, Mary

From: Beckley, Stuart
Sent: Wednesday, March 24, 2021 8:57 AM
To: nicjam44@comcast.net
Cc: Midura, Mary
Subject: RE: Howard Road Dog Situation

Good morning,

Thank you for this email. The dog officer forwarded the complaint to me last night. We will have the Select Board schedule a nuisance hearing for April 6. I have asked the dog officer for her thoughts on containment of the dog until then.

Thank you,

Stuart

Stuart Beckley, Town Manager
Town of Ware
413-967-9648 x100

From: nicjam44@comcast.net <nicjam44@comcast.net>
Sent: Wednesday, March 24, 2021 8:54 AM
To: Beckley, Stuart <sbeckley@townofware.com>
Subject: Howard Road Dog Situation

CAUTION: This email originated from outside of the Town of Ware organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

I'm contacting you about a dangerous dog situation that occurred on March 17th. I live at 17 Howard Road and my leashed dog was attacked and later died of his injuries by my neighbor's dog at 16 Howard Road. I have filed a report with the dog officer and we are hoping to have a hearing soon as the dog is still wandering loose through the neighborhood.

Thank you,
Julie Nicoliello

--

Sent from Outlook Email App for Android

Part I ADMINISTRATION OF THE
GOVERNMENT

Title XX PUBLIC SAFETY AND GOOD
ORDER

Chapter LICENSES

140

Section NUISANCE OR DANGEROUS
157 DOGS; ORDERS FOR REMEDIAL
ACTION; APPEAL; VIOLATION OF
ORDER

Section 157. (a) Any person may file a complaint in writing to the hearing authority that a dog owned or kept in the city or town is a nuisance dog or a dangerous dog; provided, however, that no dog shall be deemed dangerous: (i) solely based upon growling or barking or solely growling and barking; (ii) based upon the breed of the dog; or (iii) if the dog was reacting to another animal or to a person and the dog's reaction was not grossly disproportionate to any of the following circumstances:

(1) the dog was protecting or defending itself, its offspring, another domestic animal or a person from attack or assault;

(2) the person who was attacked or threatened by the dog was committing a crime upon the person or property of the owner or keeper of the dog;

(3) the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking the dog;
or

(4) at the time of the attack or threat, the person or animal that was attacked or threatened by the dog had breached an enclosure or structure in which the dog was kept apart from the public and such person or animal was not authorized by the owner of the premises to be within such enclosure including, but not limited to, a gated, fenced-in area if the gate was closed, whether locked or unlocked; provided, however, that if a person is under the age of 7, it shall be a rebuttable presumption that such person was not committing a crime, provoking the dog or trespassing.

The hearing authority shall investigate or cause the investigation of the complaint, including an examination under oath of the complainant at a public hearing in the municipality to determine whether the dog is a nuisance dog or a dangerous dog. Based on credible evidence and testimony presented at the public hearing, the hearing authority shall: (i) if the dog is complained of as a nuisance dog, either dismiss the complaint or deem the dog a nuisance dog; or (ii) if the dog is complained of as a dangerous dog: (A) dismiss the complaint; (B) deem the dog a nuisance dog; or (C) deem the dog a dangerous dog.

(b) If the hearing authority deems a dog a nuisance dog, the hearing authority may further order that the owner or keeper of the dog take remedial action to ameliorate the cause of the nuisance behavior.

(c) If the hearing authority deems a dog a dangerous dog, the hearing authority shall order 1 or more of the following:

(i) that the dog be humanely restrained; provided, however, that no order shall provide that a dog deemed dangerous be chained, tethered or otherwise tied to an inanimate object including, but not limited to, a tree, post or building;

(ii) that the dog be confined to the premises of the keeper of the dog; provided, however, that "confined" shall mean securely confined indoors or confined outdoors in a securely enclosed and locked pen or dog run area upon the premises of the owner or keeper; provided further, that such pen or dog run shall have a secure roof and, if such enclosure has no floor secured to the sides thereof, the sides shall be embedded into the ground for not less than 2 feet; and provided further, that within the confines of such pen or dog run, a dog house or proper shelter from the elements shall be provided to protect the dog;

(iii) that when removed from the premises of the owner or the premises of the person keeping the dog, the dog shall be securely and humanely muzzled and restrained with a chain or other tethering device having a minimum tensile strength of 300 pounds and not exceeding 3 feet in length;

(iv) that the owner or keeper of the dog provide proof of insurance in an amount not less than \$100,000 insuring the owner or keeper against any claim, loss, damage or injury to persons, domestic animals or property resulting from the acts, whether intentional or unintentional, of the dog or proof that reasonable efforts were made to obtain such insurance if a policy has not been issued; provided, however, that if a policy of insurance has been issued, the owner or keeper shall produce such policy upon request of the hearing authority or a justice of the district court; and provided further, that if a policy has not been issued the owner or keeper shall produce proof of efforts to obtain such insurance;

(v) that the owner or keeper of the dog provide to the licensing authority or animal control officer or other entity identified in the order, information by which a dog may be identified, throughout its lifetime including, but not limited to, photographs, videos, veterinary examination, tattooing or microchip implantations or a combination of any such methods of identification;

(vi) that unless an owner or keeper of the dog provides evidence that a veterinarian is of the opinion the dog is unfit for alterations because of a medical condition, the owner or keeper of the dog shall cause the dog to be altered so that the dog shall not be reproductively intact; or

(vii) that the dog be humanely euthanized.

No order shall be issued directing that a dog deemed dangerous shall be removed from the town or city in which the owner of the dog resides. No city or town shall regulate dogs in a manner that is specific to breed.

(d) Within 10 days after an order issued under subsections (a) to (c), inclusive, the owner or keeper of a dog may bring a petition in the district court within the judicial district in which the order relative to the dog was issued or where the dog is owned or kept, addressed to the justice of the court, praying that the order be reviewed by the court or a magistrate of the court. After notice to all parties, the magistrate shall, under section 62C of chapter 221, review the order of the hearing authority, hear the witnesses and affirm the order unless it shall appear that it was made without proper cause or in bad faith, in which case the order shall be reversed. A party shall have the right to request a de novo hearing on the complaint before a justice of the court.

(e)(1) Pending an appeal by an owner or keeper under subsection (d), a hearing authority may file a petition in the district court to request an order of impoundment at a facility the municipality uses to shelter animals for a dog complained of as being a dangerous dog. A municipality shall not incur liability for failure to request impoundment of a dog under this subsection.

(2) A justice of a district court, upon probable cause to believe that a dog is a dangerous dog or that a dog is being kept in violation of this section or in violation of an order issued under this section by a hearing authority or a court, may issue an order: (i) of restraint; (ii) of confinement of the dog as considered necessary for the safety of other animals and the public; provided, however, that if an order of confinement is issued, the person to whom the order is issued shall confine the dog in accordance with clause (ii) of subsection (c); or (iii) of impoundment in a humane place of detention that the municipality uses to shelter animals; or (iv) any other action as the court deems necessary to protect other animals and the public from the dog.

(f) A justice of the district court shall hear, de novo, an appeal filed under subsection (d). Based upon credible evidence and testimony presented at trial, the court shall, whether the dog was initially complained of as a nuisance dog or as a dangerous dog: (i) dismiss the complaint; (ii) deem the dog a nuisance dog; or (iii) deem the dog a dangerous dog. The decision of the court shall be final and conclusive upon the parties.

(g) If a court affirms an order of euthanasia, the owner or keeper of the dog shall reimburse the city or town for all reasonable costs incurred for the housing and care of such dog during its impoundment and throughout the appeals process, if any. Unpaid costs shall be recovered by the municipality in which the owner or keeper of the dog resides on behalf of the hearing authority by any of the following methods: (i) a lien on any property owned by the owner or keeper of the dog; (ii) an additional, earmarked charge to appear on the vehicle excise of the owner or keeper of the dog; or (iii) a direct bill sent to the owner or keeper of the dog.

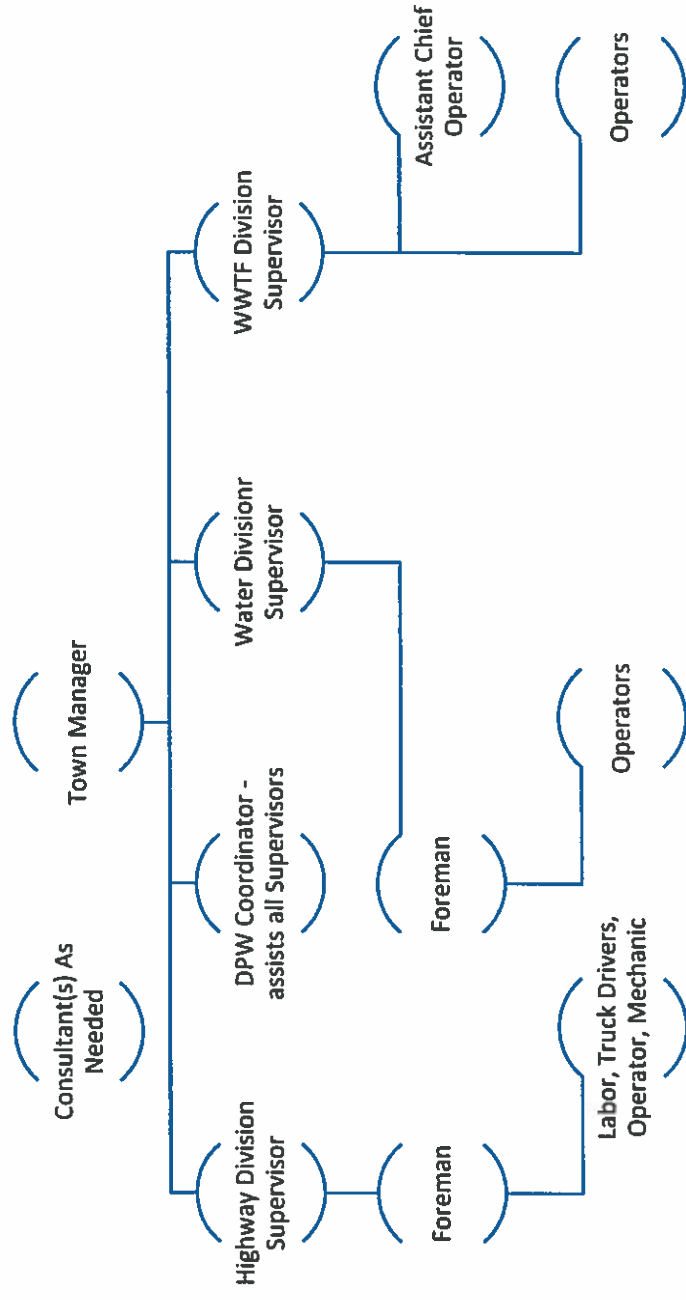
All funds recovered by a municipality under this subsection shall be transferred to the organization or entity charged with the responsibility of handling dog complaints and impoundment. If the organization or entity falls under the management or direction of the municipality, costs recovered shall be distributed at the discretion of the municipality.

If the court overturns an order of euthanasia, the city or town shall pay all reasonable costs incurred for the housing and care of the dog during any period of impoundment.

(h) If an owner or keeper of a dog is found in violation of an order issued under this section, the dog shall be subject to seizure and impoundment by a law enforcement or animal control officer. If the keeper of the dog is in violation, all reasonable effort shall be made by the seizing authority to notify the owner of the dog of such seizure. Upon receipt of such notice, the owner may file a petition with the hearing authority, within 7 days, for the return of the dog to the owner. The owner or keeper shall be ordered to immediately surrender to the licensing authority the license and tags in the person's possession, if any, and the owner or keeper shall be prohibited from licensing a dog within the commonwealth for 5 years. A hearing authority that determines that a dog is dangerous or a nuisance or that a dog owner or keeper has violated an order issued under this section shall report such violations to the issuing licensing authority within 30 days.

(i) Orders issued by a hearing authority shall be valid throughout the commonwealth unless overturned under subsection (d) or (f).

DPW Reorganization Proposal



Summary: The traditional format of a DPW Director would be replaced with division Supervisors and a coordinator. Consultants (Current Director and/or private engineers) would be on call for knowledge and design as needed.

Cost: Overall, this proposal would decrease supervisory personnel costs for the DPW by approximately \$34,000. (highway +\$2,000, Water - \$18,000, and Wastewater -\$18,000)



TOWN OF WARE

Office of the Town Manager
Ware, Massachusetts 01082-0089

Tel. 413-967-9648 Fax 413-967-9649

April 1, 2021

To : Ware Select Board

From : Stuart Beckley, Town Manager

Subject: Draft Blighted / Vacant Property bylaw

Attached is a draft bylaw to replace the current Ware Vacant Property Bylaw. Once acceptable and finalized by the Board, the bylaw can be added to the Warrant for Annual Town Meeting for approval.

Thank you.

TOWN OF WARE, MASSACHUSETTS
OFFICE OF THE TOWN CLERK

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

NANCY J. TALBOT
TOWN CLERK

CERTIFIED COPY OF VOTE

At a legal meeting of the qualified voters of the Town of Ware, held on Monday May 12, 2014 the following action was taken under:

ARTICLE 28: Unanimously voted in favor that the Town adopt a Vacant and Abandoned Property Bylaw -

VACANT AND UNKEMPT PROPERTIES

1. Regulation of Inadequately Maintained Vacant or Unkempt Properties

(a) PURPOSE

The purpose of this by-law Is to help protect the health, safety and welfare of the citizens of the Town of Ware by preventing blight, protecting property values and neighborhood integrity, protecting the Town's resources, avoiding the creation and maintenance of nuisances and ensuring the safe and sanitary maintenance of dwellings.

Inadequately maintained vacant buildings or unkempt properties are at an increased risk far fire, unlawful entry, and other public health and safety hazards. This by-law will help secure the welfare of the Town's residents and neighborhoods by requiring all property owners, Including lenders, trustees, service companies and the like to properly maintain vacant and/or unkempt residential and commercial properties.

(b) DEFINITIONS

Commercial Property: Any property that contains one or more structures or units used, intended, or designed to be occupied for any business type activity that is owned or leased by a corporation, LLC, partnership or any other legal holding entity.

Owner. Every person, entity, service company, property **manager** or real estate broker, who alone or severally with others:

1. Has legal or equitable title to any dwelling, dwelling unit, or parcel of land, vacant or otherwise, in any capacity including but not limited to agent, executor, executrix, administrator, trustee or guardian of the estate of the holder of legal title; or
2. Has care, charge or control of any dwelling, dwelling unit, parcel of land, vacant or otherwise, in any capacity including but not limited to agent, executor, executrix, administrator, trustee or guardian of the estate of the **holder** of legal title; or
3. Is a mortgagee in possession of any such property; or
4. Is an agent trustee or other person appointed by the courts and vested with possession or control; or
5. Is an officer or trustee of the association of unit owners of a condominium; each such person is bound to comply with the provisions of these minimum standards as if he or she were the owner; or
- &. Is a trustee who holds, owns or controls mortgage loans for mortgage backed securities transactions and has initiated a foreclosure process.

Property: Any real, residential or commercial property, or portion thereof, located in the Town of Ware, including buildings or structures situated on the property. For purposes of this section, property does not include property owned or subject to the control of the Town of Ware or any governmental bodies.

Residential Property: Any property that contains one or more dwelling units used, intended, or designed for living purposes.

Unkempt Property: Any residential or commercial property that has any type of overgrown vegetation or plantings that have overgrown to a point that rodents, animals, or varmints can dwell within. Any property where debris, trash, junk, or garbage has accumulated on the ground, driveway, sidewalks, etc. shall be determined as unkempt.

Vacant Property: Any residential property that is unoccupied for a period greater than one hundred eighty (180) days by a person or persons with legal right to reside therein.

(c) REQUIREMENTS FOR ADEQUATE MAINTENANCE:

Owners of vacant or unkempt properties, as defined in section (b), must fulfill the following minimum adequate maintenance requirements for any such property they own.

1. Maintain, vacant or unkempt properties subject to this section in accordance with the relevant sanitary, building and fire codes.
2. Secure vacant properties subject to this section to prevent unauthorized entry and exposure to the elements.
3. Maintain vacant or unkempt properties subject to this section in accordance with regulations promulgated by the Building Commissioner pertaining to the external/visible maintenance of the property, including but not limited to the maintenance of major systems, the removal of trash and debris, and the upkeep of lawns, shrubbery, and other landscape features.
4. Repair or replace broken windows or doors within thirty (30) days.
5. For properties vacant for six months or more, whose utilities have been shut off; remove or cut and cap such utilities to prevent accidents.
6. Compliance with this subsection shall not relieve the owner of any applicable obligations set forth in any other codes, regulations, covenant conditions or restrictions, and/or homeowner or condominium association rules and regulations.

(d) NOTICE OF FAILURE TO ADEQUATELY MAINTAIN VACANT OR UNKEMPT PROPERTY:

Upon identifying a vacant or unkempt property as failing to meet the minimum maintenance requirements set out in section (c), the **Building** Commissioner will notify the owner in writing of maintenance deficiencies at the owner's last known address. If any maintenance deficiency is not corrected within thirty (30) days of said notice, or if a maintenance plan is not approved by the Building Commissioner within thirty (30) days of said notice, the Building Commissioner may impose fines as set in Section 7.6.2 of the Zoning Bylaws.

(a) INSPECTIONS:

The **Building** Commissioner, the **Board** of Health, the Chief of Police and the Fire Chief or their designees shall have the authority to periodically inspect any property subject to this section for compliance. The Building Commissioner shall have the discretion to determine when and how such inspections are to be made, provided that the time and manner of such inspections are reasonably calculated to ensure that this section is enforced.

(f) PENALTIES

This bylaw may be enforced through any lawful means, including, but not limited to, enforcement by criminal indictment or complaint pursuant to MGL Chapter 40, Section 21 or by non-criminal disposition pursuant to MGL Chapter 40, Section 21D. For the purpose of noncriminal enforcement, the enforcing persons shall be the Zoning Enforcement Officer or the Fire Chief of the Town of Ware. If enforced pursuant to noncriminal disposition, the civil penalty for each such violation shall be as set forth in Section 7.6.2 of the Town of Ware's Zoning Bylaws.

(g) ENFORCEMENT

The **Building** Commissioner or the Fire Chief or their designee shall enforce all provisions of this section, including any regulation promulgated hereunder, and shall institute all necessary administrative or legal action to assure compliance.

(h) SEVERABILITY

If any provision of this section is held to be invalid by a court of competent jurisdiction then such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

A true copy attest:

Ctlztl

Nancy J. T1 – Town Clerk Ware, MA

Attorney General Approval October 20, 2014

Section 1 PURPOSE

The purpose of this by-law is to help protect the health, safety and welfare of the citizens of the Town of Ware by preventing blight, protecting property values and neighborhood integrity, protecting the Town's resources, avoiding the creation and maintenance of nuisances and ensuring the safe and sanitary maintenance of dwellings.

Inadequately maintained vacant buildings or unkempt properties are at an increased risk for fire, unlawful entry, and other public health and safety hazards. This by-law will help secure the welfare of the Town's residents and neighborhoods by requiring all property owners, including lenders, trustees, service companies and the like to properly maintain vacant and/or unkempt residential and commercial properties.

Pursuant to the general powers granted to cities and towns by Article 89 of the Amendments to the Massachusetts Constitution, and the specific powers granted by M.G.L., Ch. 139, § 1-3A, this bylaw is adopted for the prevention of future nuisances and the removal of existing nuisances within the Town, which nuisances constitute a hazard of blight, or adversely affect property values.

It is hereby found and declared that there exists within the Town of Ware numerous real properties which are in blighted condition. Many of these properties are essentially abandoned. Some are in violations of multiple aspects of state and local building and sanitary codes. These code violations may include, but not limited to unoccupied building susceptible to vandalism and/or open structures rendering them unsafe and dangerous, yards full of litter and trash, unsecured houses, un-shoveled snow and foliage rendering sidewalks impassable.

The existence of such blight, contributes to the decline of the Town neighborhoods. It is further found that the existence of such blighted properties encourages temporary occupancy, if abandoned, by transients, drug users and persons engaged in criminal activity; adversely affecting the economic wellbeing of the Town of Ware and the health, safety and wellbeing of Ware's residents and creates significant costs to Ware by virtue of the need for constant monitoring and frequent boarding and securing.

It is further found that many of the blighted properties can be rehabilitated, reconstructed, demolished and/or reused so as to provide decent, safe, sanitary housing or commercial facilities, and that such rehabilitation, reconstruction, demolition and/or reuse would eliminate, remedy and/or prevent the adverse conditions described above.

It is the intent of this Article to protect and preserve public health, safety, security and wellbeing of occupants, abutters and neighborhoods by:

1. Requiring all residential, commercial and industrial property owners, to properly maintain properties free from blighted conditions, and;
2. Regulating the maintenance of residential, commercial and industrial properties to prevent blighted and unsecured properties.

(End of Section)

Section 2 DEFINITIONS

For the purpose of this Bylaw, the following words, terms, and phrases shall have the following ascribed meaning, unless the context clearly indicates otherwise:

BLIGHTED – “Blighted Premises” or “Blighted Property(ies)” or the condition of “blight” involving real property in the Town of Ware shall mean any building, structure, parcel of land, or any part of a building or structure that is separate unit, whether commercial or residential, whether occupied or unoccupied, in which at least one (1) of the following conditions exists:

1. The property is not being adequately maintained and secured as documented by the Enforcement Officer (as the term is defined herein) based upon, without limitation, the following factors or similar factors: missing or boarded windows or doors; collapsing or missing walls, roofs or floors; siding that is seriously damaged or missing; fire damage; a foundation that is structurally faulty; other structural deficiencies that contribute to blight as determined by the Enforcement Officer or his/her agents; the accumulation outside of interior furniture, garbage, trash, and/or junk; and/or the existence of inoperable/neglected motor vehicles, boats, motorcycles or other inoperable machinery or other refuse (unless otherwise licensed to do so);
2. The property or its owner(s) has/have been cited for violations as documented by an Enforcement Officer or his/her designated agents, and said violations have not been corrected;
3. The structure(s) has become or becoming dilapidated as documented by the Code Enforcement Department/Officer;
4. It is attracting illegal activity as documented by the Police Department;
5. It is a fire hazard as determined by the Fire Marshal or as documented by the Fire Department;
6. Because of fire, wind or other natural disaster, or because of physical deterioration, the property is no longer habitable as a dwelling or useful for the purpose for which the completed structure was originally intended;
7. The property is a vacant building(s) as defined hereunder; or
8. It is determined by the Enforcement Officer or his/her designated agents, that the building, structure or parcel of land is in a condition which poses a serious nuisance or serious threat to the safety, health, and/or wellbeing of the Town of Ware.

BOARD OF HEALTH – shall mean the Board as defined and designated by the Town’s governance documents.

BUILDING – shall mean a structure having a roof supported by columns or walls, resting on its own foundations and design for shelter, housing or enclosure of persons, animals or property of any kind.

CODE ENFORCEMENT DEPARTMENT or OFFICER – has the meaning set forth in Massachusetts General Laws. Shall mean the Inspector of Buildings, Director of Public Health, Police Chief, Fire Chief and/or their designated agents.

COSTS – shall mean any and all expenses paid or incurred by the Town of Ware for work done or efforts expended in furtherance of carrying out the intent and directives of this Bylaw, including

but not limited to all technical, administrative, and/or professional fees, and all court costs and attorney fees for all efforts to carry out this Bylaw.

INOPERABLE / NEGLECTED MOTOR VEHICLE – shall mean a motor vehicle, whether registered or not, that remains in condition of disrepair or partially dismantled with no progress toward restoration or; a vehicle showing neglect by invasion of foliage, rodent nesting, or progressive deterioration or other conditions attributable to neglect.

INSPECTOR OF BUILDINGS – shall mean the Director of Inspections Department as well as the Electrical Inspector, Gas Inspector, and/or Plumbing Inspector, whether they are permanent or temporary in their services.

LEGAL OCCUPANCY – human habitation that is legal by virtue of compliance with state building, state fire safety, local zoning, local housing and all other pertinent codes and shall further be demonstrated by proof of occupancy evidence through a bona fide lease agreement, rent receipt or utility statement.

NEIGHBORHOOD – An area of the Town comprising premises or parcel of land, any part of which is within a radius of 800 feet any part of another parcel or lot within the Town.

OWNER – shall mean any individual, business entity, voluntary association or nonprofit organization, which along or jointly or severally with others:

1. Has legal title to any building, structure, and property, or
2. Has care, charge, or control of any such building, structure or property in any capacity, including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title, or
3. Is a lessee under a written agreement, or
4. Is an agent, trustee, or other person appointed by the courts and vested with possession or control of such buildings, structure or property.

PROPERTY – shall mean any real residential, commercial, or industrial property or portion thereof, located in the Town of Ware, including buildings or structures situated on the property. For purposes of this article, "property" does not include property owned or subject to the control of the Town of Ware or any of its governmental bodies.

RECEIVER – shall mean a court appointed individual who serves as a general contractor and whose duties and powers shall be specified by the court in accordance with the provisions of M.G.L. Ch. 111, §1271.

SECURING MEASURES – shall mean any actions that are taken to prevent unauthorized persons' access to the property including but not limited to erecting fencing around the property, boarding up doors and windows and the like.

STRUCTURE – shall mean that which has been or is built or constructed and which is or should be fastened, anchored, attached or rests on a building, foundation or on the ground, including any buildings, fences, fire escapes, railings, towers sidewalks or stairs.

TOWN – shall mean the Town of Ware.

VACANT – shall mean either:

1. Any unoccupied real property which is empty or remains empty due to abandonment or is not continuously maintained or; which persistently or repeatedly becomes unprotected or unsecured; or which has become occupied by unauthorized persons or which displays conditions of blight;
2. Any unoccupied building, structure or property displaying conditions of blight;
3. A period of 60-days or longer during which space subject to this article is not legally occupied.

(End of Section)

Section 3 BLIGHTED CONDITIONS

1. Creating a Condition of Blight: It shall be a violation of this Bylaw for any owner(s) of a property, vacant or otherwise, in the Town of Ware, to allow or cause to be created intentionally or through neglect to take corrective action, any condition of blight on that property or condition of blight caused by that property on any abutting properties.
2. Correction of Blighted Conditions: The owner(s) of such blighted property shall correct any condition of blight on such property or its appurtenance(s).

(End of Section)

Section 4 ADMINISTRATION

1. Complaints: Any individual affected by the action or inaction of an owner(s) of a dwelling unit or other space subject to the provisions of the Article, any civic organization, neighborhood council, and any appropriate agency may file, in writing, a complaint of violation of any of these sections with the Code Enforcement Officer/Department.
2. Inspection Authority: In order to properly protect the health and wellbeing of the people and the emergency responders of the Town of Ware, Enforcement Officer(s) or their authorized agent(s) or representative(s), upon reasonable cause, are authorized to enter, examine, and/or survey at any reasonable time such places as they consider necessary.
3. Investigation: The Enforcement Officer(s) may undertake an investigation of any alleged violation of this section upon their own initiative or shall, upon receipt of a complaint from any individual, civic organization or other governmental agency undertake an investigation of the alleged violation.
4. Orders to Take Corrective Action: Upon a finding of a violation of the provisions of this section the enforcement officer shall serve notice of the violation and an order to correct such violation upon the owner(s) of the property by certified mail or by in hand service by a person authorized to do such. The order shall require the owner(s) to take one or more of the following actions to bring the property into compliance with the requirements of this Bylaw:

- A. To take any action that the Enforcement Officer deems necessary to correct the violations of this Bylaw in order to assist the Town of Ware in protecting the public health, safety and the wellbeing.
 - B. To correct the violation within seven days or within such time as the Enforcement Officer deems reasonable and necessary, or
 - C. In instances where permits or other authorizations are required; to file a completed application and any required plans for said permit for repair or rehabilitation along with a schedule indicating a completion date for such work or its various phases. Such schedule shall be approved by the Enforcement Officer.
5. Rights of the Town to Affect Repairs: Whenever a property owner(s) fails, neglects, or refuses to make repairs or take other corrective actions specified in the Order, the Town Officials may undertake such repairs or actions or; the Town may seek a court appointed receiver to manage the property and bring said property(ies) into compliance with all applicable statutes, regulations and codes; or take other action the Town Official or Enforcement Officer determines is necessary when, in his/her judgment, a failure to make the necessary repairs or corrective actions will endanger the public health, safety and wellbeing.
6. Recovery Costs: Notice of the intention of the Town to make such repairs or other corrective actions shall be served on the owner(s) by certified mail or by service in hand by a person duly authorized to do such.

When the repairs are made or other corrective actions are taken by the Town of Ware, the cost of such repairs (which "costs" are understood to include all technical, administrative, and/or professional fees to accomplish these repairs and/or corrective actions) plus any and all court costs and attorney fees for administration, processing, and/or prosecution of the collection of these costs shall constitute a debt in favor of the Town against the owner(s) of the repaired property. In the event that the owner(s) fails, neglects or refuses to pay the Town the amount of the debt within thirty (30) days of the receipt of the notice of the debt, the Town may place a lien on the property for such debt and/or may initiate a civil action against the owner in a court of competent jurisdiction to recover the debt.

7. Multiple Remedies: The enforcement remedies provided in this chapter are not intended to replace or supersede the following remedies already existing under current law but are to be available in addition to these existing remedies to better address and confront the dire community problem of blighted properties:
- A. Receivership (M.G.L. Ch. 111, § 1271)
 - B. Municipal Charges Lien (M.G.L. Ch. 40, § 58)
 - C. Noncriminal Disposition of Bylaw Violation (M.G.L. Ch. 40, § 21D)
 - D. Removal and Abatement of Public Nuisances (M.G.L. Ch. 111, § 122-125)
 - E. Demolition Liens for Common Nuisances (M.G.L. Ch. 139, § 3A)
 - F. Remedies provided by State Sanitary Code and State Building Code.

(End of Section)

Section 5 APPEALS

1. Right to Hearing: Any person or persons upon whom any order has been served pursuant to any section of this Bylaw, and who is aggrieved by said order may appeal to the

- _____ provided, such petition must be filed in writing within seven days after the day the Order was served.
2. Hearing Notice: Upon receipt of a petition the _____ shall in writing inform the petitioner and other affected parties (affected parties shall include the occupants of all affected premises if the petitioner is an owner, and the owner if the petitioner is an occupant) of the date, time and place of the hearing and of their right to inspect and copy the Enforcement Officer's file and other public records concerning the matter to be heard.
 3. Appeal of Final Decisions: Any person aggrieved by the final decision of the _____ with respect to any order issued under the provisions of this Bylaw may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this Commonwealth.

(End of Section)

Section 6 PROCEDURES FOR DEMOLITION

1. Determination of need to demolish; order; appeal: When the Code Enforcement Commissioner, or an official vested with the jurisdiction to enforce any health or safety code determines, based upon the condition of the building or structure, that the building or structure is beyond repair, that conditions exist which constitute a violation of this article, and that efforts to secure the building or structure so as to abate any condition constituting a violation have failed to abate the violation, such official may issue an order that the building or structure be demolished. The order shall be issued in accordance with the procedure set forth within this Bylaw.
2. Failure to comply with order to demolish: Whenever the property owner fails, neglects or refuses to comply with an order to demolish the property, the Town may take any or all of the following actions to enforce the order:
 - A. Institute an action in a court of competent jurisdiction for criminal prosecution of the owner for violation of this article and seeking an order from the court for the demolition of the building or structure and/or for payment of fines for violation of the provisions of this article.
 - B. Institute a civil action in a court of competent jurisdiction seeking an injunction for abatement of the violation and an order from the court for demolition of the building or structure and/or for payment of fines for violation of the provisions of this article.
 - C. When, in the judgment of the Code Enforcement Officer, the Fire Marshal, or Chief of Police, the condition of the structure constitutes an imminent danger to the public health, safety or welfare of the neighborhood or general public so as to present an emergency situation, the Town may undertake the demolition of the building or structure after giving notice to the owner(s) of the property and shall recover the costs incurred in accordance with the provisions for recovery of costs set forth within this Bylaw. The Town shall make every best effort to mitigate expenses by using its own employees and equipment to fulfill the demolition order.

(End of Section)

Section 7 REGISTRATION OF VACANT BUILDING – REQUIRED

Registration

1. Registration: Within thirty (30) days of a building becoming vacant, and each January 1st thereafter each owner of such vacant building(s) shall register said property with the Town of Ware Director of Building Inspections. All registrations must state the owner's name, mailing address, physical address if different, telephone number and email address if the individual has an email address.
2. If none of the owner(s) are at an address within the Commonwealth of Massachusetts, or within thirty (30) miles of Ware, the registration shall also include the name, address, phone number and email address of a responsible local agent for purposes of securing and maintaining the property, for the purposes of notification in the event of an emergency affecting the public health, safety and wellbeing, and for service of any and all notices issued pursuant to this ordinance.
3. The failure to timely register a vacant building shall be a violation of this Bylaw. Within the context of this bylaw, "timely" shall mean registration no later than thirty (30) days after a building becomes vacant.
4. Once the property is no longer vacant or is sold, the owner must provide proof of sale or written notice of occupancy to the Code Enforcement Officer/Department.

Fees

1. An annual registration fee of one hundred dollars (\$100.00) must accompany the registration form. The fee and registration are for the calendar year, or remaining portion of the calendar year in which the registration was initially required. Subsequent registration and fees are due on or prior to January 1st of each year.
2. Failure to timely register any vacant real property, shall be a violation of this Bylaw and a fee shall be imposed as a municipal charges lien on the property in accordance with M.G.L. Ch. 40, §58.

Maintenance Requirements

1. Properties subject to this section shall comply with the current edition of 780 CMR: The Massachusetts State Building Code and shall be maintained in accordance with all applicable State Sanitary Codes, Building Codes and local regulations;
2. The property must contain a posting with the name and 24-hour contact phone number of the local owner or local agent responsible for the maintenance. This sign must be posted at the front of the property and must be legible and clearly visible from the public way and/or street.

(End of Section)

Section 8 VIOLATIONS, PENALTIES, ENFORCEMENT

This section shall be enforced by the Enforcement Officer, the Director of Building Inspections, the Director of the Board of Health/Health Inspector, the Police Chief, the Fire Chief and/or their designated agents.

Upon failure to comply with any order issued under this section, the Town may, in addition to other penalties and actions:

1. Bring civil or legal action against the owner to require compliance with the order including but not limited to seeking a court approved receiver for the property in violation.
2. Issue fines whereby each separate offense of this section may be punishable by a fine of:
 - A. First offense: \$100.00 daily for each day the violation exists;
 - B. Second offense: \$150.00 daily for each day the violation exists;
 - C. Third offense and each subsequent offense: \$200.00 daily for each day the violation exists.

Any fines issued in any action to enforce this Bylaw shall be instituted and enforced in accordance with Massachusetts General Law, Chapter 40, Section 21D.

3. Undertake any other actions legally applicable in enforcing any other laws, codes, regulations or Bylaws. The imposition of any enforcement of any section of this Bylaw shall not be construed to prevent the enforcement of other laws upon the owner(s) and/or the premises nor prevent the initiation of other enforcement measures or penalties.
4. Failure to pay any fine arising from the enforcement of this Bylaw shall constitute a debt in favor of the Town. The Town may place a lien on the property for such debt and/or initiate a civil action against the owner(s) in a court of competent jurisdiction to recover the debt. In addition to this debt amount, "costs" as defined in the Definition section of the Bylaw shall be added to the debt to comprise the total lien amount.
5. The owner of any premises which has received proper notice of a violation of this Bylaw and who has failed to correct such violation by the date specified in such notice shall be punishable by a cumulative fine for each separate offense and shall be liable for payment to the Town within 30-calendar days of receipt of the request for payment thereof sent by certified mail.
6. The imposition of any fine shall not be construed to prevent the enforcement of other laws upon the premises nor prevent the initiation of other enforcement measures or penalties.

(End of Section)

Section 9 SEVERABILITY

If any provision of this section is held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

The provisions of this section are effective immediately upon passage and all provisions shall be enforced immediately.

All Bylaws or parts of Bylaws inconsistent herewith are hereby repealed.

This Bylaw shall take effect on the date of passage by Town Meeting.

This _____ day of _____, 20_____



TOWN OF WARE

Planning & Community Development
126 Main Street, Ware, Massachusetts 01082
t. 413.967.9648 ext. 118 f. 413.967.9642
rcornell@townofware.com

To: Selectboard

From: Rebekah L. Cornell, *Director of Planning and Community Development* *RL*

Date: April 2, 2021

RE: Right of First Refusal

At the Planning Board meeting of Thursday, April 1, 2021 a vote was taken and unanimously passed to waive the Right of First Refusal at 150 Old Gilbertville Road.

The land consists of three parcels (Lot 1, Lot 2, and Parcel A) as shown on Plan of Land Ware, MA prepared for Eleanor B. Kuras dated June 22, 1995. A single family home is located on Lot 1. It is noted that this property abuts land owned by the East Quabbin Land Trust. It is felt by the Planning Board this property will be most valuable to the Town as taxable real estate.

CERTIFICATE

The **TOWN OF WARE**, acting through the duly elected members of its Board of Selectmen, namely **Alan G. Whitney, Keith J. Kruckas, Nancy J. Talbot, Thomas H. Barnes and John J. Morrin**, hereby certifies that the said Town will not exercise its first refusal option to meet a bona fide offer to purchase that portion of land located at 150 Old Gilbertville Road in said Town under the provisions of Massachusetts General Laws Chapter 61B. The classified property is a portion of land recorded in the Hampshire Registry of Deeds in Book 5673 Page 315. The Recreational Land Tax Lien is recorded in said Deeds in Book 7052 Page 337.

Witness our signatures this day of , 2021.

Alan G. Whitney

Keith J. Kruckas

Nancy J. Talbot

Thomas H. Barnes

John J. Morrin



Blaise P. Berthiaume
Damien D. Berthiaume
Padgett D. Berthiaume

BERTHIAUME & BERTHIAUME
Formerly Igoe & Beaudette
ATTORNEYS AND COUNSELORS AT LAW

Ralph Igoe (1900-1962)
Arthur L. Beaudette (1920-1982)

March 16, 2021

Ware Board of Selectmen ✓
126 Main Street
Ware, MA 01082

Ware Board of Assessors
126 Main Street
Ware, MA 01082

Ware Conservation Commission
126 Main Street
Ware, MA 01082

Ware Planning Board
126 Main Street
Ware, MA 01082

State Forester
c/o Department of Conservation & Recreation
251 Causeway Street-#900
Boston, MA 02114

RE: Right of First Refusal
150 Old Gilbertville Road, Ware
Assessors' Ref : Map 36, Lots 2, 2-1, & 55

Dear Board Members:

Please consider this letter a "Notice of Intent" pursuant to the provisions of General Laws Chapter 61B section 14.

This office represents the Estate of Kenneth R. Root, Hampshire Probate Docket # HS20P0394EA. The late Kenneth R. Root (hereinafter "Decedent") was owner of property located at 150 Old Gilbertville Road, Ware consisting of 9.804 acres as described in a deed recorded with the Hampshire Registry of Deeds in Book 5673 Page 315, a copy of which is enclosed for your reference. The subject property also shows as Lot 1, Lot 2 and Parcel A on a plan filed with said deeds in Plan Book 179 Plan 239, which is also enclosed for your reference. Decedent submitted 7.801 acres for classification under General Laws Chapter 61B. The Recreational Tax Lien is recorded with said deed in Book 7052 Page 337 and is also enclosed for your reference, 2.003 acres surrounding the house being excluded.

Decedent's personal representative and heirs now wish to sell the entire 9.804 acres. Pursuant to the provisions of General Laws chapter 61B section 9, I have enclosed a copy of the fully executed purchase and sale agreement with an amendment reducing the sale price following a home inspection and an extension of dates upon which I have attested that it is a true and exact copy of the agreement between the parties.

This letter is written pursuant to the provisions of General Laws Chapter 61B section 9, under the provisions of which the Town of Ware has a first refusal option to meet a bona fide offer to purchase the land. In that regard, please consider this a statement of intent to sell that all of Decedent's property at 150 Old Gilbertville Road. I am informed by buyer's counsel that buyer does not intend to change the use of the property but requires that it be removed from classification under G. L. c. 61B. Decedent's Personal Representative is his surviving spouse, Carol Root, whose address is 150 Old Gilbertville Road, Ware and whose telephone number is (413) 967-5572.

For the convenience of the Selectmen, I have enclosed a proposed statement confirming the Town's non-exercise of its right of first refusal option.

Very truly yours,


Blaise P. Berthiaume

Enc.

QUITCLAIM DEED

We, JEAN E. BROOM, of Belchertown, Hampshire County, Massachusetts and KENNETH R. ROOT, of 150 Old Gilbertville Road, Ware, Hampshire County, Massachusetts

in consideration of * LESS THAN ONE HUNDRED AND 00/100 Dollars *
150 Old Gilbertville Road
grant to KENNETH R. ROOT, of Ware, Hampshire County, Massachusetts


with quitclaim covenants


the land and buildings in said Ware, Hampshire County, MA more particularly bounded and described as follows:

See "EXHIBIT A" attached hereto and made a part of.

Being the same premises conveyed to the grantors by deed of Eleanor B. Kuras dated February 22, 1996 and recorded with the Hampshire County Registry of Deeds at Book 4830, Pages 0199-0201.

Executed as a sealed instrument this 27th day of April, 1999:


Jean E. Broom


Kenneth R. Root

COMMONWEALTH OF MASSACHUSETTS

Hampshire, ss

April 27, 1999

Then personally appeared Jean E. Broom and Kenneth R. Root and acknowledged the foregoing instrument to be their free act and deed, before me,


Richard H. Maynard, Notary Public
My Commission Expires: December 14, 2001

150 Old Gilbertville Rd., Ware

"EXHIBIT A"

LOT 1

The land in Ware, Hampshire County, MA more particularly described as follows:

Beginning on the westerly side of a travelled way known as Sullivan Road (so called) and designated as Lot 1 as shown on a Plan of Land in Ware, MA owned by Eleanor B. Kuras, Trustee of the Hyde Realty Trust, dated June 22, 1995 by Moulton Land Surveying, Inc. and recorded with Hampshire County Registry of Deeds in Plan Book 179, Plan 239.

Beginning at a point on said westerly side of a travelled way known as Sullivan Road (so called) 30.88 feet from a 3/4" pipe set down 0.3' in a stone wall; thence 30.88 feet to the pipe;

Thence N. 82 degrees 04'00" W. 397.83 feet to a 3/4" pipe set up 0.5";

Thence turning and running S. 41 degrees 14'16" W. 653.77 feet, mostly along a barbed wire fence to a 3/4" pipe set up 0.4' in the corner of two stone walls;

Thence turning and running N. 80 degrees 24'10" W. 90.00 feet along a stone wall to a drill hole set;

Thence turning and running N. 24 degrees 57'35" E. 681.78 feet to a 3/4" pipe set in a corner of two stone walls;

Thence continuing N. 16 degrees 14'14" E. 269.93 feet to a 3/4" pipe set in a stone wall running along Stagecoach Road;

Thence turning and running S. 66 degrees 25'15" E. 536.68 feet along a stone wall running along Stagecoach Road to a 3/4" pipe set down 1';

Thence turning and running S. 39 degrees 00'36" E. 155.32 feet to a point;

Thence turning and running S. 03 degrees 54'31" W. 124.75 feet to the point of beginning.

Containing 6.663 acres.

LOT 2

The land located on Old Gilbertville Road and designated as Lot 2 as shown on a Plan of Land in Ware, MA owned by Eleanor B. Kuras, Trustee of the Hyde Realty Trust, dated June 22, 1995 by Moulton Land Surveying, Inc. and recorded with the Hampshire County Registry of Deeds in Plan Book 179, Plan 239.

Beginning on the westerly side of Old Gilbertville Road at a 3/4" pipe set in a stone wall; Thence continuing along a curve in the stone wall with a radius of 18.00' and a length of 38.81' to a point in the stone wall;

Thence continuing along Sullivan Road N. 00 degrees 48'00" E. 143.04 feet to a pipe set up 0.7' in the stone wall;

Thence continuing N. 03 degrees 54'31" E. 246.71 feet to a 3/4" pipe set up 0.7' to a point and the end of a stone wall;

Thence turning S. 72 degrees 04'18" E. 34.17 feet to a point at the beginning of a stone wall;
Thence running S. 61 degrees 06'23" E. 141.50 feet along the stone wall and Old Stagecoach Road to a 3/4" pipe set in the edge of the stone wall, up 0.5';
Thence running S. 52 degrees 55'46" E. 192.79 feet to a 3/4" pipe set up 0.4' at the end of the stone wall;
Thence curving along a radius of 17.00' with a length of 34.24 and an arc of 115 degrees 24'59" to a drill hole set in the stone wall;
Thence S. 62 degrees 29'13" W. 104.68 feet to a 3/4" pipe set flush in the stone wall;
Thence S. 57 degrees 16'03" W. 244.96 feet to a 3/4" pipe set at the point of beginning.

Containing 1.725 acres.

PARCEL A

The land located off Old Stagecoach Road and designated as Parcel A as shown on a Plan of Land in Ware, MA owned by Eleanor B. Kuras, Trustee of the Hyde Realty Trust, dated June 22, 1995 by Moulton Land Surveying, Inc. and recorded with Hampshire County Registry of Deeds in Plan Book 179, Page 239.

Beginning on the easterly side of Old Stagecoach Road at a point in the beginning of a stone wall at a 3/4" pipe set up 0.7';
Thence running N. 05 degrees 55'49" E. 375.10 feet to a 3/4" pipe set flush in the corner of two stone walls;
Thence turning and running S. 79 degrees 53'26" E. 119.27 feet to a 3/4" pipe set flush in the intersection of two stone walls;
Thence turning and running S. 10 degrees 26'55" W. 143.36 feet to a 3/4" pipe set flush in the corner of two stone walls;
Thence turning and running S. 75 degrees 52'42" E. 90.76 feet to a pipe 3/4" set up 0.3' in the corner of two stone walls;
Thence turning and running S. 05 degrees 42'02" W. 169.11 feet to a 3/4" pipe set up 0.4' in the corner of two stone walls;
Thence turning and running S. 65 degrees 13'41" W. 152.32 feet to a 3/4" pipe set flush;
Thence turning and running N. 72 degrees 04'18" W. 40.17 feet to a point;
Thence turning and running N. 39 degrees 00'36" W. 39.51 feet to the point of beginning.

Containing 1.416 acres—not considered to be a building lot.

All three lots are a portion of premises conveyed to Eleanor B. Kuras, Trustee of the Hyde Realty Trust in Book 3846, Page 44.

Being the same premises conveyed to grantors by deed of Eleanor B. Kuras dated February 22, 1996 and recorded with the Hampshire County Registry of Deeds at Book 4830, Pages 0199-0201.

ATTEST: HAMPSHIRE, *Marianne L. Dowd*, REGISTER
MARIANNE L. DOWD



TOWN OF WARE

Town Manager

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

Town Manager Updates April 2, 2021

Reports Included:

Highway
Planning and Community Development
Senior Center
Cannabis and Meals quarterly revenues

Open topics:

Underpass
School bills
114 Main Street/DOT schedule

The Finance Committee has begun departmental meetings, meeting with Police and Fire this week and DPW next week. Discussion has included the issues raised at Town Meeting about including regular capital costs within the annual budget.

Grants/Projects. Bids for the town hall masonry project were received on Friday, April 2. That project is to be complete in mid-June.

The Parks Manager and Green Communities committee tested the pedestrian LED street lights this past week. They will create a bright downtown. It appears there will be adequate funding to also replace the lights in front of the millyard and in Veterans Park.

Through the Mass office of travel and tourism, the Town was granted \$12,143 for marketing materials including videos and banners for the streetlight pole.

The State is implementing a new grant process that allows multiple agencies to review preliminary grant ideas and suggest various funding opportunities to towns. This week the Town submitted possible projects to Improve infrastructure in the millyard, provide access to sprinklers for businesses, road infrastructure, and Monroe Street brownfield redevelopment. Additionally, Planning and community development worked with businesses to apply for separate grants for private properties, a new initiative for the state.

The Town is researching funding and locations for Electric Vehicle Charging stations. With grants available from the State and National Grid, several should be able to be installed with little upfront cost to the Town.

Ware Senior Center Quarterly Activity Report FY21 Qtr 3

Notes:

- The New Year started out with our business as usual in the New Normal for Now system. We continued to provide social services such as fuel assistance, SNAP benefits, Brown Bag, Amherst Project and SHINE counseling as well as serving and delivering lunches every day to our seniors. But most of all we had to pivot on January 26th and become the epicenter for Covid appointment registrations for seniors without access to internet or smartphone/tablet technology. (See attached)
- Prepared and submitted the FY22 budget for the Council on Aging
- Continued to represent the seniors of Ware at all relevant Board and Committee meetings such as the Bay State Health Eastern Region Community Benefits Advisory Committee, the Quaboag Region Coordinating Council, the Quaboag Hills Community Coalition, the Quaboag Hills Community Coalition Board of Directors and Quaboag Hills Substance Use Alliance, The Brookfield Institute Board of Directors, the Behavioral Health Network-Carson Center Advisory Board, the Ware Community Television Board of Directors, the Age Friendly Pioneer Valley Planning Group and the Western Massachusetts COA Directors Cohort.
- Attended Veteran's Benefits Training for updates on Chapter 115 funds available to low income veterans.
- Met frequently with the DPH and Town leadership over Covid related topics and advocated for Ware seniors on a consistent basis with our State Congressional leadership.
- Filmed a Senior Safety public service announcement with Deputy Fire Chief Jim Martinez
- Collaborated with Rebecca Cornell to apply for the AARP Age Friendly Community designation for the Town of Ware.
- On March 3rd the AARP reviewed the application of the Town of Ware and declared that we have been accepted as member of the AARP Network of Age Friendly States and Communities. We now begin the process of forming working groups to identify and address what the Town needs to do to become more age friendly in areas like mobility, access, public spaces, transportation etc.
- Met with Monson Bank's newly appointed President Dan Moriarty to discuss future partnerships between the bank and the Ware Senior Center.
- Continued to provide assistance at the Mobile Food Pantry at Grenville Park which is heavily attended by Ware seniors.

Ware Senior Center Quarterly Activity Report FY21 Qrt 3

Meals Grab & Go Lunch

2344

Lunch Meals delivered

370

Food Items - Supplementals

900+ Boxes to 150 Senior households delivered

405 Brown Bags delivered to 135 senior households

Volunteer hours logged

577.5 cost equivalent of \$ 19,034.40

Outreach Totals - Service Units

	Duplicated	Unduplicated	Total
	276	146	422
Advisory Council	3	3	
Are You OK	9	6	
Brown Bag	8	6	
Email	9	3	
Fax	1	1	
Financial Assist.	32	11	
Food Stamps	12	8	
Fuel Assist.	40	18	
Food Stamps	1	1	
Housing Assist.	11	5	
Insurance	103	60	
Medical	18	9	
Office Consult.	10	5	
Phone Consult.	5	2	
Social Security	11	6	
Transportation	3	2	
	276	146	

Vaccination Appointments Made

96

Vaccination Appointments Pre-Registered

54

Homebound Vaccination Appointments Total

33



TOWN OF WARE

Planning & Community Development
126 Main Street, Ware, Massachusetts 01082
t. 413.967.9648 ext. 118 f. 413.967.9642
rcornell@townofware.com

To: Select Board
From: Rebekah L. Cornell, *Director of Planning and Community Development* *RLC*
Date: April 2, 2021
RE: March Summary – PCD Department

Public Meetings:

- Planning Board 3/4 & 3/18: Discussion revisions and updates to the 1989 Subdivision Rules & Regulations. This will be ongoing over the next year.
- Planning Board Site Visit 3/27: to Greenwich Road Realty earth removal operation on Greenwich Road
- Downtown Improvement Committee 3/15: Discussion of Travel & Tourism grant to fund banners on downtown street lights.
- CDA 3/15: Discussion of proposed Façade Improvement Program for FY21 application
- Historic Commission 3/22: Stonewall inventory data collection for mapping in support of proposed Scenic Road Bylaw
- Water Resources Committee 3/29: first organization meeting; discussion of duties of the Committee. Scheduled site visit to WTP and WWTP.
- Selectboard meetings 3/2 & 3/16
- Special Town Meeting 3/27

Virtual Meetings

- Economic Developers Partnership
- Domestic Violence Task Force
- Quaboag Hills Substance Use Alliance
- Ware Regional Recovery Center
- Regional Age Friendly Communities meeting
- Valley Development Council – I accepted nomination as Vice-Chair
- Mass Historical Commission MACRIS webinar
- Local Rapid Response Program training
- Complete Streets Design Webinar (two sessions)

Other Activities:

- Received word that Ware was approved as an Age Friendly Community

- Ware was granted a \$12,143 grant for Ware branding banners & media marketing project includes the production of a promotional video, television, radio, and also digital advertising and social media ads.
- Site visit with UMass Design Center for façade design work on Main St.
- PCD assisted with Senior Center Food distribution and Narcan/Food distribution at Grenville Park.
- Met with property owners downtown for the Façade Improvement Project and to distribute LRRP surveys and discuss the opportunities for the Community One Stop for Growth grant applications.
- 1-on-1 meetings with Town Manager to organize projects. This is working quite well to keep on track and coordinate timelines.
- Several meetings with PVPC to organize projects and grant funds.
- Final quotes for the Rail Trail improvement work at Gibbs Crossing received. Work should start in the next few weeks.
- Hired a new Department Assistance, Rob Watchilla. Rob comes to us in his final semester of Graduate School in the Regional Planning program at UMass. He was previously an intern for Orange, MA.

If you have any questions, comments, or concerns please bring them to the attention of my department.

Thank you.

Highway Dept Monthly Report

March 2021

Week of 1st-6th

Tree work continued throughout the week on Kelly Rd, Sherman Hill and Sczygiel Rd. Wood deliveries were made to residents from our wood distribution list. The tree removal project at Aspen Grove Cemetery was completed in the early part of the week. A total of 27 large Oak and Maple trees were taken down. A terrific job was done by the highway crew in completing this project. Police called twice during one night stating that there were trees down and blocking the road due to heavy winds. Crews were sent out to take care of the situation. The remaining part of the week was dedicated to some cold patching and sign repair at Veterans Park.

Week of 8th-13th

Tree removal was done once again during the week. A two day project of taking down a large Maple on Cottage St was completed. Other areas that needed tree removal were, Benham Ave, Dugan Rd and Anderson Rd. The end of the week was dedicated to delivering wood to residents from the past weeks tree work. Saturday police called to inform that a pine tree had fallen in the road on South St and crews would be needed to remove. Later that day police called once again stating that another tree was leaning over the guardrails on Greenwich Rd. Crews were dispatched to that area for cleanup.

Week of 15th-20th

The week began with cleanup of the two trees that came down over the weekend on South and Greenwich roads. Tree work resumed with multiple take downs on both sides of Dugan Rd and River road for the remainder of the week. Again, wood deliveries were made to various residents who were on our distribution list. Some other small jobs that were completed during the week were, installing Handi-cap signs at Veterans Park, mounting new "20 MPH Safety Zone" on Beaver Lake road and the chipping of old Christmas trees at the Robbins Rd drop off site.

Week of 22nd-27th

The sweeper was sent out in the early part of the week to begin our annual sweeping operations. All main roads were to be completed first before heading into other sections of town. A two day tree removal project began on Church St with the removal of a large Maple tree. When this was finished the crew headed up to #131 Church St to remove another large Oak. Aspen Grove Cemetery had a large pine and maple tree come down during one of the recent wind storms and crews were sent there to assist in clean up and removal. Our bucket

truck and one crew member were used in the repair of any non-working street lights in town on Saturday.

Week of 29th-31st

A group of oversized oak trees were taken down by Northern Tree on Stagecoach Rd. When taking these trees down, all the wood was left on the ground and down the embankment. The excavator was used to remove all wood and drop off at the Banas property. Sweeping on the North side was completed and began on the South side. Our mobile signs were brought back from Veterans Park and Mr. Krukas' property after being used to inform residents of the special Town Meeting. The asphalt plants finally opened for the season and hot mix was picked up with our hot box for patching operations. All main roads will be taken care of first before doing in town streets and country roads. Signs that were recently installed were a new "No Parking" on Cherry St and a new "Stop" sign on the top of Old Belchertown Rd. Also a new "No Parking" was installed on Beach Rd with a new Stop sign as well.

I would like to add one thing more. Before winter started I had a list of 100 trees that needed to be taken down by the Highway Dept. 65 of those trees were taken down and chipped. Some of the wood was left for the homeowner or hauled away and delivered to residents that were on our Wood Distribution List. This was all done in between long nights of plowing and sanding of snow storms along with the removal of snow from town streets. I just want to say that the crew did an outstanding job this past winter and should be commended for their hard work.

Highway Supervisor

Chuck Niedzwiecki

Beckley, Stuart

From: Meehan, Tracy
Sent: Thursday, April 1, 2021 3:27 PM
To: Beckley, Stuart
Subject: FYI

Cannabis Excise	Dec-Feb	\$50,680.09	Year to Date	\$120,607.15
Meals Excise	Dec-Feb	\$27,039.41	Year to Date	\$ 98,564.76

Tracy Meehan
Town Accountant
tmeehan@townofware.com
413-967-9648 x106