



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Minutes – Tuesday, February 18, 2020 at 7:00 p.m.

Present: Selectman Alan G. Whitney, Selectman John E. Carroll, Selectman Keith J. Kruckas, Selectman Tracy R. Opalinski, Selectman Nancy J. Talbot, Town Manager Stuart B. Beckley, Clerk Mary L. Midura

Meeting Opened by Chairman Whitney. A moment of silence was held for Patricia Carroll, Selectman Carroll's mother, who passed on February 18.

Opening Remarks, Announcements, and Agenda review by Chair

Selectman Opalinski noted the East-West Rail Trail information is now on the Town of Ware website. A Public Comment form will be added to the website, and copies will be available in Town Hall and Senior Center.

Selectman Kruckas questioned the money from pitch or bingo at the Ware Senior Center; Mr. Beckley explained that half of the money goes to the game, half goes to the Friends of Ware Senior Center to pay for games and events.

Selectman Kruckas stated that any activity regarding solar should cease and desist until the moratorium ends. Mr. Beckley noted that potential projects still come through the door. Town Planner Rebekah DeCoursey noted that there have been projects since before she started here. Selectman Kruckas was insistent that no activity should take place. He noted that information should be on the town website. Selectman Whitney agreed there should be no activity. Selectman Opalinski noted their opinions, but stated that economic development must be considered and the Town must prepare for change in the bylaws. Ms. DeCoursey noted that the moratorium has a time limit, and Mr. Beckley noted that the Planning Department and Planning Board must consider future proposals.

Consent Agenda

- **Approval of January 29, 2020 Minutes**
- **Special Event Permit Application: Friends of the Ware Dog Park Presents Eggstravaganza, Saturday, April 4, 2020**

Selectman Opalinski made the motion to approve the consent agenda. Selectman Talbot seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Scheduled Appearances

- **Public Hearing: FY2020 CDBG Application – Ted Harvey, PVPC**

Ted Harvey presented the details of the application. He noted the projects in this year's application are \$800,000 for Spring Street water, sewer, drainage, street, sidewalks and curbing, Public Social Services, and delivery and administration costs. Selectman Kruckas questioned work on Bank Street; Mr. Harvey noted only the top of Bank Street will have work. Selectman Opalinski questioned the social services; Mr. Harvey noted Ware is the only town. Selectman Talbot questioned other social services; Mr. Harvey noted Domestic Violence, Literacy Project, and Patch.

Selectman Talbot made the motion for authorization to submit the proposed FY2020 Ware Community Development Fund Grant application to the DHCD in an amount not to exceed \$800,000, as detailed in the public hearing. Further, the town authorizes the Chairman of the Board of Selectman to sign all required forms, documents, and authorizations pertaining to the proposed FY2020 Ware Community Development Fund Grant application.

Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Old Business

- **Tabled from February 4, 2020: Regional School Discussion Follow-Up**

Chairman Whitney stated that the presentation was very biased and did not completely answer the benefits of regionalization. He noted that it was also questionable when the Quabbin representatives spoke and stated they were not contacted for this report. He stated he was neither for nor against regionalization; he did not realize the company that conducted the report was also headed by the business manager for the Ware Schools. Selectman Opalinski noted that the school business manager stated he would step back from the process. Selectman Kruckas stated that the report seemed biased. Selectman Opalinski reiterated that schools should discuss shared services. Mr. Beckley noted that Quabbin representatives offered to discuss shared services at the January 29 meeting. Selectman Talbot noted that creative ways to share services can be discussed. Selectman Opalinski noted that partnering with other schools will build trust. Selectman Carroll noted that the school department is responsible for the school budget, but the Board of Selectmen are responsible for the entire town budget. The Board further discussed formation of a committee, possibly in sixty days' time, consisting of one Board member, one School Committee member, one Finance Committee member, Town Manager, Superintendent, and one parent to further research costs of shared services and/or regionalization.

New Business

- **Reappointment: Mark Avis, Veterans Agent and Veterans Graves Officer, Terms to Expire March 31, 2023**

Selectman Kruckas made the motion to reappoint Mark Avis as Veterans Agent and Veterans Graves Officer, Term to Expire March 31, 2023. Selectman Carroll seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Town Meeting Warrant Article: Change Title from Board of Selectmen to Select Board**

Selectman Opalinski noted that she requested this agenda item. She noted her email to the Chairman, in which she wrote "Changes to Charter could be minimal referenced. Incorporating in to bylaws would be seamless. I believe it's important everyone feels welcomed, included, equal and that our leadership is not tied to gender. Out of 292 Towns 85 have done this. In January, Massachusetts Selectmen Association voted to change to MA Select Board Association." Selectman Opalinski noted this would represent the times. Mr. Beckley noted he could contact town counsel to check the process.

- **Town Meeting Warrant Article: Strong Chief, Civil Service**

Mr. Beckley noted this would move the appointing authority of the Fire Department to the Board of Selectmen. Acting Fire Chief Gagnon suggested further discussion as there are major concerns regarding emergency services and management. Selectman Kruckas stated that a commission would create more transparency. Chairman Whitney noted that this would not be a reaction, but illumination. Resident Kim Mongeau questioned the authority of a commission. Mr. Beckley noted that currently the Fire Chief appoints and hires. Selectman Carroll noted the Board would be Fire engineers. Mr. Beckley could contact town counsel about this issue. Selectman Kruckas questioned the bylaw regarding Veterans Park; Selectman Talbot noted specific wording regarding the "park" and being open to the public.

- **Request for Subordination**

Mr. Beckley presented the information to the Board of Selectmen.

Selectman Talbot made the motion to approve the Request for Subordination. Selectman Carroll seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Comments and Concerns of Citizens

Rich Starodoj, Chairman of Planning Board noted that the solar moratorium prevents new applications but does not state that the Town is NOT to discuss anything; any citizen can discuss potential properties. Chairman Whitney noted that talking is allowed but not site visits. Selectman Kruckas stated that nothing should be done until after the moratorium. Selectman Opalinski state that the Board should be careful it is not overstepping, and the Town Manager should direct town employees. Mr. Starodoj noted that the Planning Board will meet on Thursday (February 20) to discuss solar bylaws. Resident Kim Mongeau stated that the Board of Selectmen is elected, and cannot dictate to the School Committee or Planning Board.

There was discussion regarding the next Board of Selectmen's meeting is March 17 due to presidential primary voting on March 3, 2020.

Selectman Talbot made the motion to Open the Annual Town Meeting Warrant. The deadline to submit warrant articles is 12:00 p.m. Friday, March 27, 2020.

Selectman Carroll seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Town Manager Report

February 20 – Invitation Curaleaf tour with Cannabis advisory committee

February 20 - Planning Board Hearing, continued on solar zoning bylaw amendments

Main Street reconstruction – Per the attached memos, MassDOT is beginning its pre-construction meetings. The DPW director, police chief, planner and I will attend. After 2 meetings with the Town, the contract and site engineer will meet with the mitigation committee of the Business and Civic Association. The mitigation committee is discussing ways to inform everyone that business will remain open and where to find parking. Next meeting is February 20 at 1:00 pm in Northampton.

Bids – The Town is preparing a bid for the demolition of 73 West Main Street and for the tree removal approved by Town meeting. The 73 West Main Demolition will be funded by a state grant (pending approval), Finance Committee reserves (pending) and community development funds totaling approximately \$70,000-\$75,000.

The Town received bids for the proposed pipe loop at the Barnes water pump station. Bids came in approximately \$20,000 higher than approved at Town Meeting, so the DPW director and I are reviewing available resources to move forward. Selectman Talbot requested an update from USDA. Mr. Beckley noted that the town may reapply for a USDA grant at a lower rate. More specific information by March 27.

The Friends of the Ware Dog Park donated \$8000 to meet the required match for the Dog Park construction. Selectman Kruckas congratulated Brandy Bruso; Ms. Bruso spoke about the April 4 Eggstravaganza.

In preparation of moving the DPW collections to the tax collector's office, a wall will be installed to separate the collections from the treasurer operations. This work will commence over the weekend.

Selectman Carroll noted the bells rang in past years and citizens complained, and he suggested the bells could only ring during daylight hours. Mr. Beckley noted this suggestion.

Selectman Opalinski noted the analysis regarding streets; Mr. Beckley noted Mr. St. George-Sorel will be at the March 17 meeting regarding this.

Adjournment

Selectman Opalinski made the motion to Adjourn Regular Session at 8:02 p.m. to go into Executive Session for:

Executive Session: M.G.L. Chapter 30A, Section 21(a)

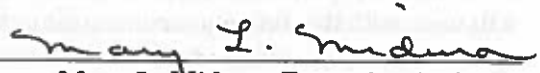
#1 Discussion of Complaint Regarding Public Employee: Town Manager

#2 To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel, specifically to consider two (2) grievances under the collective bargaining agreement between IAFF, Local 1851 and the Town of Ware that allege violations of Article XX and Article VIII of the applicable collective bargaining agreement. NOT TO RECONVENE IN OPEN SESSION.

Selectman Talbot seconded the motion. The motion passed on a roll call vote of 5 Yes, 0 No.

Selectman Alan G. Whitney	Yes✓
Selectman John E. Carroll	Yes✓
Selectman Keith J. Kruckas	Yes✓
Selectman Tracy R. Opalinski	Yes✓
Selectman Nancy J. Talbot	Yes✓

Attest:



Mary L. Midura, Executive Assistant
To Town Manager