



Memo

To: Board of Selectmen

From: Mary L. Midura

Date: April 9, 2019

Re: Meeting Minutes

Selectmen:

The 2018 Annual Town Report is now at the printers and will be available to the public at the May 13, 2019 Annual Town Meeting.

Please review the attached meeting minutes of February 19, March 5, March 19, and April 2, 2019. I have re-watched all of these meetings to keep accurate minutes.

If you have corrections or questions, please contact me before the April 16, 2019 meeting so that I have the opportunity to correct.

Thank you very much,

Mary



Board of Selectmen
Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, February 19, 2019 at 7:00 p.m.

Meeting Opened at 6:15 p.m. by Chairman Carroll.

6:15 p.m. Executive Session: MGL Chapter 30A, Section 21(a) #2 Negotiations, #3 Litigation

Selectman Whitney made the motion to Adjourn Regular Session at 6:15 p.m. to go into Executive Session per MGL Chapter 30A, Section 21(a) #2 Negotiations, #3 Litigation, TO RECONVENE IN OPEN SESSION at 7:00 p.m.; Selectman Fountain seconded the motion. The motion passed on a roll call vote of 5 Yes, 0 No.

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

Selectman Whitney made the motion to Adjourn Executive Session at 6:48 p.m. to go into Executive Session per MGL Chapter 30A, Section 21(a) #2 Negotiations, #3 Litigation, TO RECONVENE IN OPEN SESSION at 7:00 p.m.; Selectman Opalinski seconded the motion. The motion passed on a roll call vote of 5 Yes, 0 No.

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

Regular Meeting Opened by Chairman Carroll at 7:00 p.m.

Present: Selectman John E. Carroll, Selectman Michael P. Fountain, Selectman Keith J. Kruckas, Selectman Tracy R. Opalinski, Selectman Alan G. Whitney, Town Manager Stuart Beckley, Clerk Mary L. Midura, Ware Community TV General Manager Stanley Ciukaj.

Opening Remarks, Announcements, and Agenda Review by Chair

Selectman Opalinski noted the Senior Circuit Breaker tax break for those 65+ with up to \$1,000 tax credit.

Chairman Carroll noted a list of many pages of people behind on taxes, including officials, businesses, contractors; he stated that taxes must be paid to continue to do business, and suggested the policy be reviewed.

Consent Agenda

- **Approval of Minutes of December 4, 2018, December 18, 2018, January 8, 2019, January 22, 2019 and February 5, 2019**
- **Approval of One-Day Liquor License: St. Mary's Church, March 2, 2019**

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

- **Review Board of Selectmen's Budget**

Selectman Kruckas questioned the 2017 purchase of services; Mr. Beckley noted that the amount included GPS for vehicles.

Selectman Whitney made the motion to approve the Board of Selectmen's Budget; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Scheduled Appearances

- **7:10 p.m. Public Hearing: FY19 CDBG**

Ted Harvey, of Pioneer Valley Planning Commission, was present for the public hearing. He noted that this was previously presented to Community Development Authority. Selectman Opalinski disclosed that she is on the CDA. Mr. Harvey noted that towns apply each year for CDBG grant funds. Towns are limited to \$905,000 in FY19, with Ware eligible for \$390,000 and Hardwick eligible for \$515,000. Projects in this year's application include:

1. Code Enforcement Program (Ware): Building Code and Safety Enforcement program. Budget: \$74,000 approx.
2. Housing Rehabilitation (Ware and Hardwick): Approximately 15 units between both towns. Budget: \$465,000 approx.
3. Engineering Design Services (Hardwick): Water, sewer, drainage, street, sidewalks, and curbing. Budget: \$51,000 approx.
4. Public Social Services (Ware and Hardwick): Total allowable budget: \$181,000 approx.
5. Delivery and Administration Costs: \$134,000 approx., includes grant administration; \$48,000 designated for Ware Planning & Community Development.
Total Budget: \$905,000

Mr. Harvey noted the application is due March 8, 2019 and requested the Board vote to support the CDBG application.

Selectman Kruckas questioned the code enforcement plan; Mr. Beckley noted the goal is to expand inspections and work with the Board of Health. Selectman Opalinski suggested outsourcing. Selectman Kruckas asked if there were programs for kids. Mr. Beckley noted there are summer programs for any social service organizations to apply for; Mr. Harvey stated that \$10,000 was used last year for summer programs. Selectman Opalinski noted PATCH for children in crisis as most important. Selectman Whitney questioned how the housing funds are distributed; Mr. Harvey noted the housing is advertised, a waiting list is created and this year's application has 9 for Hardwick and 6 for Ware, depending on what is available and qualified applicants. Mr. Harvey explained that Ware had more units in the last grant.

Selectman Fountain made the motion of Support and for “Authorization to submit the proposed FY2019 Ware River Valley Community Development Fund Grant application to the DHCD in an amount not to exceed \$905,000, and to include funding for the Ware River Valley Regional Housing Rehabilitation Program, Hardwick engineering design, Ware code enforcement, and recommended social services programs as detailed in the public hearing. Further the town authorizes the Chairman of the Board of Selectmen to sign all required forms, documents, and authorizations pertaining to the proposed FY2019 Ware River Valley Community Development Fund Grant application.”

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

Selectman Fountain made the motion to Amend to “the town authorizes the Vice-Chairman to sign...”; Selectman Whitney seconded the motion. The motion, as amended, passed on a vote of 5 Yes, 0 No.

- **7:15 p.m., Public Hearing: Storage of Flammables License for Ware Senior Living, LLC, 73 South Street**

Christina Boysen, of Optimus and Ware Senior Living, LLC, was present for the application. The tank must be at least 18,000 propane; the application asks for 20,000. The tank will be underground at 20 foot setback next to the hospital. The tank will be used to run boilers, furnaces, and each room HVAC, plus kitchen. The Fire Chief has approved the application.

Selectman Opalinski made the motion to approve the Storage of Flammables License for Ware Senior Living, LLC, 73 South Street; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Mr. Boysen stated the tank would be installed in May 2019.

Old Business – none

New Business

- **Joint Meeting with Planning Board for Application to Planning Board: Edward Murphy, term to expire April 8, 2019**

Mr. Murphy was present and stated his position as alternate for the past two years. He is an electrician and works for Mass Mutual.

Selectman Whitney made the motion to approve Edward Murphy as Planning Board member, term to expire April 8, 2019; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No for the Board of Selectmen. The motion passed on a vote of 3 Yes (Rick Starodoj, John Kusnierz, Joseph Knight), 0 No, 1 Absent (Fred Urban) for the Planning Board.

- **Applications for Cannabis Committee:**
 - **Josh Kusnierz, Planning Board Representative**
 - **Rick Lotuff**
 - **Bill St. Croix**

Selectmen reviewed the submitted letters of interest. Bill St. Croix was present and stated his experience in environmental and cannabis cultivation and bylaws. Andrew Stoddard was present and noted his experience in Colorado, Nevada and California for five years.

Selectman Opalinski made the motion to approve Josh Kusnierz as Planning Board Representative, to approve Rick Lotuff, Bill St. Croix and Andrew Stoddard as members of the Cannabis Committee; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 1 No (Selectman Carroll). There are still two openings for residents.

Comments and Concerns of Citizens

John Desmond stated that code enforcement policy is needed to identify and track properties. He stated that the budget stills indicates \$3.7 million for insurance, more than police, fire and DPW budgets. This should be looked at very carefully in these difficult economic times. He noted the PVPC report indicating \$500,000 in Chapter 90 funds is not enough for deteriorating roads, and stated that the Board of Selectmen should look at all town departments to reduce expenses.

Josh Kusnierz stated that the Planning Department has lost employee Judi Mosso, and the Planning Board is indebted to Ms. Mosso, who made the Planning Board better.

Mr. Beckley noted the memorandum from Mr. St. George-Sorel on the Sheehy Road drainage situation.

Town Manager Report

Mr. Beckley noted that Dr. DiLeo and Chris Dymon met with the architect regarding plans and costs to MSBA for the March 11 town meeting cost estimate and modifications for Ware Middle School and Stanley M. Koziol Elementary School. There will be a 79.5% payback of estimated total costs of \$3,283,122 for WMS and \$917,041 for SMK.

Selectman Kruckas stated the Water Treatment Plant was presented to the public with estimates of \$6million, water rates and taxes increased, and now costs are increased overall.

Selectman Opalinski questioned the difference in the school costs. Mr. Beckley noted that the school department previously had quotes, contractors, soft costs, and asbestos, now added to original estimates.

Selectman Whitney stated the numbers are ridiculous and negligent. Selectman Opalinski questioned the timing and suggested other towns be contacted on how to do better process.

Mr. Beckley requested the Board of Selectmen send a letter to legislators opposing formula funding, as funds mandated at \$350,000 for Quabbin are now decreased by \$10,000.

Selectman Opalinski made the motion to send the letter to legislators opposing formula funding; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Selectman Opalinski questioned when the next TIF meeting would be held and requested the G & G owners be invited to that meeting to answer questions.

Executive Session: MGL Chapter 30A, Section 21(a) #2 Negotiations, #3 Litigation

Selectman Whitney made the motion to Adjourn Regular Session at 8:05 p.m. to go into Executive Session per MGL Chapter 30A, Section 21(a) #2 Negotiations, #3 Litigation, NOT TO RECONVENE IN OPEN SESSION; Selectman Fountain seconded the motion. The motion passed on a roll call vote of 5 Yes, 0 No.

Selectman John E. Carroll	Yes ✓
Selectman Michael P. Fountain	Yes ✓
Selectman Keith J. Kruckas	Yes ✓
Selectman Tracy R. Opalinski	Yes ✓
Selectman Alan G. Whitney	Yes ✓

Attest: _____
Mary L. Midura, Executive Assistant

The next meeting of the Board of Selectmen is March 5, 2019.



**Board of Selectmen
Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, March 5, 2019 at 7:00 p.m.**

Meeting Opened by Chairman Carroll

Present: Selectman John E. Carroll, Selectman Michael P. Fountain, Selectman Keith J. Kruckas, Selectman Tracy R. Opalinski, Selectman Alan G. Whitney, Town Manager Stuart Beckley, Clerk Mary L. Midura, Ware Community TV General Manager Stanley Ciukaj.

There was a moment of silence for Joseph “Tadziu” Wnek and Robert “Vance” Kaczuwka.

Opening Remarks, Announcements, and Agenda review by Chair

Selectman Opalinski noted the East-West Rail meeting on Tuesday, March 12 at UMass Center and Passenger Rail study charrette in Palmer on March 16. She also read information regarding Caring Health Center. Chairman Carroll noted that CHC proposal is contingent upon a competitive grant. Selectman Opalinski also noted a recent issue regarding a sex offender who lives on Cherry Street who was arraigned and set free; Selectman Whitney noted the meeting of the Committee to Recommend Legislation Regarding Sex Offender Density is on Thursday, March 7, 2019.

Consent Agenda

- **Retroactive Approval of One-Day Liquor License: Workshop 13, Ware Community Jazz Band, Sunday, March 3, 2019**
- **Toll Road Application: Aspen Street Rod & Gun Club, To Support Annual Kids’ Fishing Derby, Saturday, April 20, 2019, 9 AM to 2PM (alternate date Saturday, April 27, 2019)**
- **Approval of One-Day Liquor License: Workshop 13, Christophe Caouette Concert, Saturday, April 27, 2019**
- **Approval of Special Event Permit: Friends of Ware Dog Park, 2nd Annual Eggstravaganza, Saturday, April 13, 2019 (rain date April 20, 2019)**

Selectman Whitney made the motion to approve the Consent Agenda; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Mr. Fox spoke about the Toll Road. Brandy Brusco spoke about the 2nd Annual Eggstravaganza, with Rainbow Rescue from Chicopee, a wish list of dog friendly items, Usborne Books, and other vendors participating.

Scheduled Appearances

- **Review Warrant for Special Town Meeting March 11, 2019 with Finance Committee**

Finance Committee members Denis Ouimette, Scott Mosso, and Devin Peterson were present. Mr. Ouimette questioned why a Special Town Meeting must be held in March when the Annual Town Meeting is in May; Mr. Beckley noted the timing of the School articles for funding, as estimates and costs were just completed. The Town Manager, Board of Selectmen, and Finance Committee discussed each article and gave recommendations.

Article 1. Selectman Opalinski made the motion to approve; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 2. Selectman Kruckas made the motion to approve; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 3. Selectman Opalinski made the motion to approve with amended amount \$85,675; Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 4. Selectman Kruckas made the motion to approve; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 5. Selectman Whitney made the motion to approve; Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 6. Selectman Kruckas made the motion to approve; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 7. Selectman Whitney made the motion to approve; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 8. Selectman Whitney made the motion to approve; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), Not Financial, 1 Yes (Town Manager).

Article 9. Zoning Definitions: Selectman Fountain made the motion to approve; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), Recommended by Planning Board, Not Financial, 1 Yes (Town Manager).

Article 10. Zoning Cultivation & Manufacturing: Selectman Fountain made the motion to approve; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes (Board of Selectmen), 1 No (Selectman Carroll), Recommended by Planning Board, Not Financial, 1 Yes (Town Manager).

Article 11. Zoning Setbacks - Solar: Selectman Whitney made the motion to approve; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), Recommended by Planning Board, Not Financial, 1 Yes (Town Manager).

Selectman Kruckas questioned that this does not affect those already started; Mr. Beckley confirmed.

Article 12. Zoning – 12 Month Solar Moratorium: Selectman Whitney made the motion to approve; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), Recommended by Planning Board, Not Financial, 1 Yes (Town Manager).

Rick Starodoj, Planning Board Chairman, noted this may need to be a 14-month moratorium; Mr. Beckley stated this can be voted at Special Town Meeting. Selectman Opalinski asked for a comparison of collected value of the PILOT to value of land.

Article 13. Sewer: Selectman Kruckas made the motion to approve; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager). To be used to empty sludge, which is operational and cannot be part of a borrowing.

Article 14. Sewer Borrowing: Selectman Fountain made the motion to approve; Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 15. Dog Park construction: Selectman Whitney made to motion to DISMISS to the Annual Town Meeting; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 16. Regional Animal Control Shelter – Selectman Opalinski noted this began in 2013 at \$12,000 and is now at \$165,000 for Ware. There are approximately 1,800 dogs registered in Ware. Selectman Kruckas stated there are too many unknowns. Selectman Whitney stated the cost continues to spiral. Selectman Opalinski questioned the operational costs that are not yet known.

Selectman Whitney made to motion to DISMISS to the Annual Town Meeting; Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 17. Ware Senior Center repair: Selectman Kruckas made to motion to DISMISS to the Annual Town Meeting; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 18. Historic Preservation Grant Town Hall envelope study: Selectman Opalinski made the motion to approve; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No (Board of Selectmen), 3 Yes (Finance Committee), 1 Yes (Town Manager).

Article 19. Ware Middle School windows & doors: Mr. Beckley noted a 78.95% MSBA reimbursement, with \$ 3,283,122 total, for a borrowing of \$ 640,000.

Article 20. SMK Elementary School boilers: Mr. Beckley noted a 75% MSBA reimbursement, with \$ 917,041 total, for a borrowing of \$ 250,000.

Selectman Kruckas questioned why the percentages were not in the articles; Mr. Beckley noted these would be in the meeting packet. Selectman Whitney asked if there is no grant, there would be no borrowing; Mr. Beckley confirmed. Finance Committee Chairman Denis Ouimette questioned the age of the buildings and noted that the schools are 51% of the town's budget. Chairman Carroll stated he would like to see a breakdown of savings and the payback for these improvements. Selectman Opalinski noted the windows and doors were not listed in the Capital Plan.

Resident Cathy Cascio questioned the 20 year projected use. Selectman Whitney questioned the longevity of the buildings and noted this information should have come from the School Committee. Tracy Meehan noted there are very strict rules from MSBA. Andrew Choquette offered that energy saving windows will offer drastic improvements and it is easy to calculate the u factor and energy start information. Selectman Kruckas noted this was a very good deal.

Selectman Whitney stated his concern that the town keep the buildings long enough to see results, adding that the School Committee should provide more information. Chairman Carroll stated that better windows would bring great savings. Resident David Fox noted that the Ware Housing Authority has seen a 15% return on new windows recently installed. Resident Jenn McMartin noted the schools are not used all year. Chairman Carroll noted these articles have time constraints.

Selectman Opalinski stated this grant is annual, and the cleanup of the water is more important than the windows. Finance Committee member Devin Peterson stated the importance of making these buildings more energy efficient. Resident Brandy Brusco stated that the elementary school is freezing. Planning Board Chairman Rick Starodoj stated that the buildings are town owned and should be repaired before they become worse.

The Board of Selectmen and Finance Committee gave No Recommendation for Articles 19 and 20; The Town Manager recommended Articles 19 and 20.

Old Business

- **Approval of Police Contract**

Mr. Beckley noted the terms of 1.5, 2 and 2.5. Chairman Carroll stated you cannot pay enough for someone to shoot at you, it is not safe, and he supports this contract. Resident Cathy Cascio stated that cities pay and their officers are really getting shot at, but Ware is a small town, and she is shocked at the salaries of the town's officers. Chairman Carroll noted that no one is shooting at you (Ms. Cascio). Jenn McMartin questioned when was an officer last shot at in Ware? Chairman Carroll noted last year, and even in small towns, police work is dangerous. Ms. McMartin stated that nurses also take much risk. Mr. Beckley noted that Ware officers are not making what Springfield officers are making, with Springfield at a 13% increase, but Ware is at a 1.5% increase.

Selectman Opalinski made the motion to Approve the Police Contract; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Approval of Administrative Bargaining Contract**

Mr. Beckley noted this was previously approved but needs to be approved in Open Session. Selectman Kruckas questioned the Town Snow Policy in relation to Town Hall employees. He stated that Town Hall employees should use their own time if coming to work late. Mr. Beckley noted that a 2 hour delay at the schools results in a 1 hour delay at Town Hall, a no school day results in a 2 hour delay at Town Hall. Selectman Kruckas stated he would make a motion to change the policy; Chairman Carroll requested the Town Snow Policy be placed on the next meeting agenda.

Selectman Opalinski made the motion to Approve the Administrative Bargaining Contract; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

New Business

- **Applications for Cannabis Committee:**

- **Lori Sinclair, B'Leaf Wellness Centre – withdraw**
- **Megan Sinclair, B'Leaf Wellness Centre – withdraw**
- **Greg Eaton**
- **Richard Fly – out of town tonight**
- **LATE - Kate Steinberg**
- **LATE – Jon Hogan**

Selectman Opalinski made the motion to table to the next meeting; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Reappointment to Board of Registrars: Irene Orszulak, Term to Expire March 31, 2022**

Selectman Whitney made the motion to Reappoint Irene Orszulak to the Board of Registrars; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Approval of Appointment of Director of Planning and Community Development**

Mr. Beckley introduced Rebekah DeCoursey. Ms. DeCoursey noted her experience in the Town of Sturbridge. Selectman Kruckas questioned Ms. DeCoursey's knowledge and experience with grant writing; Ms. DeCoursey stated she is helping West Brookfield with grants. Ms. DeCoursey noted she is looking forward to working in Ware. Ms. DeCoursey will start on March 25, 2019.

Selectman Opalinski made the motion to Approve the Appointment of Rebekah DeCoursey as Director of Planning and Community Development; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Consideration to Rename South Street Bridge**

Selectman Whitney made the motion to support the efforts of the Ware Veterans Council to contact State Legislators to Rename the South Street Bridge to honor Earl F. Howe; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Comments and Concerns of Citizens

Cathy Cascio stated that the Town needs to prioritize the snow pickup as many businesses on Main Street still have snow blocking their parking areas. Ms. Cascio stated she was disappointed to read in the Ware River News that Mr. Beckley said "You'll be back" to the Fire Chief, and asked if the Fire Chief was still on leave. Chairman Carroll stated the investigation is ongoing.

Jim Russell questioned if the investigative firm was looking for a money issue. Chairman Carroll stated the investigation is ongoing.

Jennifer McMartin questioned if the Bylaws Review Committee will meet and when would the bylaws be online. Mr. Beckley noted that the committee met today and is finishing the questions from the 2007 review. The next step will be to meet with the code company to organize all bylaws up to 2007 and those since adopted, then to place all bylaws on the town website.

Town Manager Report

Upcoming dates:

March 11 – Special Town Meeting

March 13- Pathfinder Budget Meeting, 7 p.m.

March 14 – EQLT continued Solar discussion

The second of two new DPW trucks arrived last week. The snow blower, used for snow pickup, is currently being repaired. Downtown snow will be picked up tonight.

The proposed finance spreadsheet for the two school repair projects are attached. Dr. Dileo, the School Facilities director and I participated in a conference call this morning with MSBA. They have approved all the estimated funding with minor exception. The boiler project will be constructed this summer, and the windows and doors improvements next summer.

Bylaw Committee Update – The Bylaw committee has nearly completed its review of past questions raised by the contractor. The next step will be to meet with the contractor, and the incorporate recent changes into the bylaws. Meetings with departments may be necessary as to the relevance of existing bylaws.

Insurance – The Town’s health insurance premium rates from Blue Cross Blue Shield will decrease by 9.3 %. The insurance advisory committee is waiting to hear about rates on the dental plan.

Budget – The preliminary budget spreadsheet submitted to the Finance Committee is attached. This will need tweaking related to costs and revenues. A summary of the changes will be included to the Committee. As the Board will note, the Town for a variety of reasons – School funding by the Governor, Pathfinder costs, and insurance – is currently in a strong budget position. This will allow for the use of free cash for the completion of projects and capital acquisitions.

Selectman Whitney made the motion to Adjourn Regular Session at 8:35 p.m. to go into Executive Session per MGL Chapter 30A, Section 21(a) #2 Negotiations, #3 Litigation, NOT TO RECONVENE IN OPEN SESSION; Selectman Fountain seconded the motion. The motion passed on a roll call vote of 5 Yes, 0 No.

Selectman John E. Carroll	Yes ✓
Selectman Michael P. Fountain	Yes ✓
Selectman Keith J. Kruckas	Yes ✓
Selectman Tracy R. Opalinski	Yes ✓
Selectman Alan G. Whitney	Yes ✓

Attest: _____
Mary L. Midura, Executive Assistant

The next meeting of the Board of Selectmen is March 19, 2019.



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Minutes – Tuesday, March 19, 2019 at 7:00 p.m.

Meeting Opened by Chairman Carroll

Present: Selectman John E. Carroll, Selectman Michael P. Fountain, Selectman Keith J. Kruckas, Selectman Tracy R. Opalinski, Selectman Alan G. Whitney, Town Manager Stuart Beckley, Clerk Mary L. Midura, Ware Community TV General Manager Stanley Ciukaj.

There was a moment of silence for Patricia Orszulak, a former teacher.

Opening Remarks, Announcements, and Agenda review by Chair

Selectman Opalinski noted the Special Town Meeting on March 11, and stated she felt that Selectmen were duped and led to believe the MSBA grant was a one-time opportunity, but it is a yearly grant. She called MSBA and was told that Mr. Beckley, Dr. DiLeo and the school business manager came up with the dollar amounts. Mr. Beckley stated that the MSBA templates were used for the grant application. Selectman Opalinski stated that Selectman Whitney asked the life expectancy of the schools, and the information was incomplete and a bad process and presentation by the School Committee. Selectman Opalinski also noted the windows and doors were not on the Capital Plan. Selectman Whitney noted the numbers jumped and the estimates were not correct.

Selectman Opalinski also noted that the Cannabis Committee needs citizen members. Selectman Opalinski noted that since April 2, 2019 is Selectman Fountain's last meeting, she would like the Board to evaluate and review the Town Manager's goals.

Consent Agenda - none

Scheduled Appearances

- **Hilltown Community Health Center**

Eliza Lake, CEO and Frank Mertes, CFO presented their plan to the Board of Selectmen. They explained that Hilltown Community Health Center is seeking a Federal grant with the opportunity to open a site in Ware. This region is a hot spot for a need for a site that would offer assistance with anxiety, depression, SNAP, fuel assistance, and HCHC would also have a health insurance navigator at this site. Once established, HCHC hopes to add a dental clinic. The application for the grant is due April 11. The site would have a support staff of 8 – 10 and projected first year of 950 patients.

Selectman Opalinski asked if HCHC would have an agreement with Community Action; Ms. Lake noted that an MOU was possible. HCHC can also refer patients to other programs and providers. HCHC has been serving the area of Springfield for 70 years.

Selectman Whitney made the motion to send a Letter of Support for Hilltown Community Health Center, amended to include a Letter of Support for Caring Health Center, both competing for a grant; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Old Business

- **Applications for Cannabis Committee:**
 - **Greg Eaton**
 - **Richard Fly**
 - **Kate Steinberg**
 - **Jon Hogan**

Richard Fly introduced himself as a new resident who would like to be active in the community, with extensive experience as stated in his letter of interest. Kate Steinberg stated her interest and noted that she travel throughout the state and compiles a list of organizations and veteran causes. Selectman Kruckas noted his preference to appoint town citizens.

Selectman Kruckas made the motion to appoint Richard Fly and Jon Hogan to the Cannabis Committee; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 1 No (Selectman Carroll).

New Business

- **Review Town Snow Policy**

Mr. Beckley noted the policy was established in 2009 for safety of all employees. Selectman Kruckas questioned the delay of Town Hall opening and stated that Town Hall employees should not be paid, but use their own time if they want to come in on a delay. Chairman Carroll noted the policy affects all departments. Selectman Opalinski stated that Town Hall employees should not be penalized, but safety is most important.

Selectman Kruckas made the motion that Town Hall employees use their own time and to not be paid until reporting to work; Selectman Whitney seconded the motion.

Mr. Beckley requested to return with a draft policy, minus two top bullets, for final review.

The Board of Selectmen voted to review the draft policy at the next meeting on a vote of 5 Yes, 0 No.

Resident Cathy Cascio commented that the policy was created years ago to allow for the clearing and sanding of the parking lots.

- **Warrant for Annual Town Election, Monday, April 8, 2019 – Set Hours for Polls**
Selectman Whitney made the motion to Set Hours for Polls for Monday, April 8, 2019 from 7:00 a.m. – 8:00 p.m.; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Open Special & Annual Town Meeting Warrant, May 13, 2019**

Selectman Whitney made the motion to Open the Special and Annual Town Meeting Warrant on March 19, 2019 to Close on April 11, 2019; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Open Meeting Law Complaint Review and Response**

Chairman Carroll noted the Board of Selectmen had received a complaint from Thomas Coulombe.

Resident Kim Mongeau asked why the Board did not meet the deadline. Mr. Beckley noted the Town did submit the response after contacting the Attorney General for an extension due to costs for preparing the request.

- **Set Public Hearing for Pole Petition from National Grid: Bumpy Hill Road**
- **Set Public Hearings for 3 Pole Petitions from National Grid and Verizon: River Road, Bumpy Hill Road, and Belchertown Road**

Selectman Whitney made the motion to set the public hearings for 7:10 p.m., 7:12 p.m., 7:14 p.m. and 7:16 p.m.; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Comments and Concerns of Citizens

Cathy Cascio questioned if store owners must clear and shovel the sidewalks; Mr. Beckley confirmed that the police can issue violations for those that do not clear the sidewalks.

Chairman Carroll noted the request from Chief Crevier to allow parking on all election days from Bank Street west. **Selectman Whitney made the motion to allow parking on April 8, 2019 and all election days from Bank Street west; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.**

Kim Mongeau noted 24 police officer deaths and 3 canine deaths to date this year. She stated to Selectman Whitney that his military service was greatly appreciated, but his and other Selectmen's remarks about police not being shot at in small towns was very disappointing. She stated that the Police Department deserves an apology from the Selectmen and this Board should show more respect for all first responders.

Town Manager Report

Upcoming dates:

April 8 – Town Election

April 27- Town Cleanup Day

May 13 – Town Meeting

LED lights have been installed at the Fire Station Bay and at the Parks Department building at Grenville Park.

The Town will submit a grant to the Massachusetts Historic Commission on Friday for an architectural study of the Town Hall. Awards will be announced in June.

The Elm Street reconstruction is out to bid with bids due on April 11. This project includes Water and sewer line repairs as well as repaving.

The engineering study of alternatives to repair the Beaver Brook bridge has been completed with copies in the Selectmen's boxes. The two alternatives reviewed include temporarily cribbing the bridge with wood, or repairing the steel beams, which is a permanent fix.

Rebekah DeCoursey will begin work as Director of Planning and Community Development on Monday, March 25. Thank you to Mary Midura and the Building Department for assistance with paperwork in the past month.

Brandon Haney is hired as a wastewater operator. He will work with both the sewer and water departments over the next 6 months to learn both departments and to prepare for his license tests.

The Town is posting temporary part-time positions for labor assistance in the Parks Department. Also, the Town is posting the position for Treasurer/Collector while exploring options for filling that vacancy.

The Palmer Planning and Community Development departments held a "charrette" on March 16 to gather community comments on having a rail stop in Palmer on a proposed East-West rail line. Much of the discussion focused on the need for long-term planning and the involvement of all the region's towns.

Selectman Whitney made the motion to Adjourn Regular Session at 8:06 p.m. to go into Executive Session per MGL Chapter 30A, Section 21(a) #3 Litigation, NOT TO RECONVENE IN OPEN SESSION; Selectman Fountain seconded the motion. The motion passed on a roll call vote of 5 Yes, 0 No.

Selectman John E. Carroll	Yes ✓
Selectman Michael P. Fountain	Yes ✓
Selectman Keith J. Kruckas	Yes ✓
Selectman Tracy R. Opalinski	Yes ✓
Selectman Alan G. Whitney	Yes ✓

Attest: _____
Mary L. Midura, Executive Assistant

The next meeting of the Board of Selectmen is April 2, 2019.



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, April 2, 2019 at 7:00 p.m.

Meeting Opened by Chairman Carroll

Present: Selectman John E. Carroll, Selectman Michael P. Fountain, Selectman Keith J. Kruckas, Selectman Tracy R. Opalinski, Selectman Alan G. Whitney, Town Manager Stuart Beckley, Clerk Mary L. Midura, Ware Community TV General Manager Stanley Ciukaj.

A moment of silence was observed for Alma Rolla, a former election volunteer.

Opening Remarks, Announcements, and Agenda review by Chair

Selectman Kruckas noted the accident involving young adults last week. He stated that fire, police and hospital staff all did an amazing job of response and treatment. There will be a spaghetti supper for the benefit of Sean Piechota, a town employee, on April 20 at Gabe's @ 6pm. There is also an account at Country Bank for Mr. Piechota and a GoFundMe account for Brandon and Haley.

Selectman Opalinski asked Mr. Beckley if there were mental health services for employees; Mr. Beckley noted the EAP program.

Selectman Kruckas requested a vote to allow the special event on April 20, 2019.

Selectman Kruckas made the motion to allow the special event Spaghetti Supper at Gabryel Narutowicz, Inc. at 11 East Main Street, on April 20, 2019 at 6:00 p.m.; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Chairman Carroll read and presented a commendation to Michael P. Fountain for his service as a Selectman from April 11, 2016 – April 8, 2019. Selectman Fountain thanked the voters and fellow Board members.

Consent Agenda

- **Special Event Application: Trinity Episcopal Church – Extreme Tour, July 31, 2019**

Edie Kirk and Barbara Newton were present for the application. Ms. Kirk stated the Extreme Tour is 20-35 artists who travel the country and volunteer and give music concerts that are faith-based, not evangelizing, but uplifting. The group will arrive Monday, July 29, and the concert will be held from 3:00 pm – 9:00 pm.

Selectman Whitney made the motion to approve the Special Event: Extreme Tour; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Scheduled Appearances

- **7:10 p.m., Pole Petition by National Grid: Bumpy Hill Road (27642166)**
- **7:12 p.m., Pole Petition by National Grid and Verizon: River Road (27642166-1)**
- **7:14 p.m., Pole Petition by National Grid and Verizon: Bumpy Hill Road (27642166-2)**
- **7:16 p.m., Pole Petition by National Grid and Verizon: Belchertown Road (27642166-3)**

Chairman Carroll read aloud the public hearing notice of petition #27642166.

Robert Swift, CHA field planner, and Jared Sawabi, National Grid designer, were present for the petitions. The poles will be used to add upgraded voltage to bring Ware up to industry standards.

Selectman Kruckas questioned if this is related to solar plans; Mr. Swift stated that some wire on Belchertown Road would accommodate power lines for solar.

Chairman Carroll asked for anyone who wished to speak on the petition; there were no abutters to speak to or protest the petition.

Selectman Whitney read aloud the public hearing notices of petitions #27642166-1, #27642166-2, and #27642166-3.

Chairman Carroll asked for anyone who wished to speak on the petitions; there were no abutters to speak to or protest the petitions.

Selectman Whitney made the motion to approve Pole Petitions #27642166, #27642166-1, #27642166-2, and #27642166-3; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Old Business

- **Review Draft of Amended Town Snow Policy**

Mr. Beckley noted that language regarding delay has been removed. Selectman Opalinski stated that DPW must plow roads first; she was concerned that a citizen was hurt last year when the parking lot had not yet been sanded, and the Board of Selectmen must consider risk for insurance purposes.

Selectman Kruckas noted the changes applied to the Town Hall only. Selectman Opalinski noted this would not stop a lawsuit. Mr. Beckley noted that the Parks plow the parking lots and the DPW does the sanding. Selectman Opalinski stated this was not just a personnel but also a town policy, and other items could be part of the policy such as parking, snow, and ice removal.

Selectman Kruckas questioned how long there has been such a policy; Mr. Beckley stated the policy has been in place since the 1990's. Selectman Kruckas asked how employees were paid, as some are always here on time; Selectman Whitney noted the regular payroll. Selectman Kruckas stated this discriminates against those employees who must report to work. Selectman Kruckas noted the policy should be the same for all employees across the board.

Selectman Whitney made the motion to approve the Town Snow Policy with submitted revisions; Selectman Kruckas seconded the motion.

Selectman Opalinski questioned if the policy would be in the employee handbook. Mr. Beckley stated yes, and there is a Snow and Ice bylaw. He questioned why the Board would not apply that to staff. Selectman Kruckas stated that there should be no delay at Town Hall. Selectman Opalinski stated the first priority should be to open the roads. Selectman Kruckas stated that the roads were in good shape this season. Selectman Whitney stated that those who don't want to come in should take personal time. Selectman Opalinski stated that the sidewalks and parking lots must be sanded.

Resident Andrew Choquette stated that some employees can earn overtime, but departments have different responsibilities such as covering night meetings. Selectman Kruckas stated that these are the jobs as hired, not to be paid for delays, and there have been previous discussions of finding ways to save funds for more important items.

Resident Laurie Whitney stated that her work distinguishes essential and non-essential employees, but leaves the final decision to the site manager.

The motion passed on a vote of 4 Yes, 1 No (Selectman Opalinski).

- **Town Manager Goals Review**

Fiscal Management & Capital Planning
Long Range Planning

Mr. Beckley noted that the town budget process is in a good position, and the Capital Improvement meets next week.

Selectman Kruckas questioned why one department was out of funds four days before the Special Town Meeting; Mr. Beckley noted that budgets are fluid throughout the fiscal year. Selectman Kruckas stated there should be more notice.

Mr. Beckley noted that departments submit monthly reports and budgets must be flexible to get through to June 30. He noted that debt is less than \$1 million, and insurance costs have a 9.3% decrease, due to claims decrease, and incentives such as the wellness program for town and school employees.

For #4, improvements to departments, website is kept more up to date and includes community events, elections, warrants, water issues, use of Code Red. Selectman Opalinski questioned if policies are online; Mr. Beckley noted some towns post their employee handbook, and the bylaw committee is moving forward to have the bylaws online by year end, with a meeting with the Code representative scheduled for April 17.

Selectman Kruckas questioned why a bylaw passed last year for ban of skateboarding in Veterans Park was not sent to the AG by the Town Clerk, and how many other bylaws have not been sent to the AG. He stated that the Town Clerk should be doing the basic job, not on committees, and keeping priorities and do the job hired for. Mr. Beckley stated that all bylaws are prepared to be sent to the AG.

Selectman Carroll asked Mr. Beckley what will be done with outdated bylaws; Mr. Beckley noted some can be deleted with a motion at Town Meeting.

Mr. Beckley noted the Historic MHC grant application has been submitted, and the electrical system of Town Hall still needs to be reviewed. Selectman Opalinski noted that the windows for WMS were not on the Capital Plan, and how can these be better tracked. Mr. Beckley noted that the school must tell us to put such items on the Capital Plan and the Finance Committee must consider. There are other items such as the Master Plan, Open Space Plan, and the Main Street project.

Selectman Opalinski suggested other towns may be better planned. Selectman Kruckas noted the need for maintenance of all town buildings. Selectman Opalinski noted all buildings should be assessed.

Staff and Personnel Relations

Mr. Beckley noted that four department heads have had performance evaluations, with six month reviews scheduled for building, accounting, senior center, town clerk. Evaluations are not merit based, and if changed with rewards would need standard ratings.

Selectman Opalinski referred back to #4 of Long Range Planning to ask if Mr. Beckley checked on outsourcing billing and collections; Mr. Beckley noted the website showed 3X what the town now pays, but other towns have had great success, so he may further research the option. Another possible solution is to share the position. The plan is to move the water bill collection to town hall, but there is a gap between tax bill collection and water bill collection, with possible changeover in the summer months.

Selectman Kruckas commented on staff turnover; Selectman Whitney noted there is turnover everywhere in the business world. Selectman Opalinski questioned Mr. Beckley regarding applicants for DPW Director; Mr. Beckley noted there has not been a good fit, and he continues to search.

Mr. Beckley continues to work on the draft of the Personnel Manual, and the town continues to maintain training in Police, Fire, and DPW departments. The wellness program is challenge-based and well received by employees.

Community and Intergovernmental Relations

Mr. Beckley noted for Code Enforcement, that multi-family inspections will begin soon. The CDBG grant includes legal help for Board of Health and Building Inspector. Selectman Kruckas stated that the Building Inspector is doing a great job!

Mr. Beckley noted he is optimistic regarding Quaboag Connector. Monson has now included funding in their budget, as have Palmer and Hardwick.

Mr. Beckley noted that Board of Health and Building Department are moving forward on Clean/Lien on small clean ups. The West Main Street property should have a deed in approximately one week.

Selectman Opalinski asked for a Bulky Goods Day; Mr. Beckley noted this is to be scheduled soon. Selectman Opalinski also asked for a Hazardous Waste Day; Mr. Beckley noted this may be arranged in the Fall. Resident Andrew Choquette suggested use of an AG rolling grant; Mr. Beckley noted that particular grant must have a 50% match.

Mr. Beckley also noted the plan to train newly elected Board of Selectmen members. Selectman Kruckas noted #5 under Communication and the need for disciplinary action, not to follow past practices. Selectman Opalinski noted that the Employee Handbook will help greatly with that goal.

New Business

- **Announce Resignation of Jason Patrissi, and New Open Position on Committee to Recommend Legislative Action Regarding Sex Offender Density**

Chairman Carroll stated that those who previously replied can re-apply, and to advertise the open position on the town website.

- **Citizens' Petition for Zoning Use Change, Residential Business (RB) – Forward to Planning Board**

Mr. Beckley requested that the Board forward the petition to the Planning Board for a public hearing.

Selectman Whitney made the motion to forward the Citizens' Petition for Zoning Use Change, Residential Business (RB) to the Planning Board for a public hearing; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Comments and Concerns of Citizens

Resident Brandy Brusco noted the Eggstravaganza on April 13 will include Department of Children and Families booth with information of fostering and adoption, and Headstart for education.

Selectman Kruckas noted his hope there is another National Night Out; Mr. Beckley stated that this event will occur again.

Selectman Opalinski noted the Town Election on Monday, April 8. She announced that Caring Health Center will hold an informational meeting at Highland Village on Tuesday, April 9 from 5-6 p.m.

Town Manager Report

Upcoming dates:

April 8 – Town Election

April 27- Town Cleanup Day and Ware Spring Shop Hop

May 13 – Town Meeting

Tighe and Bond is preparing quotes for the design of the Beaver Brook Bridge on Old Belchertown Road. With MassDOT bridge review required, they expect this project will be Spring 2020 for

construction. Similarly, after reviewing the Senior Center, they are seeking quotes for the performance of soiling sample drilling in order to prepare a cost for fixing the wall cracks. DPW is keeping an eye on drainage from the roof.

All the Town-owned streetlights have been replaced with LED. The Town is working to complete purchase of the remaining 70 National Grid owned lights, and then those will be replaced.

Flushing of the Town's water lines will begin on April 15. The areas being flushed will be posted on the Town's website and notifications sent via the Code Red system. Similar to last year, most work will be completed at night.

The Ware Substance Support Hub (WSSH) is a working group considering the needs of Ware in response to all substance abuse (as opposed to focusing on opioids). WSSH was formed after the work of an opioid focused group meeting that has been active for over a year plus. After time the group sought to evolve into an all substances prevention, treatment and recovery working group committee looking at the needs of Ware, in partnership with the newly formed police department DART program outreach work. During this process the WSSH group has also explored the forming a recovery center based on the local level need that has come up regularly by the group members for improving services and the growing peer recovery community network in Ware and surrounding towns. With the DART (Officer Cacela) program and other local organizations invested in seeing the recovery community succeed in Ware it logically made sense Ware is the centralized location for people who have transportation limitations and access to recovery center supports.

The WSSH group has toured several facilities to explore recovery center concepts and conduct research on what communities have embraced as models successfully that might fit into Ware. We know the intersections of three County's find Ware as a hub for medical care, education with E2E, social services, retail and many other needs which makes it an ideal home for a recovery center with a centralized downtown area.

The WSSH group received recommendations and were advised on the creation of a survey tool about what the recovery community would benefit from in such a possible recovery center. This survey will be disseminated in Ware and the surrounding towns/areas to identify what a recovery center and programming might comprise of.

The Building Inspector, Planner, Planning Commission met with a consulting engineer and Mass Development to consider funding options for the study and redevelopment of the Millyard area. Mass Development has funding for cleanup and reuse of sites. With the Town now owning property, an environmental review would include that site.

The financial team is working with the Town's financial advisor, Unibank, to prepare for the next borrowing, which will occur before June. As part of this process, Standard and Poor's may review the Town's bond rating.

The Parks Department is working on repairs to the damage done to Veterans Park. The District Attorney's office is coordinating restitution. The driver was insured. A new flag pole has been ordered.

School Building Committee: Working with Dr. DiLeo and reviewing other towns' committee set ups, we recommend that the makeup be:

Member of the School Committee

Member of the Selectmen

School Superintendent

Town Manager

Chris Dymon, School Maintenance

School Principal (respective to each project)

1 or 2 residents knowledgeable in construction

This committee will work with the Owner's project manager and architect and contractor to review project plans and designs.

Selectman Whitney made the motion to appoint Selectman Kruckas to the School Building Committee; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

At 8:22 p.m., Selectman Whitney made the motion to Adjourn the Regular Meeting; Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Attest: _____
Mary L. Midura, Executive Assistant