



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

Meeting Notice Agenda Tuesday, February 21, 2017 at 7:00 p.m.

Present: Selectman Carroll, Selectman Desmond, Selectman Talbot, Selectman Fountain, Selectman Whitney, Stuart Beckley, Mary Midura, Stanley Ciukaj, Ruben Flores-Marzan, Director of Planning and Community Development

Meeting Opened by Chairman Carroll at 7:00 p.m. Mr. Carroll requested a moment of silence for Pfc. Brian Odiome, who died February 21, 2017 in Iraq. Mr. Carroll also requested a moment of silence for the passing of Michalina Kalafarski, who was a secretary of the Ware Police Department and Gilbert Saletnik, who was on several town boards and committees.

Opening Remarks, Announcements, and Agenda review by Chair – Selectman Desmond stated that a bill should be sent to the owners of the empty Main Street properties for snow removal. Mr. Beckley noted there no policy, but the owners have been sent a letter of the fine for non-removal of snow.

Consent Agenda

- **Approval of Meeting Minutes of February 7, 2017 and September 20, 2016**
Selectman Talbot moved approval of the minutes; Selectman Fountain seconded. The motion passed unanimously (5-0).

Comments and Concerns of Citizens

Tracy Opalinski, WBCA, noted the Spring 2017 Classes at E2E, including Professional Development, Healthcare, Hospitality, Personal Enrichment, Home Repair, Elder Law and Estate Planning, and How to Get Debt Free. Ms. Opalinski noted the new Quaboag Connector transportation program. Call 413-544-3401 to request a ride to employment and education.

Resident Maggie Sorel noted the Ware Fire Department Ambulance Services letter recently sent to residents, but was told on February 4, 2017 when she took a resident to the ER that “Ware does not transport after 5:00 p.m.” and Ms. Sorel’s friend had to wait over 2 hours for an ambulance from Springfield to transport from MLH to Wing Hospital. Selectman Carroll noted that this must be by contract. Resident Jennifer McMartin, an ER nurse at BMLH, stated that this is true, but the resident should not get a bill for the ambulance transport.

Old Business - none

New Business

- **Approval of Equipment Lifetime for Borrowing – Parks Mower**
Mr. Beckley explained that this borrowing was approved at the November 14, 2016 special town meeting. State law requires the Board to declare a useful life for the mower.
Selectman Talbot moved to authorize and vote to declare a useful life of 10 years for the Parks Mower; Selectman Whitney seconded. The motion passed unanimously (5-0).

Town Manager: Stuart Beckley
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Scheduled Appearance

- **Medicinal Marijuana – Request for Letter of Non-Opposition**

Attorney McMahon, representing Healthwise Foundation, Inc., spoke for the request. The cultivation facility is in North Brookfield. The location of interest for the offsite facility as a registered marijuana dispensary is 39-41 West Main Street; there is a full finished basement, smaller entryway, and close proximity to North Brookfield. This would be safe and discreet and mutually beneficial. Attorney McMahon stated the company would continue to meet regularly with Chief Kovitch and Chief Coulombe. Attorney McMahon asked for a letter of non-objection.

Selectman Talbot noted the process started two years ago. Attorney McMahon stated that the North Brookfield facility is building ready and awaiting State approval. The facility in Ware would serve as a flagship and model, and would be the first in the state.

Selectman Desmond noted that the Board should hear from neighbors at a public meeting. Attorney McMahon noted that the facility is privately financed, and he is under a time constraint of March 15, 2017. Selectman Whitney noted that he was ready to agree to non-opposition tonight.

Selectman Desmond moved to continue the discussion to March 7, 2017; Selectman Talbot seconded. The motion to continue passed unanimously (5-0).

Scheduled Appearances

- **7:15 pm, Public Hearing on Proposed FY2017 Joint CDBG Application**

Ted Harvey, Pioneer Valley Planning Commission, and David Gravel and Tracy Opalinski of the Ware Community Development Authority, presented the information. Community Development Block Grant (CDBG) is funded by US Department of Housing & Urban Development. Projects must serve low-to moderate-income beneficiaries or eliminate “blight”. The Regional application (Ware, Warren, and Hardwick) is limited to \$1.3million in FY2017; Ware’s share is a maximum of \$464,948. Regional Housing Rehabilitation Program goal is for 11 units in Ware, 10 units in Hardwick, and 3 units in Warren (\$714,000 approximately). Public Social Services recommended by the Community Development Authority are the Regional Domestic Violence Task Force, PATCH program, Ware Adult Learning Center, Hardwick Senior Outreach Program, and Youth Center Summer Program(\$201,100 approximately). Total Budget, including grant administration and project delivery costs is \$1,056,100 approximately. The application is due March 10, 2017, with award announcement likely in July/August 2017.

Maggie Sorel questioned a previous vote of the CDA to designate \$62,000 to demolition, and questioned cost per unit, and questioned whether “Slum and Blight” designation affected this application. David Gravel noted that vote was rescinded on February 13, 2017. Cost per unit is approximately \$25,000 with additional project delivery and administrative costs. Tracy Opalinski noted that one of the requirements of the grant is to demonstrate the existence of blight. Judith Roberts, The Literacy Project, said a thank you to the town of Ware for funding this; a recipient noted that “you have given me my tomorrows”. Stacy Barr asked how people become recipients of this funding, and were there any special considerations given to senior citizens. Applicants are vetted due to need and urgency; the current wait list has 35 applicants. Ted Harvey noted he would find the answer regarding senior citizens.

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Selectman Desmond moved to authorize the submission of the proposed FY2017 Ware River Valley Community Development Fund Grant application to the DHCD in an amount not to exceed \$1,300,000, as detailed in the public hearing and to include funding for the Ware River Valley Regional Housing Rehabilitation Program and recommended social service programs. Further, the town authorizes the Chairman of the Board of Selectmen to sign all required forms, documents, and authorizations pertaining to the proposed FY2017 Ware River Valley Community Development Fund Grant application. The town also acknowledges and accepts the recommendation of the Community Development Advisory Committee to include a request for funding for the Domestic Violence Prevention, a program of the Regional Domestic Violence Task Force managed by the PVPC. Selectman Whitney seconded. The motion passed unanimously (5-0).

- **Joint Meeting of Community Development Authority and Director RE: Slum and Blight Designation and vote of December 6, 2016**

Chairman Carroll noted that the vote of the Board of Selectmen of December 6, 2016 has raised concerns of citizens. This meeting is held to address those concerns. Resident Dar Sojka thanked the citizens attending, and questioned the procedure of the public notice of the December 6, 2016 meeting. Ms. Sojka noted that this designation of Slum and Blight has affected real estate values. Resident George Staiti stated that this designation would affect real estate values. Tracy Opalinski submitted that all realtors must follow the code of ethics and would support elimination of all slum and blight, and this is a designation only. Resident Maggie Sorel stated that there should be a larger overlay map and a map on the town website of the designated area. Tracy Opalinski stated that the area is a Federal designation and would not be a map. Resident Keith Kruckas stated that property values and taxes are affected, and everyone should file an abatement. Resident Cathy Cascio noted her concerns of this label and how realtors must answer prospective buyers if asked.

Chairman Carroll asked Ted Harvey, PVPC, whether other communities have found the designation to be detrimental; Mr. Harvey noted that the designation is from HUD at the State level and has not been an issue for other communities. David Gravel, WCBA, noted that this designation and funds will ensure that decrepit properties will get the attention needed.

Tracy Opalinski gave a history of the CDBG begun in 1974, with over \$35million in grants awarded since 1981. Without this grant funding, local tax dollars would have been needed. The Community Development Authority has a developed strategy updated every four years, with public input, with the number one priority and focus on housing, and to eliminate and prevent blight. Ware has to demonstrate those needs and the urgent threat, if needed. Governor Baker has added more towns to the list for future grants, and this grant is an important tool to help the town. Mr. Beckley noted the CDA strategy included slum and blight research and investigation began in early Spring 2016 through June.

Resident Danielle Souza, of Buy Ware Now, noted that appraisals affect the perception of the town and it needs to be changed, as the media has hurt the town with the Slum and Blight headlines. Ms. Sojka stated this does not involve new funding, and commercial or industrial use for this funding is included and this designation will take away from housing or social services. Mr. Gravel noted that this year Prospect Street will have roadway and sewer work, with Bank Street and Spring Street to be improved next, and housing rehabs are done every year. Selectman Talbot noted that the community has always has a need with ongoing projects each year, adding that it was Selectmen's foresight years ago to apply for such grants.

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Mr. Kruckas stated that the residents have not been informed of this designation and stated his concern that all funds would only be used in the downtown area, and the town should only hire town residents who have a vested interest in the town. Selectman Desmond questioned how many towns are served by the PVPC; Mr. Harvey answered approximately 40 towns in Hampden and Hampshire counties, in this area, Palmer and Ware have the "Slum and Blight Designation". Selectman Desmond questioned whether Ware is unique; Mr. Gravel noted a disproportionate number of blighted houses need funding. Selectman Desmond stated the "slick presentation" at the December 6, 2016 meeting was the first knowledge he had of this designation, that it was his mistake to vote for this. Selectman Whitney noted that the designation name is unfortunate. Selectman Desmond noted that the vote could be rescinded and not affect this year's application.

Ms. Sorel questioned the Selectmen as to whether any have physically driven the designated area; Selectman Whitney stated he had not. Ms. Sorel again noted that an overlay map should be on the website and should be readable. Ms. Sorel stated that funds should be used for the intended uses, not for buildings that are not fixed and not insured. Resident Donald Pulchtopek questioned how long this designation lasts; Mr. Gravel answered "10 years", and noted that the town of Spencer has had the Slum and Blight Designation, and just renewed their designation for ten years. Mr. Pulchtopek stated that the town should have legislation to require homeowners to have insurance, otherwise many more such situations will occur.

Resident Stacy Barr noted that she has personally renovated her home at 20 Church Street, and wants to see continued improvement in the area. Ms. Barr stated she would support this designation if the public was informed as to where the funds would specifically be used. Ms. Barr noted that Ware used to be a destination, and the public wants to understand the economic development of the town.

Tracy Opalinski note the CDA strategy is online under Planning and the CDA has used public input and surveys to prioritize, always ready to pivot or turn if rehab funds fall through, with a new strategy for 2018-2022 already being discussed. Ms. Opalinski noted that E2E intends to help raise up people, and the town needs this designation tool for flexibility in improving the town. Ms. Opalinski noted that the CDA has worked very hard and used out of the box thinking to get things done; the CDA may have two openings soon.

Resident Elaine Masse stated that Agawam has a Blight Law, and questioned if Ware also has such a law; Ms. Sorel noted the Vacant Building bylaw passed at the 2014 town meeting. Resident Cathy Cascio noted that all in attendance care about the town and appreciate any funds received to improve the town. Ms. Cascio noted that Mr. DiMarzio stated at town meeting that the town should not spend funds received on private property; and Ms. Cascio questioned if the town has started the procedures regarding the Main Street and West Main Street properties. Mr. Beckley noted that the town has begun procedures.

Resident Jon Hogan stated that the "Slum and Blight" designation from HUD is the negative perception. Selectman Talbot noted that the town needs to take this positive energy for the community to reinvigorate the town with these funds. Mr. Beckley acknowledged Jim Mazik and Ted Harvey of PVPC for their work on the proposed Resolution before the Board of Selectmen tonight.

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Selectman Talbot read the following Resolution and moved to accept this Resolution; Selectman Whitney seconded. The motion passed on a voice vote of 4 Yes, 1 No (Selectman Desmond).

**RESOLUTION OF THE WARE BOARD OF SELECTMEN DESIGNATING THE
“DOWNTOWN NEIGHBORHOOD REVITALIZATION AREA”**

WHEREAS, the town of Ware recognizes the need to utilize state and federal funds to support Reinvestment and implement improvement projects within the downtown area; and

WHEREAS, the town of Ware recognizes that in order to initiate specific improvements and eliminate and/or prevent conditions that discourage investment and limit redevelopment opportunity, it must comply with specific funding terms and conditions including National Objective compliance criteria under the Federal Community Development Block Grant (CDBG) Program as well as MGL C121A and 121B; and

WHEREAS, the town of Ware accepts the slum and blight inventory of the Ware Downtown Area solely for the purpose of meeting National Objective compliance under the Federal Community Development Block Grant Program and that the downtown area is not, by true definition, a “slum”, but rather meets a threshold of condition meeting the federal criteria; and

WHEREAS, the Ware downtown area contains the majority of the town’s older housing stock, aging infrastructure, and commercial/industrial properties and buildings; and

WHEREAS, the town of Ware recognizes that scattered throughout the downtown area there are some conditions of deferred maintenance, disrepair, and disinvestment due to both age and economic conditions; and

WHEREAS, the town of Ware is committed to eliminate those conditions as defined in MGL C121A and 121B by applying for available state and federal funding that will allow for the implementation of specific improvement programs including housing rehabilitation, infrastructure improvements, demolition, redevelopment, streetscaping, façade improvements, greenspace and neighborhood park improvements, brownfields remediation, and other similar redevelopment and improvement projects.

NOW THEREFORE BE IT RESOLVED, the Ware Board of Selectmen hereby designates the area which was surveyed for the purpose of meeting the CDBG Program National Objective of the prevention or elimination of slum and blight, as the “DOWNTOWN NEIGHBORHOOD REVITALIZATION AREA” which shall serve as the focus of the town’s reinvestment, revitalization, and beautification programs.

Dated this 21st day of February, 2017.

Ware Board of Selectmen
John E. Carroll
Nancy J. Talbot
Michael Fountain
Alan G. Whitney

Town Manager: Stuart Beckley
sbeckley@townofware.com

Town Manager Report – Mr. Beckley noted important upcoming events:

Wednesday, February 22, 7 p.m. – ZBA meeting on variance for signage for Taco Bell

Friday, March 10, 8:30 a.m. – Invitation from Chief Coulombe to Western MA Chiefs Legislative Breakfast

Wednesday, March 15, 7 p.m. – Pathfinder Budget Meeting

Mr. Beckley asked the Board to place the Disposition of the South Street School on a future agenda – this will be placed on the agenda of March 7, 2017.

Mr. Desmond asked about the Hancock building – Mr. Beckley noted that the Building Inspector keeps watch on the situation. Mr. Beckley noted a conference call next week with the AG's office regarding vacant properties.

Executive Session: MGL Chapter 30 (a) Section 21 (a) #1 Discipline of Public Employee

Selectman Talbot moved to Adjourn Regular Session at 9:15 p.m., to move into Executive Session per MGL Chapter 30A, Section 21 (a) #1, To Discuss Discipline of Public Employee, NOT TO RECONVENE IN OPEN SESSION; Selectman Whitney seconded. The motion passed on a Roll Call Vote of 5 Yes, 0 No:

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| John E. Carroll | Yes√ |
| John A. Desmond | Yes√ |
| Michael Fountain | Yes√ |
| Alan G. Whitney | Yes√ |
| Nancy J. Talbot | Yes√ |

Attest: Mary L. Midura
Mary L. Midura, Executive Assistant