



**Board of Selectmen
Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Notice Agenda – Tuesday, January 19, 2021 at 7:00 p.m.**

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

Chairman Whitney opened the Regular meeting at 6:17 p.m.

Selectman Kruckas made the motion at 6:17 p.m. to Adjourn the Regular Meeting to go into Executive Session: M.G.L. Chapter 30A, Section 21(a) #2 Union Negotiations, #3 Litigation, TO RECONVENE IN OPEN SESSION at 7:00 P.M. Selectman Barnes seconded the motion. The motion passed on a roll call vote of 4 Yes, 0 No, 1 Recused (Selectman Talbot).

Selectman Alan G. Whitney	Yes√
Selectman Keith J. Kruckas	Yes√
Selectman Thomas H. Barnes	Yes√
Selectman Nancy J. Talbot	Recused
Selectman John J. Morrin	Yes√

Selectman Kruckas made the motion at 7:03 p.m. to Adjourn Executive Session, TO RECONVENE IN OPEN SESSION at 7:07 p.m. Selectman Barnes seconded the motion. The motion passed on a roll call vote of 4 Yes, 0 No, 1 Recused (Selectman Talbot).

Selectman Alan G. Whitney	Yes√
Selectman Keith J. Kruckas	Yes√
Selectman Thomas H. Barnes	Yes√
Selectman Nancy J. Talbot	Recused
Selectman John J. Morrin	Yes√

Instructions for call in option: at or before 7:00 p.m., call the phone number below and when prompted enter the Meeting ID number. The platform is Zoom Meetings.

Join online: <https://us02web.zoom.us/j/7846041861> (the online option will require a download).

Meeting ID: 784 604 1861

Passcode: 01082

Phone: 929-205-6099

Present: Selectman Alan G. Whitney, Selectman Keith J. Kruckas, Selectman Nancy J. Talbot, Selectman Thomas H. Barnes, Selectman John J. Morrin, Town Manager Stuart B. Beckley, Executive Assistant Mary L. Midura, Building Inspector Anna S. Marques, Police Chief Crevier

Absent: None

Present via Zoom: Town Accountant Tracy Meehan, Treasurer Erica Brunell, WRN Editor Eileen Kennedy, Health Director Judy Metcalf

Meeting Opened by Chairman Whitney at 7:07 p.m.

Opening Remarks, Announcements, and Agenda review by Chair

Selectman Barnes thanked Chuck Niedzwicki for the sign at Route 9, visibility is improved. He also thanked Stanley Ciukaj from Ware TV for the chrome books for the Selectmen.

Selectman Kruckas expressed his condolences to the Chevalier family.

Selectman Morrin thanked the Town Planner and Planning Board for taking on the issue of abandoned properties and making a condition of mandatory insurance. He announced that the Downtown Improvement Committee will meet on January 25, 2021 at 6:00 p.m.

Consent Agenda

- **Approval of November 24, December 8, December 22, 2020, and January 5, 2021 Meeting Minutes**

Selectman Talbot made the motion to approve the meeting minutes of November 24, December 8 and December 22, 2020 and January 5, 2021. Selectman Barnes seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Abstention (Selectman Kruckas).

Scheduled Appearances

- **Judy Metcalf, Director Health Department**

Ms. Metcalf stated that Ware is in the third week of Red High Risk, with 9.03% case positivity, per 100,000 is 66.1% incidence rate. This bad situation calls for wearing masks, social distancing, washing hands, avoid group activity. The Health Department now has calls from residents for information on how/when they can get the vaccine. Ms. Metcalf noted that the state is still in Phase 1 with home healthcare workers now eligible for the vaccine. Until the state is in Phase 2, with vaccines for teachers, elderly, those with medical conditions, and essential workers, there is no new information. Ms. Metcalf noted a realistic timeline would bring us to mid-February for more vaccine availability.

Selectman Morrin thanked Ms. Metcalf and her staff for their hard work, and for her honest and complete answers. He asked if Red status meant the virus is everywhere. Ms. Metcalf noted that Red means community spread, and we all need to continue to be careful with defensive measures.

- **Schools Update**

Selectman Morrin noted a demand for \$44,000 for which he said the schools are responsible for payment. He noted an email from the School Committee Chairman in which the SC Chairman stated he would not attend a meeting in which a raised voice and accusatory tone is used. Selectman Morrin said he would assure the SC Chairman that the only raised voice is when someone is lying to us, and the Board was misled about negotiations about the \$44,000 and the legal requirements of the bill, (the Board was misled about) the delivery and existence of minutes of the Reopening Committee, and the Board was misled in that the trigger had been set at two weeks of Red for the closing of the schools. Selectman Morrin stated "So if he wants to avoid a raised voice and accusatory tone, if someone from that department comes before this Board, encourage them to testify fully, transparently and honestly, they'll be met with a friendly voice and appreciative tone. I have a list of questions I'll give to the Town Manager for the Superintendent and I would appreciate if she would respond to them as soon as possible or by the Friday before the next meeting."

Chairman Whitney noted he wants to work with the schools, "but since the debacle of the regionalization study, where people stood up at the meeting and said they were never contacted." He stated the Board must be able to trust what they give us. He said, "I think they're working as hard as they can, but we have questions."

Selectman Kruckas noted his concerns about the triggers and schools opening back up. Selectman Morrin stated the triggers were completely different, he asked for a plan, the Superintendent said the School Committee had voted, but the School Committee had not yet voted on the issue.

Old Business

- **Building Inspector Update – Main Street Buildings**

Building Inspector Anna Marques spoke to the Board. She has spoken to a contractor who dealt with the previous owner and came out on Monday to consider demolition to 92-104 Main Street. Regarding, 114 Main Street, there are hazardous materials to consider. He is preparing a quote. Selectman Kruckas noted he has been asking about these buildings for over 8 months. He questioned the progress of the fines and has seen no progress otherwise. Chairman Whitney asked Ms. Marques if she was actively giving violations and fines. Ms. Marques noted that each violation and fine has a 21-day appeal period. She noted that 92-104 can be made secure by boarding up the building. Chairman Whitney noted the need to do everything legal. Selectman Talbot noted that fines can be continued to be issued, even if an appeal is being made on other violations/fines. Mr. Beckley noted that town counsel is continuing pressure on the owner of 114 Main Street. The owner of 92-104 has owned the building since February 2019. Ms. Marques noted she is continuing to issue fines, with dates and a timeline, and with town counsel approval and guidance. The blight bylaw should be ready by the May 2021 Annual Town Meeting.

- **Request for hearing, declaration of 13 Parker Street as dangerous nuisance (2/2)**

Ms. Marques noted that a hearing is necessary to declare 13 Parking Street as a nuisance and unsafe property.

Selectman Talbot made the motion to Set a Public Hearing on Tuesday, February 16, 2021 at 7:10 p.m. for 13 Parker Street per MGL Chapter 139, Section 1 to Declare a Nuisance or Unsafe Property. Selectman Barnes seconded the motion. The motion passed on a vote of 4 Yes, 1 No (Selectman Kruckas).

New Business

- **Appointment New Police Officer – Nicholas D. Feliciano**
- **Re-appointment Full-Time Police Officer – Daniel Clark**

Selectman Kruckas made the motion to Reappoint Full-Time Police Officer Daniel Clark. Selectman Barnes seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Abstention (Selectman Talbot).

Selectman Barnes made the motion to Appoint New Full-Time Police Officer Nicholas D. Feliciano. Selectman Morrin seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Abstention (Selectman Talbot).

- **Consideration of Cannabis Host Community Agreement**

Mr. Richard Barry, Mr. Robert Barry and Nico Siniscalchi appeared before the Board for Minuteman Farm, LLC. This would be a new structure, taking 6-8 months to build with irrigation and state of the art systems. The company is also building a site in Belchertown. Estimated revenue of 100 Pounds @ \$4,200/lb. would gross \$450,00 for the Town of Ware. The company intends to employ 18-20 @ \$25/hour.

Selectman Kruckas made the motion to approve the Cannabis Host Community Agreement for Minuteman Farm, LLC. Selectman Morrin seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Approval of Capital Projects Closeout to Indebtedness Payment**

Town Accountant Tracy Meehan noted the capital projects that are completed have balances that can be applied to indebtedness.

Selectman Talbot made the motion to approve Capital Projects balances be Applied to the Payment of Indebtedness in the General Fund, Water Enterprise Fund and Sewer Enterprise Fund. Selectman Barnes seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Comments and Concerns of Citizens - none

Town Manager Report

COVID – Ware continues to be a High-Risk community, with a 9% positivity rate on testing.

The attorneys for the Town and the buyer have completed the paperwork necessary to close on 73 West Main Street. The deed will be ready for the Board's signature on Tuesday, with the closing planned for Wednesday.

Selectman Barnes made the motion to approve the sale of 73 West Main Street contract. Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Personnel. The Town has hired two staff to fill vacancies in the DPW. Derek Dineen has been hired as a Truck Driver/Laborer, starting January 25. Tim Ayres has been hired as a water worker who will work toward becoming an operator in the coming months.

Senior Center – The broken coils at the Senior Center have been repaired and the heating system is working. The contractor is preparing a plan to replace the controllers, which the senior center director will present along with the history of the problem on February 2.

Local taxes. Per the attached, the quarterly distributions for the meals and marijuana local taxes generated good revenue, \$30,291 and \$33,618, respectively. The subcommittee regarding the distribution of Curaleaf's community donations has met. This year's donations will be set by March, with another round beginning in April. Agencies and local charities are encouraged to apply.

Molly Gray, the Baystate Eastern Region President will attend the February 2 meeting to discuss updates at Mary Lane, including the closed wound care center.

Please refer to the Highway and Police reports submitted this week.

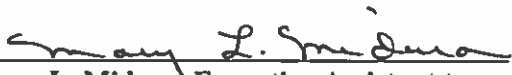
Mr. Beckley noted that Beth Greenblatt will speak to the Board on February 2, 2021 regarding solar.

Selectman Kruckas questioned why the Town Planner and Town Manager were not more involved in the issue of the wound care center. Selectman Barnes questioned the scenarios and fees of the Quabbin study; Mr. Beckley noted that MWRA would respond further at end of January. Selectman Barnes also noted the FAA drone certification, and the Board discussed a bylaw regarding drone use. Selectman Morrin questioned the solar projects list; Mr. Beckley noted a new developer and RFP would be needed to re-establish the landfill area for solar. The Board clarified that the audit of Town Hall must be independent and regarding financials.

The public safety officer will be notified of a request for a stop sign at Horseshoe Circle. Mr. Beckley noted two spending bills regarding economic development and transportation, including funding of approximately \$300,000 from the state for 114 Main Street demolition. The legislation for the safety zone at Beaver Lake and the legislation for renaming the Board of Selectmen to the Select Board are with legislators for the new session. The legislation regarding the Board hiring for the fire department is also in the current legislation.

Adjournment

Selectman Kruckas made the motion at 8:29 p.m. to Adjourn the Regular Meeting. Selectman Talbot seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Attest: 
Mary L. Midura, Executive Assistant to
Town Manager

