



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

Regular Meeting Notice Agenda Tuesday, January 23, 2018 at 7:00 p.m.

**Meeting Opened by Chairman Talbot at 7:00 p.m.
Selectman Alan G. Whitney was absent.**

Opening Remarks, Announcements, and Agenda review by Chair - none

Consent Agenda

- **Approval of Meeting Minutes of December 5, 2017 and December 19, 2017**

Selectman Opalinski presented amendments to the minutes of December 19, 2017.

Selectman Fountain made the motion to approve the minutes of December 5, 2017, and the Amended Minutes of December 19, 2017; Selectman Carroll seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney).

Comments and Concerns of Citizens

Phil Bourcier read a prepared statement: I want the townspeople to know that I do not have town water and sewer but I'm a concerned taxpayer that wants everyone to know what is going on. I am doing this for all of you. Many of you have been coming up to me with your ideas and concerns and have asked me to get them addressed. I worked for the DPW for 33 years and retired in 2005, I'm not saying I know everything but I do know a lot that is going on is unacceptable. One of my main concerns is why are we paying Mr. Lizak foreman's pay for being an operator in training when he has very little field training or experience. You can't be at work for 8 hours a day and think that is being trained properly. You have to have field training by a fully licensed operator. The only fully licensed operator is Mr. Kilhart and he cannot be with Mr. Lizak for 8 hours a day and still do his own work. So how is that being properly trained? His apprenticeship training should start when he is actually being properly trained and that training should be documented. My next concern is where was our DPW director when we had the incident on Upper Church St. with the ice dams. That was a major issue because well #5 is at the airport. That is a big part of our town's water supply and could have been compromised. And with that being said, has well 5 been inspected since then? I would also like to give a big thanks to the Highway dept. for being there and getting the road cleaned and back in working order. I think they should be brought before the board and commended.

John Desmond asked for follow-up on the hospital and stated it is important to have a plan in place to keep the ER open. Mr. Desmond stated that a critical review of all town departments should be done, especially of the Fire department and vehicles. Mr. Desmond stated that the town must have at least 100 employees that live out of town and our tax dollars are leaving the town. Mr. Desmond stated that DLS shows a documented negative of \$900,000. There are over \$600,000 of benefits for employees, and there should be a critical review of all operating expenses of the town.

Town Manager: Stuart Beckley
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Keith Krukas stated the town was lucky to have good people who worked on the Church Street situation. Mr. Krukas questioned what is going on at the Fire department, and if people knew the nepotism, pay and benefits and bad finances of that department.

Stuart Beckley asked the Board of Selectmen if he could give responses at some time or now to this misinformation. The Board agreed Mr. Beckley was welcome to answer. Mr. Beckley noted that Mr. Kilhart was fully aware of the Church Street ice jams and was in constant contact with police and staff and emergency management, with excellent results of the handling of the situation. Mr. Beckley stated that the override is an opportunity to repair more roads at \$1million per year, with almost \$23million in projects; the ballot question gives the citizens the vote. There will be information with the actual cost of actual roads and specific purpose. Mr. Beckley stated that, regarding the Fire Department, it is important to understand the expense is worth the excellent, professional, well-trained personnel that we have. Mr. Beckley noted that all departments are audited each year.

Keith Krukas stated that he heard police have to bring people to the hospital at times; Mr. Beckley stated that has never happened.

Scheduled Appearances

Old Business

- **Request for Loan Forgiveness**

Paula Conner was present to represent the owner of the property. The sale price is greatly less than the property value; it is sad, as this was the family home for many years.

Selectman Carroll made the motion to authorize the loan forgiveness, contingent upon receipt of the \$15,000 check from the owner; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney).

- **PVPC: Community Development Strategy for FY18 CDBG Funds**

Ted Harvey, PVPC, presented the revised language of the Community Development Strategy for FY18 CDBG Funds.

Selectman Carroll made the motion to approve the revised Community Development Strategy for FY18 CDBG Funds; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney). (A public hearing will be held at 7:10 p.m. on February 13, 2018 to approve the FY2018 CDBG Application).

- **Review of Storage of Flammables License Fees**

Chairman Talbot noted the list of storage of flammables license fees, and noted a memo from the Ware Fire Chief regarding that department's fee schedule. Selectman Opalinski presented a list of fees from Adams, Orange, Dudley, Springfield, Amherst and Franklin. Chairman Talbot noted that Selectman Whitney should be included in this discussion and requested to table this topic to the next meeting.

Selectman Opalinski made the motion to Table to February 13, 2018; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney).

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- **Town Manager Evaluation Update, Next Steps**

Selectman Opalinski presented the evaluation in excel format, and noted that the survey takes only 8 minutes to complete. Selectman Opalinski stated that the survey will be done on survey monkey by Ms. Midura, will be posted on the Town of Ware website, and a press release will be sent out to media, as well. Selectman Opalinski stated that, if Selectmen thought the survey was too long, the section "Board of Selectmen" could be taken out. Selectman Opalinski noted that required fields will be respondent's name, address, and email. The survey tracks by IP address, therefore no one can use the same computer more than once. **Selectman Fountain made the motion to approve the survey as submitted; Selectman Carroll seconded the motion. The motion passed on a vote of 3 Yes, 0 No, 1 Absent (Selectman Whitney), and 1 Abstention (Selectman Talbot).**

Selectman Opalinski questioned Mr. Beckley as to why he has not posted his self-evaluation and goals on the Town website; Mr. Beckley asked what the purpose and benefit would be.

John Desmond stated that the only role of the Town Manager is that of a financial advisor, and Mr. Beckley should be reviewed for his overspending, deficits, too much debt, and overuse of free cash. Selectman Opalinski defended Mr. Beckley.

Mr. Beckley stated it is illegal to spend more than the Town has in the budget, there are deficits each year, the debt is really low compared to past years, the Town has a balanced budget, and the Town is doing better every year. Selectman Carroll agreed that each year is level funded.

Keith Krukas noted his appreciation that Stuart Beckley keeps the public informed.

New Business

- **Approval of Solar Lease at Robbins Road**

Present for the Board of Health were Judy Metcalf, Director, and John Desmond, member. Present for ForeFront Power were Rachel McLaughlin and Ed Switzer. Mr. Beckley noted the memos and letters from the Board of Health regarding these leases; ForeFront Power has worked with Town Counsel. Ms. McLaughlin noted that ForeFront Power spent money on engineering at their own risk. Mr. Switzer noted they have worked with Board of Health, and are on track with the Planning Department to get approved for an incentive program. ForeFront Power still needs permits in place, this project is real and open to start construction to be online in 2019. The landfill has a \$500,000 bond, and the greenfield site (Banas) has a \$299,000 bond.

Selectman Opalinski questioned if there will be continued access to the bike path; Mr. Beckley noted the bike path goes through this site.

Mr. Switzer noted the site plan needs completion; Ms. McLaughlin note that ForeFront must obtain site plan approval and control to be eligible for the incentive program. This should move forward next month.

Selectman Opalinski noted there is no escalation in rent over the 20 years; Mr. Beckley stated that the RFP was so written. Ms. McLaughlin stated that this is front loaded, and while escalation could be discussed, the higher lease now is preferable.

Judy Metcalf noted that the Board of Health was involved in negotiations. There are two parcels with two bonds. Ms. Metcalf expressed the BOH concern that the construction bond is three years for damage, erosion, elevations; while the Banas property bond is for decommissioning only.

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Mr. Beckley noted the town counsel points out that the lease calls for a 24-month option period at \$500 per month, and depends on insurance liability coverage for surveying and environmental work. Ms. McLaughlin and Mr. Switzer noted that the \$299,000 bond is clearly stated in place from the start of construction. Ms. Metcalf stated that the bonds are specific and the Banas property should have a construction bond. Ms. McLaughlin noted that the language could be made clearer that this is a performance bond, per obligations under contract. The lease language can be made clearer that any assignees take on the obligations of the contract. Chairman Talbot questioned if further town meeting approval is required; Mr. Beckley noted that previous town meeting authorization delegated the contract. Ms. McLaughlin stated that ForeFront Power agrees to the language changes including performance and decommissioning. **Selectman Carroll made the motion to approve the Solar leases, with language changes; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney).**

- **Approval of Special Tax Agreement between Town of Ware and Ware Senior Living, LLC** Christian Boysen was in attendance. Mr. Beckley expressed his appreciation for all that Mr. Boysen and his contractors are doing.

Selectman Opalinski made the motion to approve the Special Tax Agreement between the Town of Ware and Ware Senior Living, LLC; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney).

Selectman Carroll asked Mr. Boysen for an update: The property, plus the parcel being bought from the hospital, are surveyed. The company must learn the layout of the lot, utilities, water, and boorings. The hospital has been very cooperative. The architect, civil engineer and Mr. Boysen have completed the 3rd modification. Selectman Carroll asked how close to the road will the facility be; Mr. Boysen noted there will be green space and a driveway.

- **Vote to Install/Re-Install “No Parking This Side” Signs on Prospect Street** Selectman Opalinski made the motion to approve the install/re-install of the signs; Selectman Carroll seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney).

Selectman Carroll requested that the safety officer look at other streets in the area that have “one-sided” parking.

- **Retroactive Approval of One-Day Liquor License: Workshop 13, January 19, 2018** Selectman Fountain made the motion to approve the one-day liquor license; Selectman Carroll seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney). Selectman Carroll suggested that a late application should have a late fee added; no motion was made.

- **Approval of One-Day Liquor Licenses: Workshop 13, February 11, February 16, February 23, March 16, April 20, and May 18, 2018** Selectman Carroll made the motion to approve the one-day liquor licenses; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney).

The Board of Selectmen rescheduled the February 6, 2018 meeting to February 13, 2018 at 7:00 p.m.

- **Designation of Animal Control Officers 2018**

Selectman Opalinski made the motion to approve the Designation of Animal Control Officers for 2018; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney).

- **Vote to Place Cemetery Commission: 2 Year Unexpired Term on April 9, 2018 Ballot/Accept Resignation of Maggie Sorel**

Chairman Talbot read Ms. Sorel's resignation letter and Mr. Simmons' letter praising Ms. Sorel for her work. Chairman Talbot requested that the Board of Selectmen vote to place the 2 Year Unexpired Term for Cemetery Commission on the Annual Town Election Ballot.

Selectman Opalinski made the motion to accept the resignation of Maggie Sorel, with regrets; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney).

Selectman Carroll made the motion to place the position of Cemetery Commissioner, 2-Year Unexpired Term, on the April 9, 2018 Ballot; Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney).

Town Manager Report

Mr. Beckley noted that Community Compact regional program has awarded a grant for a regional Animal Shelter for the towns of Palmer, Warren, Monson and Ware.

The Town has submitted an application to Community Compact for expansion and support of the Quaboag Connector service to coordinate with the region's senior center vans.

The Town has submitted an application to Community Compact for the coordination and design of a program that addresses the region's needs for education and employment for young adults ages 17-25.

The Town applied for a design assistance grant under the Commonwealth Places program to prepare a design for re-use of the Casino lot and connectivity to Main Street.

The region had applied earlier in the year for a Robert Wood Johnson Foundation "Culture of Health" award for the many activities and services in the Quaboag region. Out of 190 applicants, Quaboag was one of 38 chosen to move forward with a second round application and video. The video can be seen on YouTube at <https://www.youtube.com/watch?v=iMvZFeczcwM>. Thank you to the CDC and many others for putting this together.

The warm weather two weeks ago loosened ice upstream which led to an ice jam at the Church Street bridge. This detoured the Ware River east and around the bridge, blocking the road with large chunks of ice. The police and DPW and Emergency Management Director kept watch on the progress of the ice and river. Once the river level dropped, the DPW did a commendable job opening the road for use. The Mass DOT and the US Army Corps of Engineers inspected the bridge for public safety, and found no reason for concern.

Town Manager: *Stuart Beckley*
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Mr. Beckley noted open positions that have been recently filled: a part-time custodian at the Senior Center, and a seasonal part-time position in the tax collector's office.

Mr. Beckley presented a list of issues, as requested by the Board of Selectmen at the last meeting. The Main Street project is paid by State funding and requires bike lanes. The faulty light near the post office has been repaired. The social media policy is prepared and reviewed by the labor attorney and is ready for adoption. Inspectors held a meeting on multifamily inspections, and determined that the town will be divided into 5 sectors for 5-year inspections. This will be a challenge to complete fully, and may be an established coordination system utilizing a new software system. The appraisal of 116 Pleasant Street is complete and the Town is in discussion with the homeowner for the purchase of this property.

Selectman Opalinski questioned the water contract; Mr. Beckley noted a contract is not yet signed.

Chairman Talbot noted there is a vacancy on the Community Development Authority.

Selectman Opalinski made the motion to Adjourn Regular Session at 8:34 p.m.; Selectman Carroll seconded the motion. The motion passed on a Vote of 4 Yes, 0 No, 1 Absent (Selectman Whitney).

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