



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

Regular Meeting Minutes Tuesday, August 22, 2017 at 7:00 p.m.

Present: Selectman Talbot, Selectman Whitney, Selectman Opalinski, Selectman Carroll, Selectman Fountain, Stuart Beckley, Town Manager, Mary Midura, Clerk, Stanley Ciukaj, Ware Community TV, Deputy Fire Chief Edward Wloch, Dr. Marlene Dileo, Superintendent of Schools.

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

Opening Remarks, Announcements, and Agenda review by Chair

Selectman Opalinski questioned the process for the marijuana policy; Mr. Beckley noted that the Planning Board must set a public hearing. This may occur in October. Selectman Opalinski questioned the process for the proposed tax; Mr. Beckley noted this would need to be on the Town Meeting warrant. Selectman Opalinski stated the need for a social media policy for town employees; Mr. Beckley noted such a policy could be drawn up.

Consent Agenda

- **Approval of Meeting Minutes of August 8, 2017**

Selectman Opalinski moved to approve the minutes; Selectman Whitney seconded. The motion passed unanimously (5-0).

Comments and Concerns of Citizens

Resident Bill Jackson stated his concerns of the shrubs at Rite Aid, noting that his complaints now are on record and should any accident happen as a result of that situation, the town could be open for a lawsuit.

Scheduled Appearances

- **7:05 p.m. Dr. Dileo, Deputy Fire Chief Wloch, Country Bank for Savings representative – books for Introduction to Fire Services class**

Dr. Dileo stated that the Ware Schools are ready for school to begin Monday, August 28, 2017! Deputy Fire Chief Wloch explained that the Introduction to Fire Services class is a new elective with 15 students enrolled this year! Pantucket, MA is the only other community that offers this class. Country Bank for Savings has given support by purchasing the textbooks. The Board thanked Deputy Wloch, Dr. Dileo, and Country Bank for Savings for providing this.

- **Local Heroes Award**

Tim Howe of the Department of Fire Services presented the commendation to Victoria Vecchione. Ms. Vecchione calmly reported a fire in her home, and her actions saved all pets. Deputy Wloch presented the Young Heroes Award from the Ware Fire Department.

Town Manager: *Stuart Beckley*
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Deputy Wloch also noted that there will be a memorial dedication on September 10, 2017 at 11:00 a.m. for the new monument. All are welcome to attend.

- **Road Repair Projects, Consideration of Bond Ballot Question – Dick Kilhart, DPW Director**
Dick Kilhart referred to the PVPC program and recommendations of a \$5million listing. Mr. Kilhart was given the list two years ago; the list included Monson Turnpike Road, Babcock Tavern Road and Bacon Road. Chapter 90 is primarily a maintenance fund for road repairs. Elm Street needs repairs, but Chapter 90 cannot be used as the road is not 500 feet long. The list indicates the worst or backlogged work. Mr. Kilhart noted that, with the retirement of David Tworek, and a new hire soon, it would be good to have new eyes on the roads. There will also be cracksealing, and there will be the MASS DOT project for Main Street. Regarding Babcock Tavern Road, there is drainage and substructure work to be done.

Selectman Whitney questioned the priority of projects on the list as far as true need and rating per the Paving Management Plan. Selectman Talbot noted that many roads have been neglected for some time. Selectman Carroll questioned the design phase; Mr. Kilhart note that some repairs are moving along in phases. Mr. Kilhart noted that the Town has 86 miles of road, and the goal is to maximize the use of the funds. Palmer Paving will work into October.

Selectman Opalinski moved to approve use of Chapter 90 funds to do cracksealing work and repairs to East Street, East Main Street and West Main Street this Fall; Selectman Carroll seconded. The motion passed unanimously (5-0).

Selectman Talbot noted that a map of all recommended work would be useful. Selectman Whitney noted that residents want roads in town to be repaired. Mr. Kilhart noted that the plan shows milling, grinding, and some water main replacement, as is now being done on Prospect Street. Mr. Beckley noted three options: 1) Straight debt exclusion for 5-10 years, 2) Capital Exclusion for one year only, with Town Meeting and Ballot each year, and 3) a Stabilization Fund for roads only, which goes to ballot only once, with the Board reauthorizing each year.

Selectman Opalinski questioned the most effective use of funds; Mr. Kilhart noted that Babcock Tavern Road is a better price if phases are done more than one at a time. Mr. Beckley noted that Sunderland voters decide at town meeting, and this works very well; there is no requirement to use funds every year.

Mr. Kilhart noted many communities fall behind on repairs, and the Town might ask our representatives to request additional funds be added to Chapter 90.

Resident Bill Jackson stated that the bottom line of a debt exclusion is that older residents cannot afford this, and the voters will not vote for this.

Old Business

- **Review of Vehicle Policy: GPS**

Mr. Beckley presented the updated policy.

Selectman Opalinski moved to approve, with amended language to “Newly acquired town vehicles shall be equipped with GPS” and Town Manager will be responsible for review of data; Selectman Whitney seconded. The motion passed unanimously (5-0).

New Business

- **ACO Inter-Municipal Agreement**

Selectman Opalinski moved approval, with the stipulation that the Town Manager keep track of data of number of dogs and costs of holding fees of each town; Selectman Fountain seconded. The motion passed unanimously (5-0).

- **Planning & Community Development: Request for Loan Forgiveness**

Ms. Connor explained that she is Power of Attorney for this former homeowner. Ms. Connor presented to the Board that the only forgiveness request is for \$2,125. Ms. Connor noted that there was an offer of \$15,000, which will all go to the Town.

Selectman Whitney moved to table to September 5, 2017 for written purchase and sale information to be provided; Selectman Carroll seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Abstention (Selectman Opalinski).

- **Application for Lodging License: Bed & Breakfast at Bird Hill Farm, 145 Church Street**

Selectman Opalinski moved approval of the license, with no \$10 fee waiver; Selectman Carroll seconded. The motion passed unanimously (5-0).

- **Application for One-Day Liquor License: Workshop 13, Memorial Event for Performing Artists, Saturday, August 26, 2017**

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

- **Special Event Permit Application: Friends of Ware Dog Park, Doggy Dip & Dive, Saturday, August 26, 2017**

Selectman Whitney moved approval of the Special Event Permit; Selectman Opalinski seconded. The motion passed unanimously (5-0).

- **Special Event Permit Application: Trinity Episcopal Church Block Party, Saturday, September 16, 2017**

Selectman Whitney moved approval of the Special Event Permit; Selectman Fountain seconded. The motion passed unanimously (5-0).

- **Application for Toll Road: Ware Fire Department for MDA Boot Drive, Sunday, September 17, 2017**

Selectman Whitney moved approval of the Toll Road; Selectman Opalinski seconded. The motion passed unanimously (5-0).

- **Application for Toll Road: Ware Council Home Association (Knights of Columbus), Annual Tootsie Roll Drive, Saturday, October 7, 2017**

Selectman Whitney moved approval of the Toll Road; Selectman Fountain seconded. The motion passed unanimously (5-0).

- **Special Event Permit Application: Ware Domestic Violence Task Force, Domestic Violence Awareness Walk, Saturday, October 14, 2017**

Selectman Whitney moved approval of the Special Event Permit; Selectman Fountain seconded. The motion passed unanimously (5-0).

- **Application for Appointment to Historical Commission: Mary L. Midura, Term to Expire June 30, 2019**

Selectman Opalinski moved approval of the appointment; Selectman Whitney seconded. The motion passed unanimously (5-0).

- **Application for Appointment to Zoning Board of Appeals: Andrew Choquette or Elizabeth Calvert, Term to Expire June 30, 2019**

Mr. Choquette was present and questioned why he was not being considered. The Board discussed and determined the need for further information from the Zoning Board of Appeals.

Selectman Whitney moved to table to September 5, 2017, and to request the chair of the ZBA to attend and explain the ZBA recommendation to the Board; Selectman Fountain seconded. The motion passed unanimously (5-0).

Town Manager Report

Mr. Beckley noted a new survey by the Planning and Community Development department. The brief survey will help the department understand what is important to residents.

There was a very good turnout for the MASS DOT Design Hearing for Main Street. There were many comments from residents. Selectman Opalinski noted that the plan takes parking spaces away in front of the library and in front of Dioguardi Jewelers. There was a request for a mitigation committee.

Projects out to bid include repavement of the Senior Center parking lot and repairs to the Wastewater Treatment Plant aeration tanks. Review of Solar proposals will be complete in a day or two.

There will be Ware Opioid Listening Session on Thursday, August 24, 2017 at 5:30 pm. The DA and Chief Crevier will attend.

Chairman Talbot noted mitigation for flood hazards; Mr. Beckley noted that army corps of engineers will assess the dikes and repairs to East Street bridge. Chairman Talbot noted the overgrowth of vegetation.

Selectman Opalinski noted the need to meet with Dr. Dileo regarding solar panels on the school roof. Resident Bill Jackson questioned the need for land taking for the Main Street project; Mr. Beckley noted that some easement takings would be brought to Town Meeting in the spring.

Resident Cathy Cascio stated the Board should be aware that Senator Gobi has co-sponsored a bill to make Massachusetts a sanctuary state. Ms. Cascio stated this would take local authority away from towns. Ms. Cascio noted her hopes that the Board would write letters of disappointment. Greenfield Council said no to being a sanctuary city.

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Brandy Brusco noted the Doggy Dip & Dive on August 26, 2017. Ms. Brusco questioned what the town will do regarding Gould Road – school is starting and children walk on the road to Cumberland Farms. A child was hit by a car last year, and we need to calm traffic in that area.

Mr. Beckley noted that the child's parent met with Police, DPW, and schools; the speed limit sign has been moved up the road. Dr. Dileo has been asked that all children leave from the front of the school. The long term goal is to add a sidewalk per the complete streets program.

At 8:34 p.m., Selectman Fountain moved to enter into Executive Session: MGL Chapter 30A, Section 21 (a) 6: #2 Negotiations: Police Chief, and #6 To Consider the Purchase, Exchange, Lease or Value of Real Property, Not to Reconvene in Open Session; Selectman Whitney seconded. The motion passed on a Roll Call Vote of 5 Yes, 0 No.

Selectman Nancy J. Talbot	Yes√
Selectman Alan G. Whitney	Yes√
Selectman Tracy R. Opalinski	Yes√
Selectman John E. Carroll	Yes√
Selectman Michael P. Fountain	Yes√

Attest: 
Mary L. Midura, Executive Assistant