

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



**Board of Selectmen
Ware Town Hall, 126 Main Street, Meeting Room
Regular Meeting Notice Agenda
Tuesday, August 8, 2017 at 6:30 p.m.**

Meeting Opened

6: 30 p.m. - Executive Session: MGL Chapter 30A, Section 21 (a) #2 Negotiations: Non-Union Personnel – Police Chief, and #6 To Consider the Purchase, Exchange, Lease or Value of Real Property

7:00 p.m. - Regular Meeting

Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda

- **Approval of Minutes of July 11, 2017, July 18, 2017, July 22, 2017 and July 25, 2017**

Comments and Concerns of Citizens

Scheduled Appearances

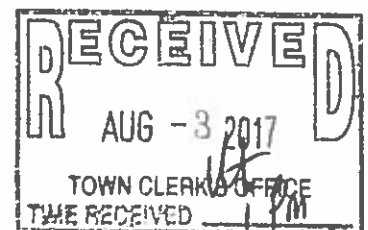
- **7:05 p.m. Principal Elwell – Committee to Review WJSHS Graduation Requirements**

New Business

- **Appointment of Police Officer: Benjamin E. Regin**
- **Marijuana By-Law Update: Send to Planning Board for Public Hearing**
- **Review of Vehicle Policy: GPS**
- **Discussion of Police Department Positions**
- **Retroactive approval of Special Event Permit: Proprietors of the Ware Center Meeting House, Sundaes on Sunday, August 6, 2017, 1:00 p.m. – 3:00 p.m.**
- **Application for Appointment to Planning Board, Alternate Member: Edward Murphy, Term to Expire June 30, 2019**
- **Application for Appointment to Zoning Board of Appeals, Alternate Member: Andrew Choquette, Term to Expire June 30, 2019**
- **Application for Appointment to ByLaw Committee: Francis W. Cote, No Term Expiration**
- **Acceptance of Resignation: William Adams, Community Development Authority, Term to Expire June 30, 2018**
- **Review Updated Special Event Permit Checklist & Application**

Town Manager Report

Adjournment





**Board of Selectmen
Ware Town Hall, 126 Main Street, Meeting Room
Regular Meeting Minutes
Tuesday, July 11, 2017 at 7:00 p.m.**

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

Present: Selectman Nancy J. Talbot, Selectman Alan G. Whitney, Selectman Tracy R. Opalinski, Selectman John E. Carroll, Selectman Michael P. Fountain, Town Manager Stuart Beckley, Hardwick Selectman Kenan P. Young, Hardwick Selectman Kelly G. Allen, Hardwick Selectman Julie M. Quink, Hardwick Town Administrator Theresa Cofske, Stanley Ciukaj, Ware Community TV

Opening Remarks, Announcements, and Agenda review by Chair
Chairman Talbot noted the agenda items.

Consent Agenda

- **Approval of Meeting Minutes of June 20, 2017 and June 29, 2017**

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

New Business

- **Tax Analysis Handout**

Selectman Whitney moved to postpone to September 19, 2017; Selectman Fountain seconded. The motion passed unanimously (5-0).

Comments and Concerns of Citizens

Bill Jackson inquired about the shrubs at Rite Aid; Mr. Beckley stated he would call on July 12, 2017.

Keith Krukas inquired why the tax information was tabled; Selectmen noted this would be discussed at a September meeting.

Cathy Cascio inquired why a Public Hearing was not held regarding the ambulance services, and the public had no chance to ask questions or voice concerns. Mr. Beckley noted the request for residents' questions was on the Town website and in the newspaper. Chairman Talbot noted that Ms. Cascio could ask her questions now. Ms. Cascio questioned the cost of expanding the ambulance services to another town, would there be a need for a substation, was is the compensation to the town and will that cover benefits, salaries, workers' compensation, training. Ms. Cascio questioned if there is a quick-out clause, and noted the town should take care of Ware first. Chairman Talbot noted all these concerns are covered in the agreement.

Scheduled Appearances

- **7:05p.m. Weir River Social Club, Inc. – Review of Application of Change of Manager, Change of Beneficial Interests**

Selectman Opalinski moved approval of the application; Selectman Whitney seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Abstention (Selectman Fountain).

- **Approval of One-Day Liquor License Application – Workshop 13, Friday, July 14, 2017**
Selectman Opalinski moved approval of the license; Selectman Fountain seconded. The motion passed unanimously (5-0).

- **LATE FILE: Approval of One-Day Liquor License Application – Ware Council Home Association (Knights of Columbus), Saturday, July 15, 2017**
Selectman Opalinski moved approval of the license; Selectman Whitney seconded. The motion passed unanimously (5-0).

- **7:15 p.m. Board of Selectmen Joint Meeting with Hardwick Selectmen RE: Ambulance Contract**

The Hardwick Board of Selectmen and Town Administrator joined the Ware Board of Selectmen to discuss the ambulance agreement. Mr. Beckley note the agreement reflects the work of both Boards, Chief Coulombe, Mr. Beckley, and the ambulance subcommittee. The Ware Fire Department has been providing the service since April 1, 2017. The amount of \$60,000 will be paid by Hardwick to Ware for FY2018, plus \$15,000 retroactive will be paid by Hardwick to Ware for FY2017. The agreement will be for three years, with annual review. Approximately \$100-150,000 will go to ambulance reserve fund from receipts.

Selectman Carroll stated that #4 should be changed to deposit annual payment of funds to the General Fund. Selectman Carroll noted that an annual review is important, while a contract of three years will give a complete picture of how the agreement is working. Selectman Carroll noted he is a proponent of regionalization, and this agreement is a start in that direction with a savings and benefit to both towns. Ms. Cascio questioned #1 which gives the Fire Chief discretion, and further suggested use of private ambulance services for Hardwick without increase and stress to resources of the Town of Ware. Chairman Talbot noted that the data analysis showed greater costs with private ambulance services.

Ms. Cascio stated that taxes are too high, and questioned whether ambulance bills are being paid; Mr. Beckley noted that perception is incorrect and approximately 3% in current data show as not paid. Resident John Desmond objected to the agreement, noting the Fire Chief's statement in the 2016 Town Report regarding the strain on resources, closing of the hospital, and time involved in this service. Mr. Desmond argued that this agreement should have been presented at Town Meeting or as a ballot vote. Chairman Talbot noted that the Board of Selectmen are elected to make such decisions for the community, and Hardwick included the appropriation for this in their town meeting budget.

Resident Kim Ring questioned what happens when people do not pay for the ambulance service; Mr. Beckley noted that the town bills several times for the insurance payment and resident payment portions. Resident Jennifer McMartin questioned the numbers on paper versus these are people's lives, and it is dangerous to say there is only a 2.5 call increase, as this changes day to day because of life events. Ms. McMartin stated it took her over 25 minutes to drive from Hardwick to Ware.

Selectman Opalinski noted that the system is dual based with the ambulance and fire plus mutual aid. Chairman Talbot noted all these considerations were examined in the subcommittee.

Resident Bill Jackson compared this agreement to the deal with Kanzaki Papers several years ago, and stated that the agreement looked good in writing, but did not work in reality. Mr. Jackson cautioned the Board to think this over carefully.

Resident Brandy Bruso questioned the use of the annual payments; it has been proposed that the annual funds be deposited to the General Fund.

Selectman Opalinski moved to accept the ambulance agreement, with changes to #4 (Add “The annual payment of funds shall be deposited to the General Fund”), #7 (Remove “At the end of this initial term, this Agreement shall automatically renew for successive one (1) year terms.”), and #10 (Revise to read “A member of the Board of Selectmen from each town, the Town Manager/Administrator for each town, the Ware Fire Chief, and one resident from each town shall comprise the Committee.”); Selectman Carroll seconded. The motion passed on a vote of 4 Yes, 1 No (Selectman Fountain).

Hardwick Selectman Allen moved to accept the ambulance agreement, with changes to #4 (Add “The annual payment of funds shall be deposited to the General Fund”), #7 (Remove “At the end of this initial term, this Agreement shall automatically renew for successive one (1) year terms.”), and #10 (Revise to read “A member of the Board of Selectmen from each town, the Town Manager/Administrator for each town, the Ware Fire Chief, and one resident from each town shall comprise the Committee.”); Hardwick Selectman Quink seconded. The motion passed on a vote of 3 Yes, 0 No.

- Reappointments to Community Development Authority:
 - Brenda Cooper, Term to Expire June 30, 2018
 - Tracy Opalinski, Term to Expire June 30, 2019
 - Paul Opalinski, Term to Expire June 30, 2020

Selectman Whitney moved approval of the reappointments; Selectman Carroll seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Abstention (Selectman Opalinski).

- New Appointment to Council on Aging: Cindy Wloch, Term to Expire June 30, 2020

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

- Reappointment to Council on Aging: Janet Ciejka, Term to Expire June 30, 2020

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

- Reappointment to Zoning Board of Appeals: Charles Dowd, Term to Expire June 30, 2020

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

- Reappointment to Zoning Board of Appeals: Gregory W. Eaton, Term to Expire June 30, 2020

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

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

- **Reappointments to Historical Commission:**
 - Kathleen A. Galford, Term to Expire June 30, 2020
 - Lynn Caulfield Lak, Term to Expire June 30, 2020

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

- **Acceptance of Resignation from Historical Commission: Judith P. B. Mosso, Term to Expire June 30, 2019**

Selectman Opalinski moved acceptance of the resignation of Ms. Mosso, with regrets, and with thanks for Ms. Mosso's service; Selectman Whitney seconded. The motion passed unanimously (5-0).

Town Manager Report

Mr. Beckley noted that openings on boards/committees are an item on the town website. The town has received notice that it has been approved for a grant from Stanton Foundation for a dog park. The legislature has completed the State budget, with only an increase of \$800 for the Town of Ware. The new Senior Citizen van will arrive next week. The exterior walls of the Senior Center need repair. The ZBA will hold a public hearing regarding 73 South Street at 7pm on July 12, 2017.

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

Selectman Opalinski moved to Adjourn Regular Session at 8:00 p.m. to move into Executive Session per MGL Chapter 30A, Section 21 (a) #2 Negotiations, and #6 Real Property, NOT TO RECONVENE IN OPEN SESSION; Selectman Fountain seconded. The motion passed on a Roll Call Vote of 5 Yes, 0 No:

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

Attest:


Mary L. Midura, Executive Assistant



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

**Special Meeting Minutes
Tuesday, July 18, 2017 at 6:30 p.m.**

Present: Selectman Alan G. Whitney, Selectman John E. Carroll, Selectman Michael P. Fountain, Selectman Tracy R. Opalinski, Town Manager Stuart Beckley, Stanley Ciukaj, Ware Community TV

Absent: Selectman Nancy J. Talbot (recused)

Meeting Opened – Selectman Whitney chaired the meeting.

Scheduled Appearances

- **Police Chief Interviews/Discussion**

JOHN PAJAK

Vision & Analysis:

Candidates have been asked to provide a 2-3 minute presentation on a 5-year Strategic Plan with proposed changes that they believe are needed that benefit both members of the Police Department and the Taxpayers. This presentation will include analysis of Strengths, Weaknesses, Opportunities and Threats and proposed changes that you believe are needed as well as strategies for implementation.

Mr. Pajak noted he would do an assessment during the first 180 days to determine what the department needs, using IMC data to drive those decisions. Regarding perception v. reality, the first year would be to adjust and assess, during the second year to assess external needs for senior citizens, businesses, schools, neighborhoods. Mr. Pajak noted he would prioritize as a road map to implement changes by end of 2nd year. During the 3rd and 4th years in the operating budget, work with personnel in career paths with ongoing data analysis. In the 5th year to validate the agency, look back and adjust and begin cycle over, using climate surveys and ideas of what employees want.

1A. Noise Pollution Complaints – Palmer Racetrack – Exhaust from Trucks, Cars – How would you deal with these situations?

Mr. Pajak noted that for noise pollution, the DEP can lend equipment to the Board of Health, but chronic noise or vehicle traffic should be dealt with ongoing traffic enforcement on a day to day and incident basis.

QUESTIONS: (Leadership Skill Sets)

1. Describe how your professional development and your work experience has prepared you to be the best and most effective candidate for the Chief's position.

Mr. Pajak noted his many years of service, from part-time law enforcement in Hardwick, as a civil service police officer. The choice came to be sergeant in Ware, or go to State Environmental Police; Mr. Pajak went to State Environmental Police. Mr. Pajak worked in specialized investigative, weapons training, large animal response, Marine Bureau, supervisor at Logan Airport and Coast Guard, among others. Mr. Pajak was lead in operations for Sail Boston 2000, search and rescue, anti-gang activity Central MA, eventually overseeing 74 cities & towns, assigned to Attorney General, one of the ranking officers in Molly Bish investigation, often supervising up to 100.

2. Describe how you would track, assess and manage the department's accountability and productivity of officers including discipline measures.

Mr. Pajak noted he would use IMC to track data and hours on activities, while discipline must be separated from regular operations. Had to suspend an officer for six months with psychological behavior, but also did complete investigation and report.

3. Describe how you would work to retain and recruit officers.

Mr. Pajak noted the organizational climate is important as the officers risk their lives daily. There must be a fair systems of awards and rewards, including recognition of the officers' daily work.

4. Describe your experience and approach to labor/management relations in a union setting. Describe the Chief's rights and responsibilities as well as the union's rights and responsibilities?

Dealt with on both sides, neg. contracts – drive the train collective bargaining agreement – framework – selectboard – rules and regs. – Chief's as fiduciary for town – people with equipment – workforces – operations in time & equipment.

5. Describe how you would accomplish ongoing professional development for yourself and your subordinates?

Law – MPTC – a) basic needs first responder b) specialized training c) training NE Chiefs – command training at Roger Williams University – believe in professional reading – topics deal with – language – thoughts – equipment – LE community

6. Conservative financial management of scarce municipal resources is a necessity in Ware as it is in many communities. Describe how you plan to maintain the department budget and include any relevant work experience and size of budget you oversaw and an example of why you may have gone over budget and how was it remedied.

Budget – mandatories 1st, priorities – partner w/other agencies – Ware PD – basic funding staff & equipment – contractual obligations, use PT officers –w/o worked for understaffed, 40 retired, budget cutbacks, essential, ware – be prepared for austere budget – could be layoffs, hope not, budgets in \$millions

7. Please provide what you perceive to be the top 3-4 improvements that are needed in the Ware PD?

Morale, focus, shift has priorities – a tad myopic – drug problems, bigger picture – threats: budget, short staff – WPD has high caseloads, morale with WPS doing 1/3 more cases
Positive – direction, work, unanswered - unknown

8. Describe your initial 6 month plan to undertake and prioritize tasks as new Chief?

b) How you will effect a new culture of leadership from being peer (or outside) to being the leader?

Been peer, mentor, outsider – reputation – military background – command authority – not an outsider – not hurdle – start 5 year plan – data – face to face with each officer – details – good department – understand well-disciplined.

9. Tactical efforts such as the use of dash and body cameras have been seen to both protect officers and citizens to identify instances of officer misconduct. Please explain your reasons to support or oppose such cameras for the Ware Police Department, and if you do support their usage, how would you seek to obtain them?

Citizens panel – was leery of cameras, not benefit proven – becoming a believer – social media/publications – citizens' perception – tempers w/reality – concerned with expense – grants – some promote on trial basis with departments – not opposed if equipped -data

10. In terms of law enforcement and court conviction, what is your experience and relationship with the District Attorney and Hampshire Court System and how will you go about improving those relationships?

Good relationship with NWDA and staff – last Western MA – Courts for years; Northampton District and Belchertown District Court – now in Hampden County – State Police

11. Describe how often and what type of resources do you utilize to keep informed on best practices for policing including the avoidance of discrimination? How will you go about ensuring your employees get this latest information?

Linkedin – professional publish – Law & Order magazine – Mass Bar Association – weekly list of landmark cases – list from MPTC decisions – roster reading list – electronic distribution

12. Faced with 21st century challenges and limited resources, many communities like Ware face illegal drug crime, which stirs community's fears. Do you have ideas or examples of innovative practices that address the Police Department's role in the opioid crisis that you would look to adopt in Ware? What would be your goals in adopting these practices? Would you consider having officers, as first responders, carry Narcan with them?

Discuss Narcan w/Fire Chief & EMS requires agreement; innovative practices are often ineffective. Believe in deterrence w/schools regarding opioids, use of voluntary speakers, talk to senior citizens, encourage use of drug collection boxes. Like old school crimewatch "see it, say something" use of tiplines. Work with Hampshire County Task Force and other agencies, DA's office. Regarding repeat offenders, involve medical & mental health field. Take the\$ out, will solve some; seize assets, but situation is multi-faceted.

13. Describe your work experience handling a crisis situation or major crime event; please describe your experience in dealing with the media in such instances.

Agency spokesman, prefer to deal openly, assigned to Molly Bish case, Sail Boston 2000, environmental police spokesman.

CHRISTOPHER ADAMS

Vision & Analysis:

Candidates have been asked to provide a 2-3 minute presentation on a 5-year Strategic Plan with proposed changes that they believe are needed that benefit both members of the Police Department and the Taxpayers. This presentation will include analysis of Strengths, Weaknesses, Opportunities and Threats and proposed changes that you believe are needed as well as strategies for implementation.

5 years – incorporate department with core values with input from employees & community. Set goals, create solid foundation between community and police. The community does not think we do all we can. Buildings need to be updated, notify landlords of town, and bring business to raise the level of the community wealth. It may take longer to improve morale, often tough to work without FT chief and leader.

1A. Noise Pollution Complaints – Palmer Racetrack – Exhaust from Trucks, Cars – How would you deal with these situations?

When on patrol, loud exhaust, pull over, citation, check actual registration, fight in court, and do not have decibel readers. We have to refer calls on track to Palmer.

QUESTIONS: (Leadership Skill Sets)

1. Describe how your professional development and your work experience has prepared you to be the best and most effective candidate for the Chief's position.

Det 2 years – evidence officer since 2000 – school resource officer – presence – SRO program – scheduling, purchase & sales

2. Describe how you would track, assess and manage the department's accountability and productivity of officers including discipline measures.

Not in place now – accreditation process – cost concern – apply, certify, maintain – guideline – successful in personnel – find policy, still follow without cost of accreditation.

3. Describe how you would work to retain and recruit officers.

Influx of those leaving (5 in 7 years) – movement in personnel & positions, funding, training, opportunities to grow in departments those officers have gone to.

4. Describe your experience and approach to labor/management relations in a union setting.

Describe the Chief's rights and responsibilities as well as the union's rights and responsibilities?

Part of union as Vice President 5 years – process opens eyes – sit w/ reps – open conversation would be beneficial – deal w/ union better

5. Describe how you would accomplish ongoing professional development for yourself and your subordinates?

Training, online classes, specialized; benefits are better officers – MPI – grants, payment plans, time to take those courses.

6. Conservative financial management of scarce municipal resources is a necessity in Ware as it is in many communities. Describe how you plan to maintain the department budget and include any relevant work experience and size of budget you oversaw and an example of why you may have gone over budget and how was it remedied.

Overtime costs – shifts are short staffed – 2-3 officers implement – OT budget – investment – career wise – other cost remedies

7. Please provide what you perceive to be the top 3-4 improvements that are needed in the Ware PD?

Computers have been updated. Security system, building itself, cameras in the booking area are needed – civilians & staff, body cameras, but liability questions.

8. Describe your initial 6 month plan to undertake and prioritize tasks as new Chief?

b) How you will effect a new culture of leadership from being peer (or outside) to being the leader?

Insider will be positive with 20 years+ good rapport; morale in 6 months – create positive workplace to benefit community

9. Tactical efforts such as the use of dash and body cameras have been seen to both protect officers and citizens to identify instances of officer misconduct. Please explain your reasons to support or oppose such cameras for the Ware Police Department, and if you do support their usage, how would you seek to obtain them?

Yes, positive – protect officers and civilians – camera saves – fundraisers, businesses to obtain tasers for the department.

10. In terms of law enforcement and court conviction, what is your experience and relationship with the District Attorney and Hampshire Court System and how will you go about improving those relationships?

Very good – OUI 200 – day shift – evidence – court time – officers not court – increase relationships – get to court – familiar with DA and staff.

11. Describe how often and what type of resources do you utilize to keep informed on best practices for policing including the avoidance of discrimination? How will you go about ensuring your employees get this latest information?

Obtain through internet websites for updates in laws; maintain online credentials – officers now informed.

12. Faced with 21st century challenges and limited resources, many communities like Ware face illegal drug crime, which stirs community's fears. Do you have ideas or examples of innovative practices that address the Police Department's role in the opioid crisis that you would look to adopt

in Ware? What would be your goals in adopting these practices? Would you consider having officers, as first responders, carry Narcan with them?

3-4 days certified to administer Narcan – dealers – manpower – hole in narcotics investigation – more man on street – out in community – walk the beat – familiar w/community – people tell us what's going on.

13. Describe your work experience handling a crisis situation or major crime event; please describe your experience in dealing with the media in such instances.

Media – back scene – homicide by hospital – evidence – State Police commendation, maintained good relationship. Worked several years ago as patrol officer on bomb scare at Big Y.

SHAWN CREVIER

Vision & Analysis:

Candidates have been asked to provide a 2-3 minute presentation on a 5-year Strategic Plan with proposed changes that they believe are needed that benefit both members of the Police Department and the Taxpayers. This presentation will include analysis of Strengths, Weaknesses, Opportunities and Threats and proposed changes that you believe are needed as well as strategies for implementation.

Immediately filling open position & create Lieutenant position – oversee – proceed w/training – more sex assault, narcotics cases – vacant position – leadership – send sergeants & lieutenant – 18 day leadership – close – school – would comply with regulations – focus on leadership – attend LEEDA school - invest in officers & management – new issues – FBI National Academy – cyber, best practices – want Lt. as non-union – pros & cons of small department.

1A. Noise Pollution Complaints – Palmer Racetrack – Exhaust from Trucks, Cars – How would you deal with these situations?

MV violation for modified exhaust, we give chance to correct, decibel readers, not have now, officers need court time; magistrate gives opportunity to correct. If vehicle is an issue, give citation, warning, if not corrected, violation.

QUESTIONS: (Leadership Skill Sets)

1. Describe how your professional development and your work experience has prepared you to be the best and most effective candidate for the Chief's position.

21 years for Town of Ware – fulltime, investigation & narcotics – evidence – court successful – management – 2012 Sergeant – continued – stepped in & filled in for chief – department & all issues – commitment with town, policies & procedures

2. Describe how you would track, assess and manage the department's accountability and productivity of officers including discipline measures.

Computer system, incident reports for all entered – file each officer – follow through tracking – address disciplinary & document – be able to adapt & innovative to work as educator

3. Describe how you would work to retain and recruit officers.

New officers' applications, part time current officers, speak with other chiefs, follow civil service and seek guidance.

4. Describe your experience and approach to labor/management relations in a union setting. Describe the Chief's rights and responsibilities as well as the union's rights and responsibilities?
5 years rep of town – get along, accomplished, the main thing is fairness in negotiations

5. Describe how you would accomplish ongoing professional development for yourself and your subordinates?

Training – profession with drastic change – several officers are fluent with computer system – stay on top of change – LEEDA cost \$650-700 per officer for 4 days – send 5 to training – worked with Mr. Leon at BHN with training paid by a grant for 40 hours on mental illness, PTSD veterans, and autistic children. Hope to send 5 in the Fall – State Police offers.

6. Conservative financial management of scarce municipal resources is a necessity in Ware as it is in many communities. Describe how you plan to maintain the department budget and include any relevant work experience and size of budget you oversaw and an example of why you may have gone over budget and how was it remedied.

Took over as Acting Chief – supplies line was over, remedied with 2 salaries – department came in under budget – returned \$2,500 parking lot funding, personnel and costs to maintain \$1.5million budget.

7. Please provide what you perceive to be the top 3-4 improvements that are needed in the Ware PD?

Training, Detective position, open management positions – expand evidence room – storage, security, lighting, narcotics officer.

8. Describe your initial 6 month plan to undertake and prioritize tasks as new Chief?

b) How you will effect a new culture of leadership from being peer (or outside) to being the leader?

Sergeant, Lieutenant positions, detective & narcotics training, lead by example, others know my work ethics, no doubt about a great department. It's better as insider, as I know firsthand about the recent opioid deaths problems.

9. Tactical efforts such as the use of dash and body cameras have been seen to both protect officers and citizens to identify instances of officer misconduct. Please explain your reasons to support or oppose such cameras for the Ware Police Department, and if you do support their usage, how would you seek to obtain them?

Cameras support what actually occurred, concerns of data storage space, grants to support.

Administration Officer Cacela obtained grant for child safety seats - just completed a 3 day training.

10. In terms of law enforcement and court conviction, what is your experience and relationship with the District Attorney and Hampshire Court System and how will you go about improving those relationships?

Great reputation with past DA, prosecutor worked w/WPD, some cases written and based on WPD, Drug Task Force, manpower, also DEA – pros & cons financially.

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

11. Describe how often and what type of resources do you utilize to keep informed on best practices for policing including the avoidance of discrimination? How will you go about ensuring your employees get this latest information?

Procedural justice – training focused on bias & racial – new cadets are trained – officers should stay up to date

12. Faced with 21st century challenges and limited resources, many communities like Ware face illegal drug crime, which stirs community's fears. Do you have ideas or examples of innovative practices that address the Police Department's role in the opioid crisis that you would look to adopt in Ware? What would be your goals in adopting these practices? Would you consider having officers, as first responders, carry Narcan with them?

Policy – 10-12 trained – s/b w/in 2 weeks – community engagement – public perception – bike, K9 – events – opioid coalition to combat the crisis – certification – DTF several meetings – post opioid team to guide toward treatment, services, would personally transport to facilities.

13. Describe your work experience handling a crisis situation or major crime event; please describe your experience in dealing with the media in such instances.

Major – 10 years, case of infant in park, worked with State Police – media not hinder investigation – work with agencies, good rapport established.

Selectman Whitney thanked all three candidates for their answers, and thanked the subcommittee and Mr. Beckley and Mary for their work on this selection process. Selectman Opalinski questioned if a background check would be done on all candidates; Mr. Whitney noted that a background check would be done on the Board's final choice.

At 8:08 p.m., Selectman Opalinski moved to Adjourn; Selectman Carroll seconded. The motion passed on a vote of 4 Yes, 0 No.

Attest: _____

Mary L. Midura
Mary L. Midura, Executive Assistant



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

**Special Meeting Notice Agenda
Saturday, July 22, 2017 at 9:00 a.m.**

Present: Selectman Alan G. Whitney, Selectman John E. Carroll, Selectman Michael P. Fountain, Selectman Tracy R. Opalinski, Town Manager Stuart Beckley, Stanley Ciukaj, Ware Community TV

Absent: Selectman Nancy J. Talbot (recused)

Meeting Opened – At 9:00 a.m., Selectman Whitney chaired the meeting and opened the discussion.

Deliberation/Selection of Police Chief

Selectman Fountain stated his choice for Police Chief was Shawn Crevier, as having the best experience. Selectman Fountain noted his disagreement with candidate John Pajak as an out-of-town person and “the boss’ decision is always right.”

Selectman Carroll stated his choice for Police Chief was John Pajak, although Mr. Pajak was not in favor of accreditation due to costs. Selectman Carroll stated that Mr. Pajak would bring the benefits of an exposure to many different agencies and forms of police work to the Ware Police Department. Selectman Carroll noted that all candidates had good points and any of the three would make a good Police Chief.

Selectman Opalinski noted her election showed a trust by the residents of Ware, and she did her own extensive research. Selectman Opalinski stated that Ware is a mill town with a large opioid problem, and Mr. Pajak’s environmental work cannot be compared to local issues. Selectman Opalinski noted that her research proved that Ware has a great department with dedicated people, policies and procedures.

Selectman Opalinski moved to appoint Shawn Crevier as Police Chief of Ware.

Selectman Whitney noted his ranking of the candidates was Shawn Crevier and John Pajak in a tie, and then Christopher Adams. Selectman Whitney noted his choice was Shawn Crevier for Police Chief.

Selectman Carroll noted this was obviously a 3-1 vote, but he would like the vote to be unanimous, and would support the majority choice.

Selectman Fountain seconded the motion to appoint Shawn Crevier as Police Chief of Ware.

Mr. Beckley requested that “contingent upon a background check and negotiated contract” be added to the motion.

Selectman Opalinski amended her motion to appoint Shawn Crevier as Police Chief of Ware, contingent upon a background check and negotiated contract, including FBI training, and that the Town Manager contact MMA for up-to-date civil service contract language, and including backfill of positions.

Selectmen Whitney, Carroll and Fountain noted that this meeting was only to appoint the Police Chief.


Selectman Opalinski amended her motion to appoint Shawn Crevier as Police Chief of Ware, contingent upon a background check, negotiated contract, and physical examination; Selectman Fountain seconded. The motion passed on a vote of 4 Yes, 0 No.

Mr. Beckley noted that the background check should be done by July 25, and ready by July 28, 2017.

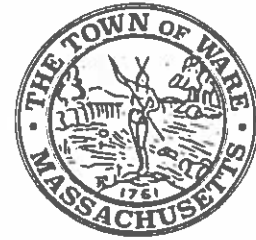
Selectman Opalinski requested further discussion of the police department positions be placed on the August 8, 2017 agenda.

At 9:12 a.m., Selectman Opalinski moved to Adjourn; Selectman Fountain seconded. The motion to Adjourn passed on a vote of 4 Yes, 0 No.

Attest:



Mary L. Midura, Executive Assistant



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

Regular Meeting Notice Agenda Tuesday, July 25, 2017 at 7:00 p.m.

Present: Selectman Nancy J. Talbot, Selectman Alan G. Whitney, Selectman Tracy R. Opalinski, Selectman Michael P. Fountain, Town Manager Stuart Beckley, Stanley Ciukaj, Ware Community TV
Absent: Selectman John E. Carroll

Meeting Opened by Chairman Talbot

Chairman Talbot requested a Moment of Silence to honor Stephen Peters, who tragically died on July 20, 2017, and to honor Dr. Arthur Dwight Bramble, who died July 12, 2017.

Opening Remarks, Announcements, and Agenda review by Chair

Chairman Talbot noted the scheduled appearances at this meeting.

Selectman Opalinski asked if the marijuana by-law will be on the November town meeting. Mr. Beckley noted that the Planning Board is working with Ruben Flores-Marzan, Community Development Director. Another ballot question would be required to ban the sale of recreational marijuana. An update will be given on August 8, 2017.

Selectman Fountain stated that the ambulance agreement should have been put to a vote at Town Meeting.

Consent Agenda – none

Comments and Concerns of Citizens - none

- **Approval of Special Event Permit – “Chicago”, Produced by Ware Community Theatre, August 5, August 6, August 12, and August 13, 2017**

Selectman Whitney moved approval of the Special Event Permit; Selectman Opalinski seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

Chairman Talbot noted Selectman Carroll is away on vacation.

- **Approval of One-Day Liquor License Application – Ware Council Home Association (Knights of Columbus), Sunday, July 30, 2017**

Selectman Opalinski moved approval of the license; Selectman Whitney seconded. The motion passed on vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

- **Approval of One-Day All Alcoholic Liquor License Application – Ware Council Home Association (Knights of Columbus), Saturday, August 19, 2017**

Selectman Whitney moved approval of the license; Selectman Opalinski seconded. The motion

passed on vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

- **Application/Policy for Boards and Committees**

Selectman Opalinski moved to accept the updated application/policy for Boards and Committees, including the following additional wording:

COMMITTEE ATTENDANCE POLICY (for appointed committees)

Add: "Committees or boards shall have an annual election of new officers at the beginning of each fiscal year."

COMMITTEES AND BOARDS – RESIDENCY POLICY

Add: "In instances when non-residents have particular knowledge or skills that will benefit a particular committee, the appointing authority may appoint non-residents, but a committee or board may not have more than 50% non-resident members."

Selectman Fountain seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

- **New Appointment to Finance Committee: Devin M. Peterson, Term to Expire June 30, 2020**

Selectman Opalinski moved approval of the appointment; Selectman Whitney seconded. The motion passed on vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

- **New Appointment to Ambulance Oversight Committee: Jennifer McMartin**

Selectman Opalinski moved approval of the appointment; Selectman Whitney seconded. The motion passed on vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

Selectman Opalinski moved to appoint Selectman Whitney to the Ambulance Oversight Committee; Selectman Talbot seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

Town Manager Report

Mr. Beckley noted that Thursday, August 17, 2017 at 7:00 p.m., there will be a Design Public Hearing by Mass DOT regarding Main Street design. This will include roads, sidewalks, lighting, and trees. There will be time for the public's comments, but DOT may not give answers that night. Selectman Opalinski suggested that interns pass out flyers to businesses. The work is scheduled for 2019 – 2020.

Scheduled Appearances

- **7:15 Public Hearing for Release of Land Under Chapter 61B – 50 Morse Avenue**

Chairman Talbot read the Public Hearing Notice.

Selectman Whitney moved to waive right of first refusal per MGL Chapter 61B; Selectman Fountain seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

- **7:20 p.m. Review of RT's Welding Fabrication & Auto Repair, Inc. Class III License**
Attorney Matthew Donohue, representing RT's Welding Fabrication & Auto Repair, Inc., informed the Board of Selectmen that the fence has been completed, 13 arbor vitae have been planted, and the property now meets all requirements of the Class III license. Attorney Donohue noted that videos submitted by Mr. Krasnecky have duplicate entries, incorrect time stamps, and inaccuracies regarding the noise levels. Attorney Donohue noted the constant complaints and history of their neighbor being unhappy with this business. He stated that the Board of Selectmen should not be concerned; only Mr. and Mrs. Krasnecky have a problem. Attorney Donohue noted that the zoning laws allow pre-existing non-conforming use. Attorney Donohue stated that his client has conducted good business and paid all taxes.

Chairman Talbot noted she has driven by the business and noted the completed fence.
Selectman Opalinski noted she also drove by the business and that businesses have constitutional rights.
Mr. Krasnecky stated that the business was a dairy bar when he moved into his home. Mrs. Krasnecky stated that she would be glad to review the videos with the Board.
Chantel Bleau stated that there was a motorcycle repair shop at this location in 1974-1975.

Chairman Talbot noted that all conditions of the Class III license have been met, and there is nothing further to discuss at this time.

Town Manger Report (continued)

Mr. Beckley noted that the town has been awarded, with Warren and Hardwick, and FY2017 Community Development Block Grant of \$1,053,100.

The town has received the grant for the design of the dog park. There is no need to RFP, but Stanton Foundation requires someone with previous dog park design experience to do the work.

The town received one proposal for South Street School – Optimus LLC proposed \$100,000. If approved, the Zoning Board of Appeals several weeks ago approved a special permit for non-conforming structure. The building would be four stories, with sprinkler system between floors.

Planning Board approved a special permit for 2 megawatt solar facility in back of Canadian Timber.

Selectman Fountain noted that Cindy Wloch and Brandy Brusio have continued to raise funds for the 9/11 Memorial at the Ware Fire Station.

The dog park committee has not yet filed for 501(c) 3 status.

Executive Session: MGL Chapter 30A, Section 21 (a) #2 Negotiations, and #6 To Consider the Purchase, Exchange, Lease or Value of Real Property TO RECONVENE IN OPEN SESSION.

Selectman Whitney moved to Adjourn Regular Session at 7:45 p.m. to move into Executive Session per

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

MGL Chapter 30A, Section 21 (a) #2 Negotiations, and #6 To Consider the Purchase, Exchange, Lease or Value of Real Property, TO RECONVENE IN OPEN SESSION; Selectman Opalinski seconded. The motion passed on a Roll Call Vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll):

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

Selectman Whitney moved to Adjourn Executive Session at 8:09 p.m., TO RECONVENE IN OPEN SESSION; Selectman Fountain seconded. The motion passed on a Roll Call Vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll):

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

The Board of Selectmen reconvened in Open Session at 8:10 p.m.

Chairman Talbot announced that the Board of Selectmen have agreed to accept the offer by Optimus Senior Living, LLC of \$100,000 for the South Street School.

Selectman Opalinski moved to accept the RFP bid proposal by Optimus Senior Living, LLC and to accept the price of \$100,000 for the South Street School, with conditions: 1) If significant construction progress has not occurred within two years, the Town may exercise an option to re-acquire the property for \$100,000, and 2) All units shall be at market rate; Selectman Whitney seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

At 8:11 p.m., Selectman Opalinski moved to Adjourn; Selectman Whitney seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

Attest: _____

Mary L. Midura
Mary L. Midura, Executive Assistant



TOWN OF WARE POLICE DEPARTMENT

22 NORTH STREET, WARE, MASSACHUSETTS 01082 - 1004
TEL: (413) 967-3571 FAX: (413) 967-9606



SHAWN C. CREVIER
CHIEF OF POLICE

TO: The Board of Selectmen
FROM: Chief Shawn C. Crevier
DATE: August 3, 2017
RE: Full time Police Officer Appointment

I am recommending that the Board of Selectmen appoint BENJAMIN E. REGIN for the open Full Time Police Officer position for the Ware Police Department. Benjamin has been a part time Police Officer for the Town of Ware for the past 2 years. Benjamin has a great work ethic and is very professional in his Police duties.

Respectfully,

A handwritten signature in cursive script, reading "Chief Shawn C. Crevier".

Chief Shawn C. Crevier

Ware Police Department

August 2, 2017

Ware Police Department
Attn: Chief Shawn Crevier
22 North St.
Ware MA 01082

Chief Crevier,

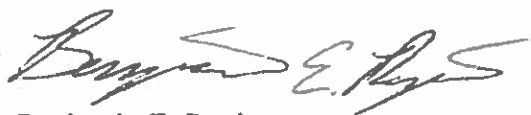
I am writing to express my interest in a full-time Patrolman vacancy within the Town of Ware Police Department. I have been striving diligently for the last five years to begin a full-time career in law enforcement. I believe as a life-long resident of the Town of Ware, I could make a career out of bettering our community.

For the last two years, I have been fortunate enough to have the opportunity to work upwards of 2,500 hours as a part-time Patrolman for the Towns of Ware and Hardwick. During this crucial time, I've learned what the role of law enforcement encompasses and the responsibilities that come with it. Through my two years of extensive part-time experience, I have learned the demands of the occupation, the importance of teamwork on the job and the general mission of municipal policing on a community level.

During the course of my studies at Franklin Pierce University, I completed four years of higher education where I acquired my bachelor's degree in criminal justice. During my studies of criminal justice I pursued the Fire and EMS public services, obtaining certifications in both fields in an effort to become a well-versed police officer. I believe this extended background has helped better prepare me to handle the many tasks a police officer will face in the course of their career.

I am seeking an opportunity to not only start a career, but to become part of a team that is actively making a difference in our communities. I am hopeful to join a proactive police department that is held to a high standard of professionalism, community integration, and integrity.

Respectfully,

A handwritten signature in black ink, appearing to read "Benjamin E. Regin". The signature is fluid and cursive, with the first name "Benjamin" being more prominent and the last name "Regin" following in a similar style.

Benjamin E. Regin

Benjamin E. Regin

Contact: 413.668.8326

bregin94@gmail.com

10 Boivin Avenue, Ware MA 01082

Objective:

To secure full time employment with the Town of Ware as an entry level Patrolman.

Work Experience:

Hardwick/New Braintree Police Department

307 Main St. Gilbertville MA, 01031

Police Officer

July 2015- Present

Part-time Patrolman serving two communities in central Massachusetts.

Ware Police Department

22 North St. Ware MA, 01082

Police Officer

July 2016- Present

Part-time Patrolman serving the Town of Ware.

Town of Rindge NH Fire Rescue Department

150 Main St. Rindge NH, 03461

Lieutenant, Engine Company 3

Firefighter/EMT-Basic Oct 2013-May 2016

Duties for the Town of Rindge Fire Department include responding to calls as Fire/EMS, station upkeep, regular life safety and procedural trainings/meetings.

Franklin Pierce University Emergency Medical Services Squad

40 University Drive, Mountain View Building, Rindge NH 03461

Chief EMT

Sept 2013-May 2016

Chief student supervisor; handling personnel, scheduling, logistics, fundraising, and interdepartmental relations. Primary EMS agency responding to all medical emergencies on the Franklin Pierce University campus.

Franklin Pierce University Department of Campus Safety

40 University Drive, Saint Peter's Building, Rindge NH 03461

Student Officer

September 2013- September 2015

My duties as a Student Officer with Franklin Pierce University consist of policy enforcement, traffic control, responding to calls for service and routine campus patrol.

West Alton Marina

35 West Alton Marina Road, Alton Bay NH, 03810

Seasonal Employee

September 2010- July 2015

My tasks at the marina located on Lake Winnepesaukee included customer service and sales, parking attendant, gas dock clerk and grounds maintenance.

Licenses/Certifications:

- **Certified Part-Time Police Officer (Massachusetts)**
 - Breathalyzer Test Machine Certified
 - Taser Certified
 - Narco Drug Pouch Certified
 - MPTC First Responder - CPR
 - Radar Certified
 - Standardized Field Sobriety Testing Certified
- **EMT Basic – New Hampshire Provider License/Nationally Registered**
 - Current CPR Certification
- **Certified Structural Firefighter (New Hampshire)**
 - Vehicle Stabilization/Patient Extrication Certified
 - Hazardous Materials Operations Level Certification
 - Nationally Certified Wild Land Firefighter (s-130, s-190, L-180)
- **License to Carry, Class A Large Capacity Firearms (Massachusetts)**
- **FEMA ICS 100/ NIMS 700**
- **Massachusetts Drivers License**

Education:

Franklin Pierce University, Rindge NH – Bachelor's Degree

Class of 2016, Majoring in Criminal Justice, with minors in Intelligence/Security and History, career GPA 3.15/4.0 graduated with a Bachelor's degree in May 2016.

Massachusetts Municipal Police Reserve Academy, Boylston MA

12th Intermittent Reserve Academy through Central Massachusetts Chief of Police Association, sponsored by the Town of Ware MA by now Retired Chief Dennis Healey.

State of New Hampshire Fire and EMS Academy, Concord NH

Firefighter One – Certified; Structural Fires, Hazmat Operations, Wildland Fires,
Motor Vehicle Crash Stabilization and Extraction
Emergency Medical Technician Basic - NH State EMT License
Nationally Registered EMT

Quabbin Regional High School Class of 2012, Barre MA

High School diploma, Honor Student, Varsity Golf Team, Blue Gold Key Society



TOWN OF WARE

Planning & Community Development
126 Main Street, Ware, Massachusetts 01082

t. 413.967.9648 ext. 186f. 413.967.9642
rflores-marzan@townofware.com

July 31, 2017

To: Board of Selectmen
Nancy J. Talbot, Chair
Alan G. Whitney
Tracy R. Opalinski
John E. Carroll
Michael Fountain

From: Ruben Flores-Marzan, AICP
Director of Planning and Community Development (PCD)

RE: Marijuana Ordinance

As a result of the emerging Commonwealth-wide discussion concerning the siting of marijuana facilities, the Ware Planning and Community Development Department (PCD) has been researching adopted regulations for towns in Massachusetts and elsewhere where this is a legalized use. The findings so far illustrate a majority of cities/towns in a "wait-and-see" mode while a few taking charge of the issue and developing ordinances to accommodate these facilities as a public health and economic development opportunity for their respective communities.

Based on PCD research of marijuana facility siting standards, the predominant consideration is about locating these uses within a determined distance away from where "children commonly congregate in an organized ongoing formal basis." Average distance requirements in older (2013-2015) marijuana zoning ordinances range between 500-1,000 feet. However, time and experience have demonstrated that these longer distance parameters are ineffective and biased against individuals for whom the medical profession has determined, through individualized scientific testing and diagnosis, that this substance provides the most appropriate health benefits. As a result, the distance parameter in newer ordinances (2015-present) is between 200-300 feet. PCD discussed with the Planning Board proposed language for a marijuana facilities zoning ordinance during the April 19th, May 3rd and June 7th 2017 monthly meetings respectively. A draft marijuana ordinance is attached to this memo for your consideration. Ware's draft ordinance proposes a distance of 300 feet from the front entrance of an elementary, middle and high schools; playgrounds; State-licensed childcare centers to the front entrance of a proposed marijuana facility.

Ware has a rich history of coming together in the face of economic uncertainty. This new industry offers the opportunity of addressing public health and economic development simultaneously. With proper zoning in place, Ware will be ready to proactively define where these facilities would work for both our residents and the investment community.

RFM/jpbm
cc: file

(Draft) Registered Marijuana Facilities and Cultivation Sites (Draft)

SECTION __. REGISTERED MARIJUANA FACILITIES (RMF) AND MARIJUANA CULTIVATION SITES (MCS)

Purpose

The purpose of this Section __ is to allow the siting, development and operation of Registered Medical, Recreational and/or Hybrid Marijuana Facilities (RMFs) and Marijuana Cultivation Sites (MCSs) in the Town of Ware in order to 1.) enable individuals with a debilitating medical condition, for which medical marijuana is a viable treatment, to have access to registered marijuana facilities consistent with state law, the Humanitarian Medical Use of Marijuana Act, G.L. c. 94C, App. 1-1 – Chapter 369 of the Acts of 2012, and the Department of Public Health Regulations, 105 CMR 725, and 2.) to allow for the orderly siting of establishments for the retail sale of marijuana and marijuana products.

Intent

It is the intent of Section __ to protect public health and safety; to regulate the siting, design, and safety of Registered Medical, Recreational and Hybrid Marijuana Facilities and Marijuana Cultivation Sites; to minimize adverse impacts on abutting properties; to provide adequate separation from schools, parks, and other areas where children may assemble; and to provide for site security to deter crime and uphold the safety of surrounding neighborhoods.

Definitions

Registered Marijuana Dispensary (RMD): A use operated by a not-for-profit entity registered and approved by the MA Department of Public Health in accordance with 105 CMR 725.000, and pursuant to all other applicable state laws and regulations, also to be known as a Medical Marijuana Treatment Center, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. A RMD shall explicitly include facilities which cultivate and process medical marijuana, and which may also dispense and deliver medical marijuana and related products. The cultivation and processing of medical marijuana in accordance with these regulations is considered to be a manufacturing use and is not agriculturally exempt from zoning.

Medical Marijuana Establishment: a business where the possession, sale, distribution, dispensing and administration of medical marijuana and products containing medical marijuana is authorized.

Recreational Marijuana Establishment: a business where the possession, sale, distribution, dispensing and administration of recreational marijuana and products containing and/or associated to recreational marijuana (e.g., aerosols, art, clothing, food, jewelry, literature, oils or ointments, tinctures, etc.) is authorized.

Hybrid Marijuana Establishment: a business where the combined sale of both medical and recreational marijuana and products containing and/or associated to legalized marijuana use is authorized.

Marijuana Cultivation Site: a business where the cultivation, possession, processing (including development of related products such as food, tinctures, aerosols, oils, or ointments), warehousing, distribution, transferring and transporting of marijuana and products containing marijuana is authorized.

___ Special Permit and Site Plan Approval Required

Registered Medical, Recreational, and Hybrid Marijuana Facilities and/or Marijuana Cultivation Sites require a Special Permit and Site Plan Approval. In addition to the requirements in Article 7 – Administration, Section 7.2, Special Permits, and Section 7.4, Site Plan Review, the provisions of this Section ___ shall apply to Registered Medical, Recreational, and Hybrid Marijuana Facilities (RMFs) and Marijuana Cultivation Sites (MCSs).

1. Host Community Agreement: Applicants shall submit a proposed Host Community Agreement that describes measures the Applicant intends to take to mitigate potential negative impacts on the Town and abutting neighborhood from the Registered Medical, Recreational and Hybrid Marijuana Facility and/or Marijuana Cultivation Site.

___ Separation

No Registered Medical, Recreational and Hybrid Marijuana Facility and/or Marijuana Cultivation Site may be located closer than three hundred feet (300') of a facility used, at the time of the first notice of the public hearing, for a park, playground, elementary, middle or high school, or state-licensed child day care center. This measurement shall be the distance between the Registered Medical, Recreational and Hybrid Marijuana Facility and/or Marijuana Cultivation Site and the front entrance of the building in question. Such uses shall not be prohibited from locating within three hundred feet (300') of a Registered Medical, Recreational and

Hybrid Marijuana Facility and/or a Marijuana Cultivation Site, nor shall a Registered Medical, Recreational and Hybrid Marijuana Facility and/or Marijuana Cultivation Site become nonconforming under the Zoning Bylaw if a park, playground, elementary, middle or high school, or state-licensed child day care center later locates within three hundred feet (300') of a preexisting Registered Medical, Recreational and Hybrid Marijuana Facility and/or Marijuana Cultivation Site.

___ Security Plan

In addition to the submission requirements for Special Permit and Site Plan Review, the application shall include a Security Plan designed to deter crime and protect the public safety. The Plan may include measures such as locks, gates, cameras, alarms, fences, lighting, and monitoring protocols. The Ware Police Chief may recommend changes to the Security Plan and the Town of Ware Planning Board will incorporate the Chief's recommendations in the Special Permit decision to the fullest extent practicable.

___ Standards Applicable to Registered Medical, Recreational and Hybrid Marijuana Facilities and/or Marijuana Cultivation Sites

1. An applicant shall possess a Certification of Registration from the Commonwealth of Massachusetts Department of Public Health as a Registered Marijuana Dispensary and shall comply with the Department's regulations at all times.
2. The siting, development and operation of Registered Medical, Recreational, and/or Hybrid Marijuana Facilities shall be allowed by Special Permit and Site Plan Approval in the Downtown Commercial (DTC), Mill Yard (MY) and Highway Commercial (HC) zoning districts. Marijuana Cultivation Sites are to be allowed by Special Permit and Site Plan Approval in the Mill Yard (MY), Commercial Industrial (CI) and Industrial (I) zoning districts.
3. The proposed plan shall conform to §7.2, Special Permits, §7.4, Site Plan Review, and to those zoning districts per §4.2, Use Table, where these uses are allowed.
4. The proposed plan shall provide urban design and landscaping elements to harmonize the proposed project with abutting uses so as to protect and enhance the aesthetics and architectural look and character of the surrounding vicinity.
5. The use shall not generate outside odors from marijuana use and/or production of marijuana products.
6. The proposed plan shall refer to §6.5, Signage, for the installation, type, number and size considerations of signs, as applicable.

7. Hours of operation shall be between 8:00 AM and 8:00 PM Monday thru Sunday.

8. Noise shall comply with the Noise Policy of the Commonwealth of Massachusetts Department of Environmental Protection and Division of Air Quality regulations, 310 CMR 7.10, and any local noise abatement bylaw. A noise source violates the noise regulation if the source: a.) Increases the broadband sound level by more than 10 dB(A) above ambient, or b.) Produces a "pure tone" condition – when any octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more. These criteria are measured both at the property line of the Registered Medical, Recreational, and Hybrid Marijuana Facility and/or Marijuana Cultivation Site and at the nearest inhabited dwelling unit. "Ambient" is defined as the background A-weighted sound level that is exceeded 90% of the time, measured during equipment operating hours.

9. The Town of Ware Planning Board may require a traffic study that includes an analysis of parking demand to justify the number of proposed parking spaces.

10. A Special Permit granted under this Section ___ shall be personal to the applicant and shall lapse if the applicant no longer is the holder of the Certification of Registration from the Commonwealth of Massachusetts Department of Public Health as a Registered Marijuana Dispensary. A change of the registrant shall require submission of a new Special Permit application.

VEHICLE USE POLICY OF THE TOWN OF WARE

The purpose of this policy is to set forth the guidelines under which town vehicles will be authorized to Town personnel and the guidelines under which Town vehicles may be used.

The provisions of this policy apply to all general Government employees, including the Police Chief and the Fire Chief. Employees whose employment is regulated by collective bargaining agreement are subject only to those provisions of this policy not specifically regulated by agreement.

It is the policy of the Town of Ware that certain positions require employee access to municipal vehicles. Town vehicles are NOT personal vehicles and are NOT for personal use. Town vehicles should be viewed as belonging to the Citizens of the Town of Ware and are assigned solely for the purposes consistent with providing services to those citizens.

The assignment of municipal vehicles during work time is based upon job description. Appointing authorities who have municipal vehicles available for this purpose may assign such vehicles in a manner consistent with departmental workload and employee function. The assignment of vehicles may be rescinded at any time by the Board of Selectmen or appointing authority.

For those employees authorized to take vehicles to their place of residence, vehicle use is limited to travel TO and FROM the residence and place of work. The vehicle should be driven over the most direct route taking into account road and traffic conditions. The vehicle should NOT be utilized for travel outside a direct commuting route for personal reasons.

Rules Governing Use

1. Municipal vehicles may only be used for legitimate municipal business.
2. Municipal vehicles will not be used to transport any individual that is not directly or indirectly related to municipal business. Passengers shall be limited to Town of Ware employees who are on duty and individuals who are directly associated with Town of Ware work activity (committee members, consultants, contractors, etc.). Family members shall not be transported in Town vehicles.
3. Vehicles should contain only those items for which the vehicle is designed. The town of Ware shall not be liable for the loss or damage of any personal property transported in the vehicle.
4. Employees are expected to keep municipal vehicles clean, and to report any malfunction or damage to their supervisor immediately.
5. Employees must wear seatbelts in vehicles so equipped during operation of the vehicle.
6. Employees may not operate municipal vehicles under the influence of alcohol, illegal drugs, or prescription drugs or medications which may interfere with effective and safe operations.

7. Employees who operate municipal vehicles must have a valid motor vehicle license issued by the State of Massachusetts and may be required to provide proof of valid motor vehicle license once every six (6) months
8. Employees driving municipal vehicles shall obey all applicable traffic and parking regulations, ordinances, and laws.
 - a. Employees who incur parking or other fines in municipal vehicles will generally be personally responsible for payment of such fines unless the payment of such fines by the Town of Ware is approved by the Town Manager.
 - b. Employees who are issued citations for any offense while using a municipal vehicle must notify their supervisor immediately when practicable, but in no case later than twenty four (24) hours. Failure to provide such notice will be grounds for disciplinary action.
 - c. An Employee who is assigned a municipal vehicle and who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether in he or her personal vehicle or in a municipal vehicle, must notify his or her supervisor immediately when practicable, but in no case later than twenty-four (24) hours. Conviction for such an offense may be grounds for loss of municipal vehicle privileges and/or further disciplinary action.
9. Out of Town Travel: No employee may use a municipal or private vehicle for out of town or out of state use without advance approval of their respective Department Head and the Town Manager. Prior to travel, a Travel Form must be completed and approved.
10. No personal cell phones will be used while operating a Town vehicle.

Global Positioning System (GPS). The Town may install GPS on any municipal vehicle.

GPS including any electronic tracking technology allows the Town to monitor vehicle performance, location, elevation and velocity. GPS use for public safety greatly enhances job performance, personnel safety, situational awareness, and may provide assistance in time critical scenarios. GPS may also be used for other business-related purposes, including but not limited to, measuring productivity, locating stolen vehicles, providing aid to vehicles that break down, increasing employee safety, managing Town resources effectively and ensuring employees are following assignments.

Town employees may, in the course of employment, be required to drive and/or ride in a Town vehicle equipped with GPS. The Town may use GPS at the discretion of the Town Manager or designee, and in the ordinary course of business. The Town manager shall determine the Town vehicles in which GPS will be installed, and will establish record keeping systems for data collected.

The Town may utilize data collected through GPS as part of a disciplinary investigations or discipline of its employees pertaining to the issue or abuse of their vehicles, inappropriate use of time, speeding or other misconduct. Data collected using GPS is used by the Town to further business purposes. Employees operating Town vehicles shall have no expectation of privacy regarding the information that results from such monitoring.

Employees are prohibited from altering and attempting to alter or disable GPS in Town-owned or leased vehicles.

Employees shall sign an acknowledgement form that verifies receipt and understanding of this policy.

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of Town of Ware vehicle privileges, suspension, and/or termination from Town of Ware service.

December, 2014

Vehicle Use Policy Acknowledgement

I have received the Town of Ware Vehicle Use Policy and commit to following the rules set within the policy, both for myself and for my department's staff.

Name

Date

Midura, Mary

From: Tracy Opalinski <topalinski@me.com>
Sent: Thursday, August 03, 2017 9:55 AM
To: Midura, Mary
Subject: BOS Agenda Police Positions

Senior Management Institute for Police for Lieutenant or higher (i.e.Chief)

Investing in Your Development - Tuition for the 2017 sessions of SMIP is \$9,400. A \$250 deposit must be paid by credit card at the time of application. In the event an applicant is not accepted by PERF, the deposit will be refunded in full to the credit card to which it was charged. Otherwise deposits are non-refundable. Applicants will be officially notified, via email, of their acceptance within 14 days of their application. Applicants who are not accepted will be contacted by telephone.

Tuition includes: Instruction, books, materials, program activities and events, lodging and meals for the duration of the program. Tuition does NOT include travel expenses. Applicants may choose to arrive one day before the program starts and remain on campus one day after the program ends at no additional cost, however meals before or after the program are not included. Tuition (less the deposit) may be refunded if an applicant must cancel, provided PERF is officially notified in writing or by email 90 days or more before the start of class. Refunds cannot be given when the application is received within 90 days of the start of class. However, alternate qualified personnel from the applicant's department may replace a previously accepted applicant. This SMIP had four (4) classes this year, which fills up fast. I'm sure there may be a waiting list, so all I would need is the approval/funding to schedule same, which this year or next or when funding is available. It looks like a Bachelor's Degree is also required to attend. This is a 18 day coarse.

The same for the FBI National academy, there is a waiting list for that, could be up to 2 years. I am waiting for a call back from one of the contact persons about cost.

I would like to fill the open Sgt. position that will come available as soon as the Chief's process is completed, which would need the boards approval of the appointment of the person I select for it. This can be set up at a selectmen's meeting late August or sometime in September. I would like to send the Sgts. to the FBI LEEDA class, which area all over the U.S. The cost is \$650.00 for a 4 day class which covers the tuition and materials. P.D. would have to cover room and board, meals and any Overtime if the Sgt. (s) is scheduled off on one of those class days, unless something could be worked out. So possibly \$2000.00 would cover that expense. Once again could stagger their training. The SUPERVISOR LEADERSHIP class is 10-30-17 to 11-03-17 at Biddeford Maine, The EXECUTIVE LEADERSHIP is on 10-02-17 to 10-6-17 in Hampton N.H. and the COMMAND INSTITUTE is 05-6-19 to 05-10-19 in Cheshire CT. These are the closest to MA. I could find. There are other dates through out the U.S. but we would be getting into Fight costs and so forth to get there.

Sent from my iPhone

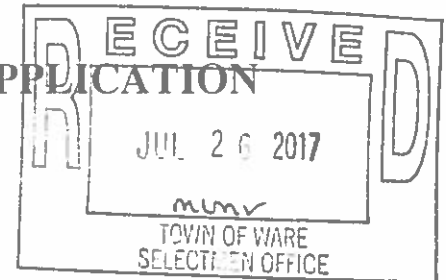


TOWN OF WARE

SPECIAL EVENT PERMIT APPLICATION

(To be posted or made available at event)

Return to: Board of Selectmen
Town of Ware, 126 Main Street, Ware, MA 01201



Application packet must be received no later than 30 days prior to the event.

Event Name: Sundae on Sunday Event Producer: Proprietors of the WCHH

Primary Contact Information:

Primary Contact Name: Coco Zins Fax: _____
Non-Profit Organization / Event: Yes ☒ No ☐
Day Phone: 413-967-8364 Cell Phone: _____
E-mail: _____ Website: _____

Event Information:

Event Address / Location: 295 Belchertown Rd - Museum
Starting Date: 8/6/17 Time: 1:00 M Ending Date: 8/6/17 Time: 3:00 M
Total attendance expected: 40-50 Rain plan: none
List any streets to be closed for special event: none

Summary of Event - Please describe the special features of the event within the box below.

Annual ice cream sundae event features live music, tours of the meeting house, kids crafts and ice cream sundaes. Open to the public.

RELEASE/HOLD HARMLESS AGREEMENT (REQUIRED FOR USE OF TOWN PROPERTY ONLY):

I, _____, a representative from _____, does hereby acknowledge that in the course of its use of property owned by the Town of Ware, namely _____ located at _____, Ware, Massachusetts, for the purpose described above, and more particularly by virtue of the presence of its agents, servants, employees and invitees, (hereinafter collectively referred to as _____), in any manner whatsoever shall operate at its own risk on said property of the Town of Ware.

For and in consideration of the use of _____, _____ does for itself and on behalf of its agents, servants, employees and invitees, hereby, jointly and severally, remise, release and forever discharge the Town, its agents, servants and employees (hereinafter collectively referred to as the "Town"), of and from all debts, demands, actions, and any and all claims or demands whatsoever of any kind for damages or injuries to property or person, which may arise by virtue of _____ use of _____.
_____ further agrees to defend and indemnify and hold harmless the Town from and against any claims of any nature whatsoever and the cost and expense, including, but not limited to, attorney fees and legal costs arising out of any claim in connection with its use of _____.
Said indemnification shall not include claims arising from intentional malfeasance by the agents or employees of the Town of Ware.

Signed this _____ day of _____, 20____, on behalf of _____ by _____, its _____.

X _____ Date: ____/____/____
Signature of the agent duly authorized by the Special Event Permit applicant to bind it.

****This application packet (the checklist and the permit application) must be brought in person to each department for sign-offs – Community Development / Parks MUST be approved first. Once all sign-offs have been received, this application packet must be returned to the Licensing Board Clerk in the Town Clerk's Office for final approval.****

Review & Submission for Sign -Offs Provided By Departments

Please note – Departments may provide additional comments below their sign-off

Community Development/Parks [Signature] Date: 7/25/2017

Health Department [Signature] Date: 7-25-17

Department of Public Works [Signature] Date: 7-25-17

Building Inspections [Signature] Date: 7/25/17 asg

~~Building/Grounds Maintenance~~ N/A Date: _____

Fire Department [Signature] Date: 7-25-2017

Police Department [Signature] Date: 7/26/17

of Officers (if applicable) _____

Midura, Mary

From: Mosso, Judith
Sent: Friday, July 21, 2017 9:36 AM
To: Chris DiMarzio; Dave Kopacz; Fred Urban; Josh Kusnierz; Rick Starodoj; Flores-Marzan, Ruben
Cc: Flores-Marzan, Ruben; Beckley, Stuart; Midura, Mary
Subject: PB Alternate
Attachments: img-170721134312-0001.pdf

Good morning,

We have received a letter of interest for the PB's Alternate vacancy. Mr. Murphy's letter is attached to this e.mail (he apologizes for the scuff marks).

Mary in the Board of Selectmen's office would like to place this matter on the August 8 BOS meeting. Therefore, I am asking each of you to respond with any thoughts on the matter by Monday, August 7.

I spoke to Josh this morning and he personally recommends Mr. Murphy. I searched his social media profile and found nothing that would preclude my and Rubén's recommendation.

*Thanks,
~J*

Judi Mosso, MPA
Assistant to the Director

Town of Ware – Planning & Community Development | 126 Main Street | Ware, MA 01082

t. 413.967.9648 x120 | f. 413.967.9642

Town Hall hours are M-F 8-4.

www.townofware.com



From: Dell_C3765DNF@townofware.com [mailto:Dell_C3765DNF@townofware.com]
Sent: Friday, July 21, 2017 9:30 AM
To: Mosso, Judith
Subject: Scan Data from [DELLBCD237]

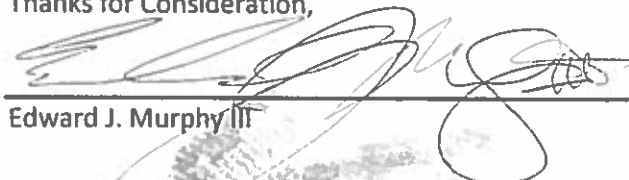
(848) 459-8670

EdMurphy42782@gmail.com

Edward Murphy
92 Coffey Hill Rd
Ware, Ma 01082

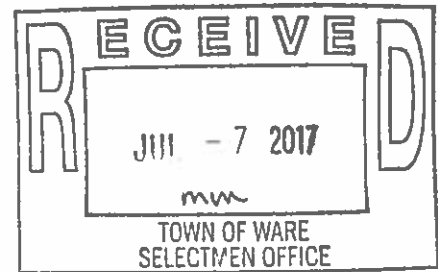
I, Edward Murphy, of 92 Coffey Hill Rd in Ware, Massachusetts would like to become the alternate member of the Town Planning Board. I have lived in Ware for over 10 years and with my oldest daughter entering 1st grade this coming school year, I would like to do my part to help this town come alive again and help the town and its occupants flourish. I believe the example we set for the children will be what pushes this town to the heights I believe it can achieve.

Thanks for Consideration,

A handwritten signature in black ink, appearing to read "Edward J. Murphy III", is written over a horizontal line. The signature is stylized with loops and flourishes.

Edward J. Murphy III

To whom it may concern:



I am writing this letter with the intent to be appointed to the Zoning Board of Appeals. I have experience in the construction of commercial and residential buildings that I can use to help discern the difference between want and necessity, along with multiple positions on various boards and committees during my collegiate career. I am interested in this positions to help the town grow and expand to be a better place, and to inject my youthfulness and energy into the administration of this town and to show others in my generation that the best way to enact change is to act.

Thank you for the time and consideration and I look forward from you.

Andrew Choquette

73 North Street

Ware, Ma 01082

August 3, 2017

Board of Selectmen
126 Main St.
Ware, MA 01082

Dear Members:

I wish to be appointed to the Bylaw Review Committee. I have served previously in this capacity and was also a member of the Charter Commission.

In offering to be on this committee, I ask only that meetings not be scheduled prior to Labor Day. Thank you for this consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Francis W. Cote", with a stylized flourish at the end.

Francis W. Cote
139 W Main St.
Ware, MA 01082



TOWN OF WARE, MASSACHUSETTS
OFFICE OF THE TOWN CLERK

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

NANCY J. TALBOT
TOWN CLERK

August 3, 2017

Board of Selectmen
126 Main St.
Ware, MA 01082

Dear Members:


I am in receipt of the resignation of the following individual:

William Adams
Community Development Authority

Mr. Adams has been a member of this committee for several years and his term was to expire on June 30, 2018.

In his letter Mr. Adams indicated the resignation was effective immediately.

Sincerely,


Nancy J. Talbot
Town Clerk

Enclosure

cc: Resignation File 2017
Planning & Community Development Department/Authority

t/

August 2, 2017,

Regretfully, over the last few months I have had several activities and obligations that have conflicted with a number of the meetings of the Ware Community Development Authority. Going forward, travel plans would impact my contributions to the board as well.

It is for these reasons that I tender my resignation from the Community Development Authority effective immediately.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Adams', with a long, horizontal flourish extending to the right.

William Adams



Memo

To: Board of Selectmen

From: Mary L. Midura

Date: August 1, 2017

Re: Update of Special Event Checklist & Application Packet

Please see the attached. The first 7 pages are the present Special Event Checklist & Application Packet.

The second 7 pages are my proposed updated Special Event Checklist & Application Packet. It was brought to my attention recently that the present packet states on page 6 that the "Community Development/Parks MUST be approved first". This should correctly read "Parks & Recreation MUST be approved first".

I also updated the checklist to flow with the *Review & Submission for Sign-Offs Provided by Departments* to make the packet easier for the public to understand.

I request your approval of this updated packet. Once approved, I will place this packet on the Town website and copies will be available in the Town Manager's office.

Thank you for your consideration,

Mary L. Midura



TOWN OF WARE

SPECIAL EVENT CHECKLIST & APPLICATION PACKET

Thank you for considering Ware as the venue for your organization's special event. While every Town has different procedures, they are typically driven by State regulation. Ware has developed the following Special Event Checklist and Permit Application Packet to help you plan out the logistics of your event. Event sponsors are responsible for obtaining all proper licenses and permits, and abiding by the rules listed on said licenses. It is our hope that this checklist will enlighten you about the permitting process and the various Town Departments involved in event planning.

A *Special Event* is any activity that occurs upon public or private property that affects the ordinary use of parks, playgrounds, beaches, fields, buildings, public streets, right-of-way, or sidewalks and it may feature entertainment, amusements, food and non-alcoholic or alcoholic beverages. Examples of a *Special Event* include (but are not limited to) festivals, road races, Farmer's Markets, block parties, carnivals and parades.

Once you have received the application packet, the best practice is to begin by reading through the Special Event Checklist to determine what is needed for your event. Permits, licenses and inspections may be required for your event. Please check all of the applicable boxes in each section of the checklist. Complete the application packet (the checklist and the permit application) and return it to the Board of Selectmen's office at Town Hall. Your application packet will be time stamped and forwarded to all departments. The original application packet will be handed back to you. You must bring the application packet to each department for their review.

Once you receive approval from all departments, return your application packet to the Board of Selectmen's Office for authorization.

The authorized special event permit must be posted in a visible location at your event.

THE SPECIAL EVENT PERMIT IS SUBJECT TO ANY AND ALL LAWS, REGULATIONS, STANDARDS, GUIDELINES AND POLICIES OF THE TOWN OF WARE AND DEPARTMENT OR BODY OTHERWISE HAVING JURISDICTION AND FURTHER SUBJECT TO THE SPECIFIC TERMS, CONDITIONS AND RESTRICTIONS PRINTED OR WRITTEN HEREINBELOW OR ATTACHED AND MAY BE VOIDED OR REVOKED AT ANY TIME IF ANY REGULATION, STANDARD, GUIDELINE OR POLICY OF THE TOWN OF WARE ARE VIOLATED.

THIS PERMIT IS GRANTED UPON THE CONDITION THAT THE PERSON OR PERSONS TO WHOM IT IS ISSUED SHALL FULFILL ALL REQUIREMENTS OF THE REGULATIONS GOVERNING OF THE TOWN OF WARE AND SHALL NOT BE TRANSFERRED, ASSIGNED OR CONVEYED.

PLEASE NOTE: Contents of this checklist are presumed accurate. All information is subject to change.

Listed below are general items that could apply to any department's requirements for an event:

ADA AWARENESS:

- ☐ Special events should be accessible to people with disabilities. Building Inspections will assist you in ensuring that your event is accessible.

INSURANCE

- ☐ When alcohol is served or sold, an insurance rider in the amount of \$1,000,000 per occurrence with a \$1,000,000 aggregate is required. Be aware that such coverage usually requires a thirty-day lead time.
- ☐ When renting Town property, an insurance rider in the amount of \$500,000 per occurrence with a \$1,000,000 aggregate is required.
- ☐ The vendor must submit an insurance certificate for all coverage, listing the Town of Ware as an additional insured, to the Town Manager's office prior to the event.

NEIGHBOR NOTIFICATION

- ☐ If the special event will require street closings, traffic or bus route changes or other features that will affect the public, the event planner must notify all abutting neighbors and prepare and distribute a press release and a site map to local media outlets ten days before the event.

OVERTIME COSTS

- ☐ Overtime charges *may* be passed along to event organizers requiring inspection services outside of normal business hours.

RAIN DATE / PLAN CHANGES

- ☐ Event organizers must anticipate – and include in their application – changes in plans due to foul weather or other calamities.

TRASH COLLECTION AND REMOVAL

- Event sponsor may be responsible for trash collection and removal. Review details with property owner / manager.
 - ☐ Dumpster permits are issued by Fire Department.

UTILITIES – ELECTRIC, PLUMBING, GAS

- Review requirements with property owner / manager.
 - ☐ Temporary electrical accommodations require services of Wire Inspector (Building Inspection Department-see below) to prevent overloading or other unsafe conditions.
- Each vendor will be restricted to one electrical appliance.
 - ☐ Temporary use of gas or propane will require permits from the Plumbing & Gas Inspector and Fire Department (Building Inspection Department & Fire Department-see below).

TOWN DEPARTMENTS/CONTACTS AND REQUIREMENTS

Building Inspection Department (967-9648 x114) Located at 126 Main Street

Office Hours: Monday through Friday from 8 a.m. to 4 p.m.

- ☐ Some events requiring entertainment license (i.e. carnivals) will require Board of Selectmen approval and may also require Building Inspector services.
 - o All amusement rides, including climbing walls, require permits and inspection by State Building Inspectors

OCCUPANCY ISSUES

- ☐ Events utilizing space for purposes other than what the space was designed for (i.e. using a vacant storefront for an entertainment venue) constitutes change of use. Any building in excess of 35,000 cubic feet requires an architect evaluation for change of use. Review proposal (including sketches) with Building Inspector.
- ☐ In a building that has a current certificate of inspection for a place of assembly, the maximum number of people that can occupy the room or space is posted on the certificate.

TENTS

- ☐ Events that gather people outside in a tent or other structures that cover an area in excess of 120 square feet, including all connecting areas or spaces with a common means of egress or entrance which are used or intended to be used for the gathering together of ten or more persons will be required to obtain a permit from the Building Inspection Department.
- ☐ Organizers are encouraged to have the tent rental company secure necessary tent permits.
- ☐ All tents, regardless of size, must be properly secured or weighted.

SIGNAGE

- ☐ Review with property owner / manager and Building Inspector.

DPW – 4 ½ Church Street

Office Hours: Monday through Friday from 8:00am to 4:00 pm

- ☐ See "Venues" for buildings, parks, school buildings & school grounds
- ☐ Buildings, parks, school buildings & school grounds have separate paperwork and may have fees.
- ☐ You will need to make arrangements for special requests (bathrooms needing to be opened, etc.)

Parks & Recreation Dept. Greenville Park, 413-531-3879
Office Hours: 8:00am to 3:00pm

TOWN PARKS

- ☐ Use of Town Parks requires permission from the Park Commission. The Park Commission meets the first Monday of every month. Requests for park use should be filed 30 days prior to event date.
- ☐

Fire Department (967-5901) 200 West Street

CONCESSION TRAILERS

- ☐ A concession trailer fire safety inspection is required during or prior to the event. A cooking suppression system check is required (certification must be current within 6 months prior). If deep frying is used, you must have a K-Type fire extinguisher. For all other cooking, you must have a 10ABC or larger fire extinguisher.

FIREWORKS / BONFIRES

- ☐ Permit required from Ware Fire Department.
Review with property owner.

GRILLS / PROPANE TANKS

- ☐ Permits required from Plumbing & Gas Inspector and Fire Department for the use of propane tanks or grilling at any public event including concession trailers. The Fire Department needs to know the number and size of propane tanks.

STREET CLOSURES OR DETOURS

- ☐ Notify Fire Department of street closures or detours 24 hours in advance. Also requires approval of the Board of Selectmen

DUMPSTERS

- ☐ Dumpster permits are issued by Fire Department.

Health Department (967-9648 x110) Town Hall, 126 Main Street
Office Hours: Monday through Friday from 8:30am to 4:00pm

FOOD AND BEVERAGES

- ☐ All vendors that handle, prepare, transport, and/or serve food, non-alcoholic beverages, and pre-packaged retail food must file an application with the Ware Board of Health.
- ☐ All food must be prepared in a Board of Health certified kitchen and transported to event in accordance with all applicable regulations and laws.

SANITARY FACILITIES

- Please specify the restroom facilities that will be used for food service vendors.
- Provisions for safe food handling practices with ready to eat foods include hand-washing stations, disposable gloves, etc.

Board of Selectmen (967-9648 x1010) Located at Town Hall
Office Hours: Monday through Friday from 8:00am to 4:00pm

ENTERTAINMENT LICENSE

- ☐ Outdoor concerts, carnivals, circus, fairs, etc., require permit from Board.
- ☐ Alcoholic beverages served or sold require license from Board.

RAFFLE – Town Clerk – Non-profit organizations only may receive a raffle permit – proof required

- ☐ A Permit good for one year is required from Town Clerk for any raffle.

SALES / CONCESSIONS (Hawker & Peddler License)

- ☐ State and Licensing Board permits are required for the planned sales or concessions.

Police Department (967-3571) 22 North Street

STREETS/PUBLIC WAYS – BLOCK PARTIES

NOISE – Hours of operation 8 a.m. to 10 p.m. – Strictly enforced.

- ☐ Notify Ware Police Department if event may exceed acceptable noise levels.

PARKING

- ☐ Review with property owner / manager
- ☐ May require permission from Ware Police Department.

STREET CLOSURE

- ☐ Permission is required from Ware Police Department for any street closures or detours.

SECURITY DETAILS –

- ☐ Ware Police Department. _____ # of Officers Needed

DPW (967-9620) 4 ½ Church Street
Office Hours: Monday through Friday from 8:30am to 4:00pm

GROUND PENETRATION

- ☐ Make arrangements with property owner / manager if penetrating the ground (tent stakes, etc.), and call Dig Safe at 1-888-Dig-Safe (344-7233), which covers gas, electric and telephone utilities. A report from Dig Safe is required prior to permit approval. Contact Public Works & Utilities for water, sewer and storm water information.
- ☐ Approval is required from the department of Public Works & Utilities.

SIDEWALK CLOSURE / OBSTRUCTION

- ☐ A permit is required from Public Works for sidewalk sales or other obstructions.

WEB LINKS

Links to this document and all of the relevant Town departments are available at: www.TownofWare.com

VENUES

Town Parks
Greenville Park including Bandshell and Pavillon

Veterans Memorial Park and Lot

Memorial Field

Town Hall Auditorium – Capacity 400

Ware Senior Center, Robbins Road

School Buildings
Auditoriums
Cafeteria
Gyms
Classrooms
School Grounds

RELEASE/HOLD HARMLESS AGREEMENT (REQUIRED FOR USE OF TOWN PROPERTY ONLY):

I, _____, a representative from _____, does hereby acknowledge that in the course of its use of property owned by the Town of Ware, namely _____ located at _____, Ware, Massachusetts, for the purpose described above, and more particularly by virtue of the presence of its agents, servants, employees and invitees, (hereinafter collectively referred to as _____), in any manner whatsoever shall operate at its own risk on said property of the Town of Ware.

For and in consideration of the use of _____, _____ does for itself and on behalf of its agents, servants, employees and invitees, hereby, jointly and severally, remise, release and forever discharge the Town, its agents, servants and employees (hereinafter collectively referred to as the "Town"), of and from all debts, demands, actions, and any and all claims or demands whatsoever of any kind for damages or injuries to property or person, which may arise by virtue of _____ use of _____.
_____ further agrees to defend and indemnify and hold harmless the Town from and against any claims of any nature whatsoever and the cost and expense, including, but not limited to, attorney fees and legal costs arising out of any claim in connection with its use of _____.
Said indemnification shall not include claims arising from intentional malfeasance by the agents or employees of the Town of Ware.

Signed this _____ day of _____, 20____, on behalf of _____ by _____, its _____.

X _____ Date ____/____/____

Signature of the agent duly authorized by the Special Event Permit applicant to bind it.

****This application packet (the checklist and the permit application) must be brought in person to each department for sign-offs – Community Development / Parks MUST be approved first. Once all sign-offs have been received, this application packet must be returned to the Licensing Board Clerk in the Town Clerk's Office for final approval.****

Review & Submission for Sign-Offs Provided By Departments

Please note – Departments may provide additional comments below their sign-off

Community Development/Parks _____ ***Date:*** _____

Health Department _____ ***Date:*** _____

Department of Public Works _____ ***Date:*** _____

Building Inspections _____ ***Date:*** _____

Building/Grounds Maintenance _____ ***Date:*** _____

Fire Department _____ ***Date:*** _____

Police Department _____ ***Date:*** _____

_____ ***# of Officers (if applicable)*** _____

EVENT: _____ DATE OF EVENT: _____

LICENSING BOARD: BOARD OF SELECTMEN APPROVAL DATE: _____

Nancy J. Talbot

Alan G. Whitney

Tracy R. Opalinski

John E. Carroll

Michael Fountain



TOWN OF WARE

SPECIAL EVENT CHECKLIST & APPLICATION PACKET

Thank you for considering Ware as the venue for your organization's special event. While every Town has different procedures, they are typically driven by State regulation. Ware has developed the following Special Event Checklist and Permit Application Packet to help you plan out the logistics of your event. Event sponsors are responsible for obtaining all proper licenses and permits, and abiding by the rules listed on said licenses. It is our hope that this checklist will enlighten you about the permitting process and the various Town Departments involved in event planning.

A *Special Event* is any activity that occurs upon public or private property that affects the ordinary use of parks, playgrounds, beaches, fields, buildings, public streets, right-of-way, or sidewalks and it may feature entertainment, amusements, food and non-alcoholic or alcoholic beverages. Examples of a *Special Event* include (but are not limited to) festivals, road races, Farmer's Markets, block parties, carnivals and parades.

Once you have received the application packet, the best practice is to begin by reading through the Special Event Checklist to determine what is needed for your event. Permits, licenses and inspections may be required for your event. Please check all of the applicable boxes in each section of the checklist. Complete the application packet (the checklist and the permit application) and return it to the Board of Selectmen's office at Town Hall. Your application packet will be time stamped and forwarded to all departments. The original application packet will be handed back to you. You must bring the application packet to each department for their review.

Once you receive approval from all departments, return your application packet to the Board of Selectmen's Office for authorization.

The authorized special event permit must be posted in a visible location at your event.

THE SPECIAL EVENT PERMIT IS SUBJECT TO ANY AND ALL LAWS, REGULATIONS, STANDARDS, GUIDELINES AND POLICIES OF THE TOWN OF WARE AND DEPARTMENT OR BODY OTHERWISE HAVING JURISDICTION AND FURTHER SUBJECT TO THE SPECIFIC TERMS, CONDITIONS AND RESTRICTIONS PRINTED OR WRITTEN HEREINBELOW OR ATTACHED AND MAY BE VOIDED OR REVOKED AT ANY TIME IF ANY REGULATION, STANDARD, GUIDELINE OR POLICY OF THE TOWN OF WARE ARE VIOLATED.

THIS PERMIT IS GRANTED UPON THE CONDITION THAT THE PERSON OR PERSONS TO WHOM IT IS ISSUED SHALL FULFILL ALL REQUIREMENTS OF THE REGULATIONS GOVERNING OF THE TOWN OF WARE AND SHALL NOT BE TRANSFERRED, ASSIGNED OR CONVEYED.

PEASE NOTE: Contents of this checklist are presumed accurate. All information is subject to change.

Listed below are general items that could apply to any department's requirements for an event:

ADA AWARENESS:

- ☐ Special events should be accessible to people with disabilities. Building Inspections will assist you in ensuring that your event is accessible.

INSURANCE

- ☐ When alcohol is served or sold, an insurance rider in the amount of \$1,000,000 per occurrence with a \$1,000,000 aggregate is required. Be aware that such coverage usually requires a thirty-day lead time.
- ☐ When renting Town property, an insurance rider in the amount of \$500,000 per occurrence with a \$1,000,000 aggregate is required.
- ☐ The vendor must submit an insurance certificate for all coverage, listing the Town of Ware as an additional insured, to the Town Manager's office prior to the event.

NEIGHBOR NOTIFICATION

- ☐ If the special event will require street closings, traffic or bus route changes or other features that will affect the public, the event planner must notify all abutting neighbors and prepare and distribute a press release and a site map to local media outlets ten days before the event.

OVERTIME COSTS

- ☐ Overtime charges *may* be passed along to event organizers requiring inspection services outside of normal business hours.

RAIN DATE / PLAN CHANGES

- ☐ Event organizers must anticipate – and include in their application – changes in plans due to foul weather or other calamities.

TRASH COLLECTION AND REMOVAL

- Event sponsor may be responsible for trash collection and removal. Review details with property owner / manager.
 - ☐ Dumpster permits are issued by Fire Department.

UTILITIES – ELECTRIC, PLUMBING, GAS

- Review requirements with property owner / manager.
 - ☐ Temporary electrical accommodations require services of Wire Inspector (Building Inspection Department-see below) to prevent overloading or other unsafe conditions.
- Each vendor will be restricted to one electrical appliance.
 - ☐ Temporary use of gas or propane will require permits from the Plumbing & Gas Inspector and Fire Department (Building Inspection Department & Fire Department-see below).

TOWN DEPARTMENTS/CONTACTS AND REQUIREMENTS

Parks & Recreation Department, Grenville Park (413-531-3879)

Office Hours: 8:00am to 3:00pm

TOWN PARKS

- ☐ Use of Town Parks requires permission from the Park Commission. The Park Commission meets the first Monday of every month. Requests for park use should be filed 30 days prior to event date.

Health Department - Town Hall, 126 Main Street (967-9648 x110)

Office Hours: Monday through Friday from 8:30am to 4:00pm

FOOD AND BEVERAGES

- ☐ All vendors that handle, prepare, transport, and/or serve food, non-alcoholic beverages, and pre-packaged retail food must file an application with the Ware Board of Health.
- ☐ All food must be prepared in a Board of Health certified kitchen and transported to event in accordance with all applicable regulations and laws.

SANITARY FACILITIES

- Please specify the restroom facilities that will be used for food service vendors.
- Provisions for safe food handling practices with ready to eat foods include hand-washing stations, disposable gloves, etc.

Department of Public Works – 4 ½ Church Street (967-9620)

Office Hours: Monday through Friday from 8:00am to 4:00 pm

- ☐ See “Venues” for buildings, parks, school buildings & school grounds
- ☐ Buildings, parks, school buildings & school grounds have separate paperwork and may have fees.
- ☐ *You will need to make arrangements for special requests (bathrooms needing to be opened, etc.)*

GROUND PENETRATION

- ☐ Make arrangements with property owner / manager if penetrating the ground (tent stakes, etc.), and call Dig Safe at 1-888-Dig-Safe (344-7233), which covers gas, electric and telephone utilities. A report from Dig Safe is required prior to permit approval. Contact Public Works & Utilities for water, sewer and storm water information.
- ☐ Approval is required from Public Works & Utilities.

SIDEWALK CLOSURE / OBSTRUCTION

- ☐ A permit is required from Public Works for sidewalk sales or other obstructions.

Building Inspection Department Town Hall, 126 Main Street (967-9648 x114)

Office Hours: Monday through Friday from 8 a.m. to 4 p.m.

- ☐ Some events requiring entertainment license (i.e. carnivals) will require Board of Selectmen approval and may also require Building Inspector services.
 - ☐ All amusement rides, including climbing walls, require permits and inspection by State Building Inspectors

OCCUPANCY ISSUES

- ☐ Events utilizing space for purposes other than what the space was designed for (i.e. using a vacant storefront for an entertainment venue) constitutes change of use. Any building in excess of 35,000 cubic feet requires an architect evaluation for change of use. Review proposal (including sketches) with Building Inspector.
- ☐ In a building that has a current certificate of inspection for a place of assembly, the maximum number of people that can occupy the room or space is posted on the certificate.

TENTS

- ☐ Events that gather people outside in a tent or other structures that cover an area in excess of 120 square feet, including all connecting areas or spaces with a common means of egress or entrance which are used or intended to be used for the gathering together of ten or more persons will be required to obtain a permit from the Building Inspection Department.
- ☐ Organizers are encouraged to have the tent rental company secure necessary tent permits.
- ☐ All tents, regardless of size, must be properly secured or weighted.

SIGNAGE

- ☐ Review with property owner / manager and Building Inspector.

Fire Department, 200 West Street (413-967-5901)

CONCESSION TRAILERS

- ☐ A concession trailer fire safety inspection is required during or prior to the event. A cooking suppression system check is required (certification must be current within 6 months prior). If deep frying is used, you must have a K-Type fire extinguisher. For all other cooking, you must have a 10ABC or larger fire extinguisher.

FIREWORKS / BONFIRES

- ☐ Permit required from Ware Fire Department.
Review with property owner.

GRILLS / PROPANE TANKS

- ☐ Permits required from Plumbing & Gas Inspector and Fire Department for the use of propane tanks or grilling at any public event including concession trailers. The Fire Department needs to know the number and size of propane tanks.

STREET CLOSURES OR DETOURS

- ☐ Notify Fire Department of street closures or detours 24 hours in advance. Also requires approval of the Board of Selectmen

DUMPSTERS

- ☐ Dumpster permits are issued by Fire Department.

___ **Police Department, 22 North Street (413-967-3571)**

STREETS/PUBLIC WAYS – BLOCK PARTIES

NOISE – Hours of operation 8 a.m. to 10 p.m. – Strictly enforced.

- ☐ Notify Ware Police Department if event may exceed acceptable noise levels.

PARKING

- ☐ Review with property owner / manager
☐ May require permission from Ware Police Department.

STREET CLOSURE

- ☐ Permission is required from Ware Police Department for any street closures or detours.

SECURITY DETAILS –

- ☐ Ware Police Department. _____ # of Officers Needed

___ **Board of Selectmen, Town Hall (413-967-9648 x.101)**

Office Hours: Monday through Friday from 8:00am to 4:00pm

ENTERTAINMENT LICENSE

- ☐ Outdoor concerts, carnivals, circus, fairs, etc., require permit from Board.
☐ Alcoholic beverages served or sold require license from Board.

RAFFLE – Town Clerk – Non-profit organizations only may receive a raffle permit – proof required

- ☐ A Permit good for one year is required from Town Clerk for any raffle.

SALES / CONCESSIONS (Hawker & Peddler License)

- ☐ State and Licensing Board permits are required for the planned sales or concessions.

WEB LINKS

Links to this document and all of the relevant Town departments are available at: www.TownofWare.com

VENUES

Town Parks

Greenville Park including Bandshell and Pavilion

Veterans Memorial Park and Lot

Memorial Field

Town Hall Auditorium – Capacity 400

Ware Senior Center, Robbins Road

School Buildings

Auditoriums

Cafeteria

Gyms

Classrooms

School Grounds

TOWN OF WARE

SPECIAL EVENT PERMIT APPLICATION

(To be posted or made available at event)

Return to: Board of Selectmen, Town of Ware, 126 Main Street, Ware, MA 01082

Application packet must be received no later than 30 days prior to the event.

Event Name: _____ Event Producer: _____

Primary Contact Information:

Primary Contact Name: _____ Fax: _____

Non-Profit Organization / Event: Yes No

Day Phone: _____ Cell Phone: _____

E-mail: _____ Website: _____

Event Information:

Event Address / Location:

Starting Date: ____/____/____ Time: ____:____ M Ending Date: ____/____/____ Time: ____:____ M

Total attendance expected: _____ Rain plan: _____

List any streets to be closed for special event: _____

Summary of Event - *Please describe the special features of the event within the box below.*

[illegible]

RELEASE/HOLD HARMLESS AGREEMENT (REQUIRED FOR USE OF TOWN PROPERTY ONLY):

I, _____, a representative from _____, does hereby acknowledge that in the course of its use of property owned by the Town of Ware, namely _____ located at _____, Ware, Massachusetts, for the purpose described above, and more particularly by virtue of the presence of its agents, servants, employees and invitees, (hereinafter collectively referred to as _____), in any manner whatsoever shall operate at its own risk on said property of the Town of Ware.

For and in consideration of the use of _____, _____ does for itself and on behalf of its agents, servants, employees and invitees, hereby, jointly and severally, remise, release and forever discharge the Town, its agents, servants and employees (hereinafter collectively referred to as the "Town"), of and from all debts, demands, actions, and any and all claims or demands whatsoever of any kind for damages or injuries to property or person, which may arise by virtue of _____ use of _____.
_____ further agrees to defend and indemnify and hold harmless the Town from and against any claims of any nature whatsoever and the cost and expense, including, but not limited to, attorney fees and legal costs arising out of any claim in connection with its use of _____.
Said indemnification shall not include claims arising from intentional malfeasance by the agents or employees of the Town of Ware.

Signed this _____ day of _____, 20____, on behalf of _____ by _____, its _____.

X

Signature of the agent duly authorized by the Special Event Permit applicant to bind it.

Date: ____/____/____

****This application packet (the checklist and the permit application) must be brought in person to each department for sign-offs – Parks & Recreation MUST be approved first. Once all sign-offs have been received, this application packet must be returned to the Town Manager's Office for final approval by the Board of Selectmen. ****

Review & Submission for Sign –Offs Provided By Departments

Please note – Departments may provide additional comments below their sign-off

Parks & Recreation _____ **Date:** _____

Health Department _____ **Date:** _____

Department of Public Works _____ **Date:** _____

Building Inspections _____ **Date:** _____

Fire Department _____ **Date:** _____

Police Department _____ **Date:** _____

of Officers (if applicable) _____

EVENT: _____ **DATE OF EVENT:** _____

LICENSING BOARD: BOARD OF SELECTMEN **APPROVAL DATE:** _____

Nancy J. Talbot

Alan G. Whitney

Tracy R. Opalinski

John E. Carroll

Michael P. Fountain