



## **Board of Selectmen**

**Ware Town Hall, Meeting Room, 126 Main Street**

**Regular Meeting Minutes**

**Tuesday, August 13, 2019 at 7:00 p.m.**

**Present: Selectman John E. Carroll, Selectman Keith J. Kruckas, Selectman Tracy R. Opalinski, Selectman Alan G. Whitney, Town Manager Stuart Beckley**

**Absent: Selectman Nancy J. Talbot, Clerk Mary L. Midura**

**Meeting Opened by Chairman Carroll**

### **Opening Remarks, Announcements, and Agenda review by Chair**

Selectman Whitney questioned why the Water Treatment Plant was projected at \$7.5million by Mr. St. George-Sorel at the last meeting; Mr. Beckley noted that the estimate presented at Town Meeting was \$6million, but now is projecting at \$6.5-7million. The USDA grant process in October may be a key option for what is additionally needed with a loan at 2%. Selectman Kruckas noted the need for real numbers. Selectman Opalinski questioned why the amount was so changed; Mr. Beckley noted that the \$6million was at the master plan level. Selectman Carroll noted updated changes in the overall plan.

Selectman Kruckas thanked all DPW, Fire, Police, and Parks employees for their hard work and good job at National Night Out on August 6, 2019.

### **Consent Agenda**

- **Approval of Meeting Minutes of June 18, July 2, and July 16, 2019**
- **Special Event Permit: Friends of the Ware Dog Park Presents Doggie Dip-N-Dive, Saturday, August 31, 2019**
- **Special Event Permit: Ware Family Center presents Ware Junior Car Show, Saturday, September 7, 2019**
- **Special Event Permit: Grenville Woodland Playground Committee Presents Nerf War, Sunday, September 22, 2019**

**Selectman Whitney made the motion to approve the consent agenda; Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Talbot).**

David Powers spoke about the Nerf War and Car Show events.

Cathy Cascio noted the Patricia Orszulak Memorial 5K Run/Walk to Cure ALS on August 24, 2019 at Grenville Park.

Brandy Brusco spoke about the 3<sup>rd</sup> Annual Doggy Dip N Dive to benefit the Ware Dog Park.

## **Scheduled Appearances**

- **7:05 p.m. Review of Dangerous Dog Hearing**

Chairman Carroll noted this review of the dangerous dog at Westbrook Avenue and invited Mr. & Mrs. Hill to speak. Mr. Hills noted the efforts of the owner, but stated that the dog got out again on July 18. He reported this to the police and to the ACO. On July 26, both dogs were again out and not in the kennel. He is not asking to euthanize the dog, as this is not the fault of the dog, but steps to safety are needed. The dog does not get along with other dogs. The dog training is a great step, but other than a fence, there are no options. Chairman Carroll noted the situation sounds better, but not great. Mr. Hill noted the dog chased another dog into the police officer's residence. A fence would be best as the dog appears to be high energy. Mrs. Hill noted that the owner seems to be doing her best, but her concern is to protect her puppy who is now defensive since the original attack. She commended the efforts and communication from the owner.

Animal Control Officer Sydney Plante stated that she has not visited the dog, but has talked to the trainer and gave a citation on July 18. The dog is not stimulated and a fence at the doors is advised. The trainer has told Ms. Plante that the dog is rude and does not interact well with other dogs. The training has not happened and the leash law needs to be obeyed as anytime the dog is not controlled is a violation.

Jen Baker stated that she has been in and out of the hospital and had to reschedule the training. She brought the dog to interact with other dogs at her relative's in Belchertown. She bought a muzzle and the trainer has advised that the dog must work for food. The dog is a rescue approximately one year old, and her husband and daughter are also at the house.

Selectman Opalinski questioned how both dogs got out on July 26; Ms. Baker was not able to explain, but stated she bought the harness and better leashes.

Selectman Whitney suggested the bark collar as it changes the behavior, including using a buzzer to deter.

Chairman Carroll noted improvement, but not satisfactory, and suggested this be reviewed in three months.

Emma Monahan, Ware River News reporter, asked if the ACO will visit the dog. Ms. Plante stated she could do that, but stated a need to evaluate the dog. Ms. Plante stated she did not think the owners were taking the situation seriously.

Selectman Whitney suggested the review be done in 90 days, with the ACO to observe the training. Selectman Opalinski suggested the trainer evaluate and report to the Board of Selectmen. Mrs. Hill requested that the owner must muzzle the dog in order for residents to feel safer if the dog gets outside again. She noted the original complaint was filed when the dog grabbed her dog by the collar and would not let go. Ms. Plante noted the owners must take advantage of the trainer's time and experience.

**Selectman Whitney made the motion to review in 90 days, with use of a muzzle when the dog is outside, and to conduct training and an assessment by the trainer and ACO; Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Talbot).**

## Old Business

- **Public Safety Report on Request for Handicapped Parking Sign at 33 Pulaski Street**  
Liam Grant was present. Chairman Carroll noted the positive recommendation from the public safety officer and Police Chief Crevier. Mr. Beckley noted the installation of the sign may take a month or so.

**Selectman Whitney made the motion to direct the DPW to install the Handicapped Parking sign at 33 Pulaski Street; Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Talbot).**

## New Business

- **Discussion to Hire Part-Time HR**

Chairman Carroll brought this discussion as he believes the Town Manager is overwhelmed with HR issues. Selectman Opalinski questioned how the Town Manager is overwhelmed, to which Chairman Carroll noted new OSHA and legal issues. When asked, Mr. Beckley noted that one-third to one-half of his time is devoted to these important issues as he is directed by the Town Charter. Mr. Beckley noted several cases of FMLA with important timelines. He noted that not many towns have this position as it is very costly.

Selectman Kruckas stated that he believes some problems become bigger when not handled quickly. He noted the need to spend more time on training and stated the town population has not changed and he found this position hard to justify. He further stated he believes the Town should consider a new labor attorney as well as new town counsel. He noted that Mr. Beckley is here "all the time" but problems start small and get bigger.

Selectman Whitney noted that requirements of documentation for local, State and Federal levels have increased. He would not be against this position if it gave the Town Manager more time to deal with other issues. Selectman Kruckas noted that the Town Manager's assistant is now full-time and there is now a Planning Director and her assistant. Selectman Opalinski noted the continued need for an employee manual, not just past practices. She stated she would like to see time periods for appointments with the Town Manager to be better organized, not just an open door, as this takes up a lot of the Town Manager's time and she often sees someone in his office.

Selectman Opalinski questioned if Mr. Beckley is giving more duties to his assistant; Mr. Beckley answered yes. Chairman Carroll suggested the HR position be shared with another town; Mr. Beckley noted that most towns cannot afford this position and noted this position could be discussed again at budget preparation next Spring.

Cathy Cascio stated this is a great idea as the town manager has a lot on his plate. She stated there should be a paper trail for discipline, and questioned if positions in Town Hall could be cross-trained.

Selectman Opalinski suggested using MMA as they are focusing on HR fiscal and risk management; Mr. Beckley noted the Town is on MMHR and listserv as well as MIIA insurance training. He noted that his assistant has become proficient working with MIIA and attends seminars for licensing with the Alcoholic Beverages Control Commission (ABCC).

MassLive reporter Jim Russell questioned why there is no employee manual; Mr. Beckley noted many drafts of this over the past 10-15 years. Mr. Russell questioned if there are exit interviews; Mr. Beckley noted that exit interviews are voluntary. Mr. Russell questioned how many full-time and part-time employees the Town has; Mr. Beckley noted he can get that figure.

Chairman Carroll noted the Board can revisit this idea before the next budget.

- **Approval of Appointment of Treasurer/Collector**

Mr. Beckley introduced Erica Brunell. He noted her impressive interview with the financial team, and while she does not have municipal experience, she has supervisory and software experience and will have a mentorship program within the Town and resources such as the UMass seminar she has just attended. Chairman Carroll asked Ms. Brunell to speak.

Ms. Brunell stated that she supervised 50 employees at Wal-Mart before joining Country Bank for Savings for 8 years. She is experienced with payroll and software, and will learn laws and compliance.

Selectman Opalinski questioned Mr. Beckley how to make sure Ms. Brunell would not leave after training; Mr. Beckley noted Ms. Brunell is being given a great opportunity to grow substantially.

Ms. Brunell noted she is not a hopper and not looking to leave. Resident Cathy Cascio stated she hoped new employees are trained at pay grade and increase; Mr. Beckley noted that is part of the agreement.

**Selectman Kruckas made the motion to approve the appointment of Erica Brunell as Treasurer/Collector; Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Talbot).**

Mr. Beckley noted that Ms. Brunell will start employment with the Town of Ware on August 26, 2019.

- ~~Consideration of Appointment of Acting Fire Chief~~

- **Labor Attorney Consideration**

Mr. Beckley noted the contract with Sullivan, Hayes and Quinn has expired. Selectman Opalinski asked for recommendations. Selectman Kruckas stated that different attorneys and options should be considered. Chairman Carroll stated this should be tabled so that Mr. Beckley can present more information.

**Selectman Whitney made the motion to Table to the next meeting; Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Talbot).**

- **Town Manager Goals Update**

Mr. Beckley noted the chart provided to Selectmen with updates. He is working on the personnel manual and department head evaluations. Selectman Opalinski suggested Mr. Beckley send proposed changes/procedures to department heads for review. Mr. Beckley noted there are 9 GPS units to be installed per the GPS policy. Selectman Opalinski noted there should be progressive discipline in personnel files. Selectman Kruckas noted that record keeping needs improvement with crucial information. Cathy Cascio questioned the use of evaluation tools and department head goals. Mr. Beckley noted he has the tools but has not completed reviews or goals with department heads. Selectman Opalinski questioned the next review of the Town Manager's goals; Mr. Beckley offered review in late October.

- **Set Public Hearing for 7:05 p.m. on Tuesday, September 3, 2019 for National Grid/Verizon New England Petition for Joint or Identical Pole Locations, Sherman Hill Road**

**Selectman Whitney made the motion to set the public hearing as noted above; Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Talbot).**

- **Request Reverter Clause**

Mr. Beckley explained that Ware Senior Living, LLC has progressed with the foundation and much further on construction and requests the release of the reverter clause.

**Selectman Whitney made the motion to Release the Reverter Clause of Ware Senior Living, LLC; Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Talbot).**

**Comments and Concerns of Citizens:**

Emma Monahan, WRN reporter, questioned why the above item about the acting fire chief was not addresses; Chairman Carroll noted the town counsel advised not to address.

Cathy Cascio questioned why the fire chief could not be assigned to other tasks instead of a paid six-month vacation, and why is he not working. The Board did not offer answers.

Ms. Cascio questioned land being sold; Chairman Carroll stated the land was private land, not owned by the Town. Ms. Cascio noted there is talk of more low-income housing; the Board has no knowledge of this.

Ms. Cascio questioned the management of Town offices. Ms. Cascio stated residents come in to pay tax bills and find offices closed; she stated the Town must be more customer service oriented with cross-training and possibly one night until 6 pm. Ms. Cascio stated that current Town Hall hours of 8 am – 4 pm are not convenient to working residents.

Jim Russell, MassLive reporter, questioned the hiring of a part-time HR position; Chairman Carroll replied this discussion will come up with the next budget. Mr. Russell questioned Ms. Brunell's salary; Mr. Beckley replied the full-time Treasurer/Collector will earn \$58,000 annually.

Laurie Whitney questioned the progress of addressing the Gould Road issue; she witnessed a father and his children walking along Gould Road with no safe place to walk. Mr. Beckley noted the Town is working toward a Complete Streets grant for sidewalks for Gould Road.

Selectman Kruckas noted the monthly report of the Director of Planning and Community Development, and questioned why the police details were not arranged by the public safety officer. Selectman Opalinski noted that PVPC determines a low traffic area and looks at the whole scope of projects. Mr. Beckley noted daily police details on Spring Street and Elm Street.

## **Town Manager Report**

**The limit on residential watering to before 9 a.m. or after 5 p.m. continues to be in effect.**

### ***Bidding/contracts/projects***

No bids were received for 73 West Main Street, however two parties continue to be interested. The Town may extend the time for bids.

The sludge removal project at the Pollution Control Plant was very successful and is nearing completion. A small area of sludge is to be removed and the walls cleaned by the contractor. Spring Street has had a base coat of pavement placed. Sidewalks and cleanup work are being completed. The top coat will be placed in the Spring. The Contractor has moved to begin work on Elm Street.

The Highway Department has completed shimming work in preparation of stone seal on several streets. Nearly 10,000 tons of material were placed by the Highway crew.

A quick meeting was held with the Ware and Pathfinder busing companies and the contractor for the Beaver Lake. The contractor will close the bridge daily from approximately 7 a.m. to 3:30 p.m. The buses will create alternative routes for the Fall. Work will begin after Labor Day. Coordination in the area will be necessary this fall as the Town will be doing stone seal work and sections of Babcock Tavern will be paved.

The design for the Old Belchertown Road bridge is moving forward. Permitting with the Conservation Commission was delayed as Beaver Brook has an endangered species. This may require some design modification, but will not slow the project milestones.

The Building Inspector noted the metal spline in the clock tower had become detached. The Town hired a roofing company and crane to repair the metal. Unfortunately, the metal piece detached over the weekend, so a new spline was fabricated. While at the tower, the metal worker also secured another spline that was loose and removed plants from the tower bricks.

The senior living construction on South Street has progressed to the point that the developer has requested that the Town release the reverter agreement. A form for the Chair is included in the signature file if the Board is agreeable.

### ***Personnel***

In addition to the Treasurer/Collector on the agenda tonight, the Town has promoted Donna Longtin to the Assistant Tax Collector position. The Town is nearing the selection of the collections assistant to be shared by DPW and the Tax Collector office.

Thank you to all who participated in National Night Out last week and for all who attended.

August 20 is a scheduled Board meeting. Currently no agenda items.

**Selectman Whitney made the motion to cancel the August 20, 2019 meeting of the Board of Selectmen; Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Talbot).**

**Selectman Whitney made the motion to Adjourn Regular Session at 8:32 p.m. Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Talbot).**

Attest: *Mary L. Midura*  
**Mary L. Midura, Executive Assistant**  
**Via Ware Community TV video**

