



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

Meeting Notice Agenda
Tuesday, January 24, 2017 at 7:00 p.m.

Meeting Opened

Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda

- Approval of Meeting Minutes of January 10, 2017 and March 22, 2016, April 5, 2016, April 26, 2016, June 7, 2016, June 21, 2016

Comments and Concerns of Citizens

Scheduled Appearances

- 7:05 p.m. - Presentation by Gandara Center

Old Business

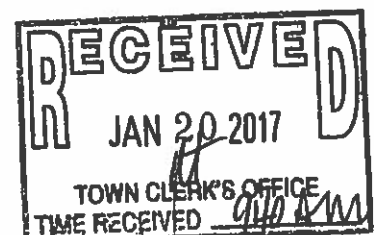
- Update on Process of Fines/Liens for Hitchcock Building, Main Street, and 73 West Main Street
- Police Chief Exam Expansion, Request to Expand

New Business

- Approval retroactively of One-Day Liquor License for Workshop 13, Friends of the Boy Scouts – Sip & Paint, Date of Event: Saturday, January 21, 2017 (Submitted paperwork in order)
- Approval for Change of Manager Application for License #1 Aspen Street Rod & Gun Club, Inc., Aspen Street, Ware (Submitted paperwork in order)
 - Proposed New Manager: Michael R. Brown
- Set a Public Hearing for February 7, 2017 at 7:05pm for Gabryel Narutowicz, Inc. for Change in Beneficial Interest, Change in Officers/Directors
- Selectmen's FY2018 Budget

Town Manager Report

Adjournment





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

**Tuesday, January 10, 2017 at 7:00 p.m.
Meeting Minutes**

Present: Selectman Carroll, Selectman Desmond, Selectman Talbot, Selectman Fountain, Selectman Whitney, Stuart Beckley, Tracy Meehan, Mary Midura, Stanley Ciukaj

Also Present: Richard Starodoj, Dan O'Connor, Marlene Dileo, Laurie Whitney, Cathy Cascio, Dennis Ouimette

Meeting Opened: Chairman Carroll opened the meeting at 7:00 p.m.

Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda

- **Approval of December 20, 2016 Regular Session Meeting Minutes**

Selectman Talbot moved approval of the December 20, 2016 Meeting Minutes; Selectman Desmond seconded. The motion passed unanimously (5-0).

Comments and Concerns of Citizens - None

New Business

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

Mr. Beckley introduced Ruben Flores-Marzan, the search committee's recommended choice as Director of Planning & Community Development. Based on his resume and impressive experience, the search committee believes Mr. Flores-Marzan is ideal for the Master Plan and future growth of Ware. Selectman Desmond noted his objection to this hire based on the financial situation of the town. Selectman Whitney noted the need to look at the strategic plans of the town, and stated his approval of this hire. Selectman Carroll noted his approval of this hire.

Selectman Talbot moved approval of Mr. Flores-Marzan as the Director of Planning & Community Development; Selectman Whitney seconded. The motion was approved on a vote of 4 Yes, 1 No (Selectman Desmond).

- **Animal Control Officer Designation 2017**

Selectman Talbot moved approval of the ACO designation of 2017: Sara Prideaux as part-time, primary, and Wendy Lesage as per diem, assistant; Selectman Whitney seconded. The motion passed unanimously (5-0).

- **Approval of One-Day Liquor License- St. Mary's Church Dinner, Saturday, January 28, 2017**

Selectman Whitney moved approval of the one-day liquor license; Selectman Talbot seconded. The motion passed unanimously (5-0).

- **Appointment of Records Administrative Officers**

Mr. Beckley noted the new public records law which requires the town to designate Records Administrative Officers who will be responsible for responding to public information requests.

Recommended appointments:

Nancy Talbot – Records Administrative Officer
RAO Fire Department – Chief Coulombe or designee
RAO Police Department – Chief Kovitch or designee
RAO DPW – Dick Kilhart or designee
RAO Building Department – Chris Rice or designee
RAO Town Hall/Finance – Stuart Beckley
RAO School – Marlene Dileo
RAO Board of Health – Judy Metcalf
RAO Planning & Community Development – Ruben Flores-Marzan

Selectman Talbot moved approval of the appointments; Selectman Whitney seconded. The motion passed unanimously (5-0).

Scheduled Appearances

- **7:15 p.m. Joint Meeting with School Committee and Finance Committee for Financial Projection and Budget Priority Discussion**

Town Manager Stuart Beckley and Town Accountant Tracy Meehan presented the Pre-Budget FY2018 Financial Presentation. Mr. Beckley noted expenditures, with state aid predicted at 3 percent or less when the Governor presents his budget on January 25, 2017. Mr. Beckley noted salaries and benefits with reasonable and steady growth in the town. The town has been successful with negotiations with unions. Capital planning process has maintained debt service consistently. The community with strong reserves in the 5-15 percent range helps borrowing. New growth in the town has steady revenues for several years. Selectman Talbot questioned training, Selectman Whitney questioned priorities, Selectman Desmond questioned health insurance. Mr. Beckley noted the review by the state and the need to address a \$1million gap. Presently, employees pay 20 percent of insurance, while state average is 24 percent. The Board noted basic and essential services. Superintendent Dileo noted the school budget will be presented to the School Committee on January 11, 2017. Mr. Beckley requested priorities from the Board and departments. Resident Cathy Cascio questioned the discretionary funds and the need to address the roads and infrastructure.

- **Police Chief Hiring Process**

Mr. Beckley explained that 6 internal candidates may apply for the assessment center. The Board may want to do an in-house or open competitive assessment center. Cost is approximately \$6,000 for 5 applicants. Resident Cathy Cascio stated that this is a very important position and the town should get the best candidates. Selectman Whitney moved to approve an open competitive assessment center, with caveat when number of applicants is known, the Board reserves the right to change the decision; Selectman Desmond seconded. The motion passed on a vote of 4 Yes, 1 Abstention (Selectman Talbot).

- **Recommendations on Plowing and Sanding Unfinished Subdivision Roads- Winter 2016-2017**

Mr. Starodoj noted the annual review of privately-owned roads and the recommendations of the Planning Board.

Town Manager: *Stuart Beckley*
sbeckley@townofware.com

Selectman Talbot moved approval of the recommendations; Selectman Whitney seconded. The motion passed unanimously (5-0).

- **Late File: Request from Town Clerk to Place Unexpired Term of Cemetery Commission (2 Year) and Ware Housing Authority (1 Year) on Annual Town Election Ballot**

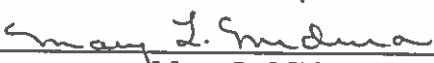
Selectman Talbot moved approval to place the above on the April 10, 2017 ballot; Selectman Fountain seconded. The motion passed unanimously (5-0).

Town Manager Report

Mr. Beckley was instructed to give a report at the January 24, 2017 meeting regarding the process of fines on the Hitchcock building on Main Street and property at 73 West Main Street. Mr. Beckley noted that Gandara would like to present at the January 24, 2017 meeting. Mr. Beckley announced a new grant received for LED lights. The Board of Selectmen are invited to the Ware Eagle Scout Honor Roll Plaque Dedication Ceremony on January 29, 2017 at 2:00 pm at the Knights of Columbus Hall. Residents can contact the DPW to dispose of Christmas trees at the highway yard.

At 8:30 p.m., Selectman Talbot made the motion to adjourn; Selectman Whitney seconded. The motion to adjourn passed unanimously (5-0).

Attest:


Mary L. Midura, Executive Assistant



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

Meeting Minutes
Tuesday, March 22, 2016 at 7:00 p.m.

Present: Selectman Talbot, Selectman Carroll, Selectman Desmond, Selectman Norton, Selectman Cooper, Stuart Beckley, Stanley Ciukaj

Meeting Opened: Selectman Talbot opened the meeting at 7:00 p.m.

Opening Remarks, Announcements, and Agenda review by Chair: A moment of silence for Trooper Thomas Clardy, killed in the line of duty March 22, 2016.

Consent Agenda

- Approval of March 8, 2016 Regular Session Minutes

Selectman Norton moved to table approval of minutes to April 5, 2016; Selectman Carroll seconded. The motion passed unanimously (5-0).

Old Business

- Adoption of Resolution – Maintain Services at Mary Lane

Selectman Talbot read the Resolution; Selectman Desmond noted to clarify “to maintain inpatient services”. Selectman Norton moved approval, as amended; Selectman Cooper seconded. The motion passed unanimously (5-0).

Approve Warrant to Annual Town Election and Set Polling Hours:

Selectman Norton moved approval and set polling hours as 9:00 am – 8:00 pm; Selectman Carroll seconded. The motion passed unanimously (5-0).

Boy Scouts Food Drive: Two scouts and leader explained that 3,000 bags will be distributed throughout the town on April 2, 2016. Pickup will be April 9, 2016. Please do not include any expired foods. Thank you to the 70 per cent of the town which responded and donated in past years. The town of Ware had boy scouts in 1910, and soon an Eagle Scout Honor Roll will be created to present to the town in June.

Selectman Desmond noted that “We’re Happy About The Whole Thing” will be presented April 8, 9 and 10.

New Business

- Add Partner Brian Gillespie to Class II License “Car Care 1” 319 Palmer Road, Ware, MA

Selectman Norton moved approval, Selectman Carroll seconded. The motion passed unanimously (5-0).

- Approve One Day Licenses for Workshop 13

Selectman Norton moved approval for licenses of March 24, 2016 and April 16, 2016; Selectman Cooper seconded. The motion passed unanimously (5-0).

Town Manager: *Stuart Beckley*
sbeckley@townofware.com

Comments and Concerns of Citizens: None

New Business

- **Police Chief Exam Discussion**

Selectman Talbot recused herself from this discussion. Mr. Beckley noted the civil service exam date of May 21, 2016. State weight is 50 percent exam, 40 percent assessment, and 10 percent interview. State will present top three candidates. Cost for assessment would be \$2,500-\$3,000 per candidate.

- **A Resolution Adopting the Town of Ware Hazard Mitigation Plan Update**

Mr. Beckley noted this report was completed a year ago, after FEMA and MEMA reviews. Adoption of this plan allows the town to apply for emergency management funds.

Selectman Norton moved approval of adoption of the plan; Selectman Desmond seconded. The motion passed unanimously (5-0).

- **Resignation of Kathleen Cronin from Open Space & Recreation Committee**

Selectman Norton moved to accept, with regret; Selectman Carroll seconded. The motion passed unanimously (5-0).

- **Convene Board of Survey- Vigeant Street**

Mr. Beckley noted this was informational only.

- **Request from Karen Cullen Director of Planning and Community Development for Loan Forgiveness**

Selectman Desmond moved to deny; Selectman Cooper seconded. The motion passed unanimously (5-0).

- **Approval of Special Event Permit Application for Kids Fishing Derby at Reed Pool**

Selectman Norton moved approval of the April 30, 2016 event; Selectman Carroll seconded. The motion passed unanimously (5-0).

Town Manager Report: Discussion of a Class III Car Dealer application on River Road.

Selectman Norton moved to postpone action to notify the owner and abutters to come to April 5, 2016 meeting; Selectman Desmond seconded. The motion passed unanimously (5-0).

At 7:49 p.m., Selectman Norton made the motion to adjourn; Selectman Carroll seconded. The Motion to Adjourn Passed on a vote of 5 Yes, 0 No.

Attest:



Mary L. Midura, Executive Assistant
Transcription per Video 1/5/2017



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

Meeting Minutes
Tuesday, April 5, 2016 at 7:00 p.m.

Present: Selectman Talbot, Selectman Carroll, Selectman Norton, Selectman Cooper, Stuart Beckley, Stanley Ciukaj

Absent: Selectman Desmond

Meeting Opened: Selectman Talbot opened the meeting at 7:00 p.m.

Opening Remarks, Announcements, and Agenda review by Chair: Selectman Talbot requested a moment of silence for Raymond St. George, passed away at age 86, was an officer of Ware Trust Company and did much for the town of Ware.

Consent Agenda

- **Corrected Regular Session Minutes of March 8, 2016**

Selectman Norton moved approval, as amended; Selectman Carroll seconded. The motion passed on a vote of 4 Yes, 1 Absent (Selectman Desmond).

Comments and Concerns of Citizens

Selectman Carroll noted elections on April 11, 2016.

Scheduled Appearances

- **Discussion of Class III licenses, 17 River Road**

Selectman Norton moved to table to May 3, 2016 at 7:30 p.m.; Selectman Carroll seconded. The motion to table passed on a vote of 4 Yes, 1 Absent (Selectman Desmond).

Old Business

- **Request for Approval for use of Surplus Vehicle – Fire Dept.**

Chief Coulombe noted the approximate cost of \$10,000 to be requested at town meeting.

Selectman Norton moved to approve; Selectman Cooper seconded. The motion passed on a vote of 4 Yes, 1 Absent (Selectman Desmond).

- **Request for Approval of Payment in Lieu of Taxes – Gilbertville Road Solar**

Mr. Beckley explained that this agreement passed at the May 2015 town meeting. The PILOT agreement is at \$14,000 per megawatt and should be built by the end of the calendar year. \$3.2million project value benefits the town; West Brookfield and Ware are involved. The town will still tax the land.

Selectman Norton moved to table to April 26, 2016 with review by town counsel; Selectman Carroll

seconded. The motion passed on a vote of 4 Yes, 1 Absent (Selectman Desmond).

New Business

- **Set Public Hearing for Petition of National Grid Pole Locations**

Selectman Norton moved to set the Public Hearing for May 3, 2016 at 7:15 pm; Selectman Cooper seconded. The motion passed on a vote of 4 Yes, 1 Absent (Selectman Desmond).

- **Complaint Regarding Unsafe Dog**

Selectman Norton moved to set the Public Hearing for April 26, 2016 at 7:05 pm; Selectman Cooper seconded. The motion passed on a vote of 4 Yes, 1 Absent (Selectman Desmond).

- **Requests from Karen Cullen Director of Planning and Community Development for Housing Loan Forgiveness**

Selectman Carroll noted the first request needs more consideration.

Selectman Norton moved to deny the first request; Selectman Cooper seconded. The motion passed on a vote of 3 Yes, 1 No (Selectman Carroll), 1 Absent (Selectman Desmond).

Selectman Carroll noted the second request should be given a counter offer.

Selectman Norton moved to postpone the second request, with authority to Town Manager to counter offer \$3,000; Selectman Cooper seconded. The motion passed on a vote of 4 Yes, 1 Absent (Selectman Desmond).

- **Approval of Warrant – Annual Town Meeting**

Selectman Norton moved to approve; Selectman Carroll seconded. The motion passed on a vote of 4 Yes, 1 Absent (Selectman Desmond).

- **Approval of Warrant – Special Town Meeting**

It was noted that Article 26 would be removed, and Article 24 would have two individuals involved.

Selectman Norton moved to approve 35 articles with changes; Selectman Carroll seconded. The motion passed on a vote of 4 Yes, 1 Absent (Selectman Desmond).

- **Special Event Permit – Town Hall, Trinity Church Concert**

Selectman Norton moved to approve the event of April 16, 2016; Selectman Carroll seconded. The motion passed on a vote of 4 Yes, 1 Absent (Selectman Desmond).

- **Request for Modification to Insurance Benefits**

Selectman Norton moved to approve 15 retired employees be moved to Medicare with Blue Cross/Blue Shield; Selectman Carroll seconded. The motion passed on a vote of 3 Yes, 1 Abstention (Selectman Talbot), 1 Absent (Selectman Desmond).

Board of Selectmen: *Nancy J. Talbot, John E. Carroll, John A. Desmond, Richard Norton, William Cooper*

Town Manager: *Stuart Beckley*
sbeckley@townofware.com

Town Manager Report:

Mr. Beckley gave his report. Reminder that "We're Happy About the Whole Thing" will be on April 8 – 10, 2016. The months of April and May are Amnesty months at DOR; visit the DOR website to forgive past taxes to the Commonwealth of Massachusetts.

At 7:50 p.m., Selectman Norton made the motion to adjourn; Selectman Cooper seconded. The Motion to Adjourn Passed on a vote of 4 Yes, 1 Absent (Selectman Desmond).

Attest: _____

Mary L. Midura

Mary L. Midura, Executive Assistant
Transcription per Video 1/9/2017



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

Meeting Minutes
Tuesday, April 26, 2016 at 7:00 p.m.

Present: Selectman Talbot, Selectman Carroll, Selectman Desmond, Selectman Cooper, Selectman Fountain, Stuart Beckley

Meeting Opened at 7:00 p.m. by Selectman Talbot; Selectman Talbot introduced new Selectman Michael Fountain.

- **Reorganization of the Board of Selectmen**

Selectman Desmond move to nominate Selectman Carroll as Chairman of the Board of Selectmen; Selectman Fountain seconded. Selectman Cooper moved to nominate Selectman Talbot as Chairman of the Board of Selectman. Selectmen Desmond, Carroll, and Fountain voted to approve Selectman Carroll as Chairman. Selectman Cooper and Talbot voted to approve Selectman Talbot as Chairman. Selectman Carroll was approved as Chairman on a vote of 3 Yes, 2 No. Selectman Talbot congratulated Selectman Carroll as Chairman of the Board of Selectmen.

Mr. Carroll named Selectman Desmond as Vice Chair, Selectman Talbot as Clerk.

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

Consent Agenda - None

Comments and Concerns of Citizens - None

New Business

- **Commendation of Police Officers regarding armed bank robbery at Monson Savings Bank**
Chief Kovitch recommended that Sgt. Crevier, Sgt. Topor, Det. Adams, Officer Bertini, and Officer Clark be commended for investigation and quick arrest and charges of three suspects in the armed robbery of Monson Savings Bank on April 2, 2016. The Board of Selectmen issued commendations for each. Sgt. Crevier and Officer Clark were present to receive commendations.

Selectman Talbot noted a dog complaint was rescheduled to May 17, 2016 at 7:05 p.m.

Scheduled Appearance

- **7:05 p.m. PVPC Re: Ware Pavement Management**
Amir Kouzehkanani presented a powerpoint with data and recommendations of projects. He thanked Mr. Kilhart for great cooperation. The town can work on this progressive system with MA DOT. Five or six communities have gone to bond for such projects, some have tapped into town budgets.

Old Business

- **Discussion of Rattlesnakes, Request for Resolution**

Residents Alan Whitney and Laurie Robert spoke about a petition to stop placement of timber rattlesnakes on Mt. Zion in Quabbin Reservoir. To date, there are 1,700 signatures. Ms. Robert noted that citizens have lost access to many areas, including less access following 9/11/2001. The request is for Ware to join other towns to ask legislators for more information. Belchertown Selectmen may reach out to Ware.

The Board asked Mr. Beckley to reach out to Belchertown and to request a joint meeting with DFW.

Scheduled Appearance

- **Review of Warrant for Special and Annual Town Meeting with Moderator, Finance Committee, and School Committee**

(See attached for votes of articles)

- **Meeting with DPW Director – Roads, Rates, and Updates**

Mr. Kilhart noted that the Town of Ware has received a plaque regarding 100+ years of cast iron works. Roadway work will be funded by Chapter 90 funds of \$433,000. Monson Turnpike Road, Bacon Road, cracksealing, and Babcock Tavern Road. Total roadways equals 86 miles. Two big complaints to DPW are rusty water and the roads. Start flushing hydrants next week for approximately two and half weeks. Main streets will be done in evening, with side and dead end streets done during the week workday. This will involve small amounts of overtime for 2-4 nights. Water and sewer rates should be reviewed annually.

Selectman Talbot moved to approve a Public Hearing RE: Water & Sewer Rates on May 17, 2016 at 7:30 p.m.; Selectman Cooper seconded. The motion passed unanimously (5-0).

Selectman Talbot moved to approve a Public Hearing RE: Road Updates on June 7, 2016 at 7:15 p.m.; Selectman Cooper seconded. The motion passed unanimously (5-0).

New Business

- **One Day Licenses for Workshop 13, St. Mary's Church, Moulton Insurance, Inc.**

Selectman Desmond moved to approve the licenses; Selectman Fountain seconded. The motion passed unanimously (5-0).

- **Central Massachusetts Law Enforcement Council Mutual Aid Agreement**

Selectman Desmond moved to approve the agreement; Selectman Cooper seconded. The motion passed unanimously (5-0).

- **Resignation of Conservation Commission Member**

Selectman Desmond moved to accept with regret the resignation of Donna Ray Keneally; Selectman Fountain seconded. The motion passed unanimously (5-0).

The Board asked Mr. Beckley to advertise for 1 new member.

- **Sergeant Interview Schedule**

Three have passed the sergeant exam. Chief Kovitch, Mr. Carroll and Mr. Beckley will interview each next Monday. Chief exam – recommend town conduct assessment center, cost of \$2,000 per applicant, ranked by consultant with civil service to present top 3 candidates.

Board of Selectmen: *Nancy J. Talbot, John E. Carroll, John A. Desmond, William Cooper, Michael Fountain*

Town Manager: *Stuart Beckley*
sbeckley@townofware.com

Town Manager Report

Selectman Desmond noted a recognition should be made for Mr. Norton, with presentation at town meeting.

At 9:19 p.m., Selectman Talbot made the motion to adjourn to Executive Session MGL 30A, Section 21 Qualifications #3 Litigation, not to return to regular meeting; Selectman Desmond seconded. The motion to adjourn passed on a Roll Call Vote of 5 Yes, 0 No.

Attest: _____



Mary L. Midura, Executive Assistant
Transcription per Video 1/9/2017



**WARRANT FOR SPECIAL TOWN MEETING
TOWN OF WARE
COMMONWEALTH OF MASSACHUSETTS**

Hampshire, ss.

To any of the Constables of the Town of Ware, in said County,

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn all of the inhabitants of the Town of Ware, Precincts A, B and C, qualified to vote on Town affairs, to meet at the Ware High School Auditorium, 239 West Street, Ware, on Monday, May 9, 2016 at six thirty o'clock in the evening (6:30 P.M.), then and there to act on the following articles:

ARTICLE 1. To see if the town will vote to appropriate or transfer from available funds a sum of money to pay unpaid bills from prior fiscal years, and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto. (\$194)

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

ARTICLE 2: To see if the Town will vote to accept the provisions of Massachusetts Chapter 40, Section 13D to establish a reserve fund for the future payment of accrued liabilities for compensated absences due any employee or full-time officer of the town upon the termination of the employee's or full-time officer's employment, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

ARTICLE 3: To see if the Town will vote to amend or adjust any of the line items of the Fiscal Year 2016 Town Budget, including debt and interest, and to determine what sums of money the Town will appropriate for any such adjustments or amendments and to determine the manner of meeting said appropriation, whether by transfer from available funds, transfer from other items or appropriations, borrowing, or any other means or combination thereof, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

ARTICLE 4: To see if the town will vote to appropriate or transfer from available funds a sum of money to pay for the repair of highway truck body # H-8 , and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto. (\$15,000)

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

ARTICLE 5: To see if the Town will vote to appropriate a sum of money for the purpose of completing the parking lot at the Police Station; and to determine the manner of meeting said appropriation, whether by taxation, transfer from available funds, borrowing, or any other means or combination thereof or take any other action relative thereto. (\$20,000)

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

And you are directed to serve up this Warrant by posting attested copies thereof at the Town Hall, at the Post Office calling the same at least fourteen (14) days before the time of said meeting and also by publishing a copy of the warrant on the Town of Ware website at least fourteen days before said meeting and make due return of this Warrant with doings thereon, to the Town Clerk of Ware on or before the time of said meeting.

Given under our hands at Ware this _____ day of April 2016.

SELECTMEN OF WARE:

Nancy Talbot, Chair

John Carroll, Vice Chair

William Cooper

Richard A. Norton, Sr.,

John A. Desmond, Recording Clerk

Hampshire, ss.

By virtue of this Warrant, I have posted two attested copies; one at the Post Office, and one at the Town Hall. I have also caused to be published one attested copy on the Town of Ware website.

Signed this _____ Day April 2016.

Constable of Ware, Massachusetts



WARRANT FOR ANNUAL TOWN MEETING
TOWN OF WARE
COMMONWEALTH OF MASSACHUSETTS

HAMPSHIRE, ss

To any of the Constables of the Town of Ware, in said County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn all of the inhabitants of the Town of Ware, Precincts A, B and C qualified to vote on Town affairs to meet at the Ware High School Auditorium, 237 West Street Ware, on Monday May 9, 2016, at seven (7:00 PM) o'clock in the evening, then and there to act on the following articles:

Article 1. To see if the Town will vote to hear the report of the Finance Committee or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 2. To see if the Town will vote to hear the reports of committees and boards and to authorize their continuation, dissolution or any changes with respect to said committees, or boards or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 3. To see if the Town will vote to authorize the Treasurer/Tax Collector to enter into Compensating Balance Agreements during Fiscal Year 2016 as permitted by Massachusetts General Laws, Chapter 44, §53F, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 4. To see if the Town will vote to authorize the Treasurer/Tax Collector, with the approval of the Selectmen to borrow money from time to time in anticipation of the revenue of the Fiscal Year 2016, beginning July 1, 2015 in accordance with the Provisions of Massachusetts General Laws, Chapter 44, §4, and to renew notes or notes payable as may be given for a period of less than one (1) year in accordance with Massachusetts General Laws, Chapter 44, §17 or taken any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 5. To see if the Town will vote to accept and appropriate any Grant Funds awarded to the Town of Ware under Massachusetts Community Development Fund by the Executive Office of Housing and Economic Development and to authorize the Board of Selectmen and Community Development Authority to expend the funds in accordance with the Terms and Conditions of the Grant Agreement or take any action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 6. To see if the Town will vote to accept all State and Federal Educational Grants in any amount as may be awarded for the direct educational expenditures for Fiscal Year 2016 to be expended by the Pathfinder Regional Vocational Technical High School District or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 7. To see if the Town will vote to accept all State and Federal Educational Grants in any amount as may be awarded for the direct educational expenditures for Fiscal Year 2016 to be expended by the Ware Public Schools or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 8. To see if the Town will authorize the Board of Selectmen and Town Manager to apply for, accept and expend any grants or donations from State or Federal governments or private agencies, individuals or institutions, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 9. To see if the Town will vote to raise and appropriate a sum of money to be expended for road repairs in anticipation of reimbursement by the Commonwealth of Massachusetts Highway Department under the Chapter 90 State Highway Aid Program and to determine the manner of meeting said appropriation, whether by taxation, transfer from available funds, borrowing, or any other means or any combination thereof or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 10

To see if the Town will vote to establish a revolving account funded by cemetery and burial fees for the purpose of providing burials and cemetery maintenance in Town cemeteries, and to authorize the Cemetery Commission or Parks Commission to spend from the account, or to take any action related thereto.

Recommended by: Board of Selectmen Yes (5-0)_
 Finance Committee _Yes (5-0)
 Town Manager Yes

Article 11

To see if the Town will vote to establish a revolving account funded by user fees for the purpose of providing bulky waste disposal services to Town residents, and to fund said account through appropriation, and to authorize the Town Manager to spend from the account, or to take any action related thereto.

Recommended by: Board of Selectmen Yes (5-0)_
 Finance Committee _No (3-2)
 Town Manager Yes

Article 12.

To see if the Town will vote to authorize revolving funds for certain Town departments under Massachusetts General Laws, Chapter 44, §53 E ½ for the fiscal year beginning July 1, 2016 or take any other action relative thereto.

Revolving Fund	Authorized to Spend Fund	Revenue Source	Use of Fund	FY 17 Spending Limit	Disposition of FY16 Fund Balance
Senior Center Rental	Town Manager and/or Council on Aging Director	Fees charged for rental of the Senior Center.	Expenses associated with rental of the Senior Center	\$20,000	Balance available for expenditure
Athletic Advertising	School Committee	Sales of advertising at the Ware Public School campus	Expenses for Ware Public School (i.e., uniforms, equipment, use of fields)	\$100,000	Balance available for expenditure
Septic Repair program	Community Development Authority	Previous grant	Septic system repair	\$25,000	Balance available for expenditure
Community Development Fund	Community Development Authority	Previous grant	Assistance for Community Development projects	\$120,000	Balance available for expenditure

Recommended by: Board of Selectmen Yes (5-0)_
 Finance Committee _Yes (5-0)
 Town Manager Yes

Article 13. To see if the Town will vote to fix the salaries of the several Elected Officers of the Town for the Fiscal Year 2017 and to determine whether any Town Board, Commission or Committee shall be authorized to employ any of its members for additional salary or compensation, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 14. To see if the Town will vote to enact a General Bylaw, entitled "Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to appendix 115.AA of the Massachusetts Building Code, 780 CMR, The Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of January 1, 2017, a copy of which is on file with the Town Clerk, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Not finance related
Town Manager Yes

Article 15. To see if the Town will vote to raise and appropriate a sum of money to operate the Water Enterprise during Fiscal Year 2017 and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 16. To see if the Town will vote to raise and appropriate a sum of money to operate the Sewer Enterprise during Fiscal Year 2017 and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 17. To see if the Town will vote to determine what sums of money the Town will raise and appropriate including appropriations from Available Funds of whatever type, to defray the charges and expenses of the Town including Debt and Interest for Fiscal Year 2017 or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (3-2)
Town Manager Yes

Article 18. To see if the Town will vote to appropriate a sum of money to Valley Human Services a program of the Behavioral Health Network. for its general operating budget to provide social and rehabilitative services to the citizens of Ware during Fiscal 2017 and to determine the manner of meeting said appropriation whether by taxation, transfer from available funds, borrowing or any other means or combination thereof or take any other action thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0) – Use the money locally
Town Manager Yes

Article 19. To see if the Town will vote to raise and appropriate a sum of money for the purchase of a police vehicle, and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (4-0-1 abstain)
Finance Committee _Yes (5-0)
Town Manager Yes
Capital Planning Committee YES

Article 20. To see if the Town will vote to appropriate a sum of money for the Ware Public Schools for the purpose of replacing the carpet in a classroom or central pod at the Stanley M. Koziol Elementary School whether by taxation, transfer from available funds, borrowing, or any other means or combination thereof, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (4-1)_
Finance Committee _Defer to Fall (5-0)
Town Manager Yes
Capital Planning Committee Yes

Article 21. To see if the Town will vote to appropriate a sum of money for the purchase of a Water/Sewer response vehicle for the Department of Public Works Director, and that the Town Manager be authorized to file on behalf of the Town of Ware any and all applications determined necessary or appropriate for grants and/or reimbursements from the United States Department of Agriculture Rural Development Programs and under any other applicable Massachusetts or Federal grant reimbursement or other assistance programs available to fund the vehicle purchase within the scope of this article, and to determine the manner of meeting said appropriation, whether by taxation, transfer from available funds, borrowing, or any other means or combination thereof, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes
Capital Planning Committee YES

Article 22. To see if the town will vote to appropriate or transfer from available funds a sum of money to pay for the replacement of a culvert on Old Poor Farm Road, and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto.

Recommended by: Board of Selectmen Postpone to Fall
Finance Committee Postpone to Fall
Town Manager Postpone to Fall
Capital Planning Committee Not at this time

Article 23. To see if the town will vote to appropriate or transfer from available funds a sum of money to pay for the surface repair to extend the life of roadways, and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto.

Recommended by: Board of Selectmen Postpone to Fall
Finance Committee Postpone to Fall
Town Manager Postpone to Fall
Capital Planning Committee Not at this time

Article 24. To see if the town will vote to appropriate or transfer from available funds a sum of money to pay for a new Backhoe Loader for the Water/Sewer/Highway Divisions, and to determine the manner of meeting said appropriation, whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof, or take any other action relative thereto.

Recommended by: Board of Selectmen Postpone to Fall
Finance Committee No (4-1)
Town Manager Postpone to Fall
Capital Planning Committee No (3-2)

Article 25. To see if the Town will vote to appropriate a sum of money for the purpose of an iron and manganese removal study and pilot testing, and that the Town Manager be authorized to file on behalf of the Town of Ware any and all applications determined necessary or appropriate for grants and/or reimbursements from the United States Department of Agriculture Rural Development Programs and under any other applicable Massachusetts or Federal grant reimbursement or other assistance programs available to fund the work within the scope of this article, and to determine the manner of meeting said appropriation, whether by taxation, transfer from available funds, borrowing, or any other means or combination thereof or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)
Finance Committee Yes (5-0)
Town Manager Yes
Capital Planning Committee Yes

Article 26. To see if the Town will vote to appropriate a sum of money for the acquisition, demolition or securing of a home damaged by fire located at 73 West Main Street, and to determine the manner of meeting said appropriation whether by taxation, transfer from available funds, borrowing, or any other means or combination thereof, or take any other action relative thereto.

Recommended by: Board of Selectmen _No_(5-0)
Finance Committee _No (5-0)
Town Manager No_

Article 27. To see if the Town will vote to raise and appropriate a sum of money to fund the Employee Compensated Absences Reserve Fund and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, borrowing or any other means or any combination thereof; or take another action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 28. To see if the Town will vote to appropriate a sum of money from the sale of lots account for part-time seasonal help for the care and maintenance of the cemeteries, or take any other action thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 29. To see if the Town will vote to amend the rules and regulations of the Cemetery Commission dated March 11, 2014 in accordance with the handout available at the Annual Town Meeting or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Non-financial
Town Manager Yes

Article 30. To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 59 Section 5(54) and to establish a minimum fair cash value required for personal property accounts to be taxed, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 31. To see if the Town will vote in accordance with Massachusetts General Law Chapter 59, Section 8A to not impose the excise tax authorized by the section, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 32. To see if the Town will vote to eliminate the minimum number needed for a quorum to hold either Annual or Special Town Meeting by reducing the quorum number necessary to hold an Annual or Special Town Meeting to zero, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes (3-2)_
Finance Committee _Yes (5-0)
Town Manager Yes

Article 33. To see if the Town will vote to authorize the Selectmen to petition the Legislature for a Special Act of Legislation exempting David A. Powers, who has already taken the Civil Service Exam, from the maximum age requirement for applying for Civil Service appointment as a Firefighter in the Town of Ware. The legislation seeks to allow the appointment of David A. Powers as a Ware Firefighter despite the fact that he surpasses the 32 Year age limit on August 24, 2015, or take any other action thereon.

Recommended by: Board of Selectmen Yes (5-0)_
Finance Committee _Non-financial
Town Manager Yes

Article 34. To see if the Town will vote to establish a revolving account funded by court drug case revenues for the purpose of providing funds for drug investigations, and to authorize the Police Chief and Town Manager to spend from the account, or to take any action related thereto.

Recommended by: Board of Selectmen Yes (4-0-1 abstain)_
Finance Committee _No
Town Manager No

Article 35. To see if the Town will raise and appropriate a sum of money for the Stabilization Fund, and to determine the manner of meeting said appropriation whether by taxation, transfer of available funds, or any other means or any combination thereof or take any other action relative thereto.

Recommended by: Board of Selectmen _Dismiss
Finance Committee Dismiss
Town Manager Dismiss

And you are directed to serve up this Warrant by posting attested copies thereof at the Town Hall, at the Post Office calling the same at least seven (7) days before the time of said meeting and also by publishing a copy of the warrant on the Town of Ware website at least seven days before said meeting and make due return of this Warrant with doings thereon, to the Town Clerk of Ware on or before the time of said meeting.

Given under our hand at Ware this ____ day of April 2016.

SELECTMEN OF WARE

Nancy Talbot, Chair

Richard Norton, Member

John Carroll, Vice Chair

William Cooper, Member

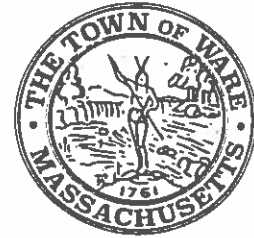
John Desmond, Recording Clerk

HAMPSHIRE ss.

By virtue of this Warrant I have posted two attested copies; one at the Post Office, and one at the Town Hall. I have also caused to be posted one attested copy on the Ware website.

Signed this _____ Day of April 2016.

Constable of Ware



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

**Meeting Minutes
Tuesday, June 7, 2016 at 7:00 p.m.**

Present: Selectman Carroll, Selectman Desmond, Selectman Talbot, Selectman Cooper, Selectman Fountain, Stuart Beckley

Meeting Opened by Selectman Carroll at 7:00 p.m.

New Business

- **Approval of Acting Sergeant, Police Department**

Chief Kovitch recommended Sgt. Christopher Desantis.

Selectman Desmond moved approval; Selectman Cooper seconded. The motion passed on a vote of 4 Yes, 1 Abstention (Selectman Talbot).

- **Approval of Special Police Officers**

Selectman Desmond moved approval; Selectman Fountain seconded. The motion passed on a vote of 3 Yes, 2 Abstentions (Selectman Talbot and Selectman Desmond).

Opening Remarks, Announcements, and Agenda review by Chair

- **Announcement, Planting of our Lafayette Elm Tree –Saturday, June 11 at 1:00 p.m. at WHS**
- **Proclamation for Michael J. O'Connor – receipt of Eagle Scout Honor – plaque presented by Selectman Talbot to Mr. O'Connor with congratulations from the Board of Selectmen.**

Consent Agenda

Comments and Concerns of Citizens

Mr. Jackson questioned the budget deficit, and questioned if Mr. Cooper is a town resident. Mr. Cooper answered that he is a resident.

Carol Zins spoke about the Town Wide Tag Sale on June 18, 2016, community events, concerts, library, June 24 will have second Rockin Summer Blues Fest.

New Business

- **Set Hearing Date for Hanna Devines Restaurant, 91 Main Street, Liquor License.**

Selectman Talbot moved to set a Public Hearing to hear a Petition for Liquor License for JRZ Enterprise, Inc. dba Hanna Devine's Restaurant and Bar on July 12, 2016 at 7:15 p.m.; Selectman Cooper seconded.

Scheduled Appearances

- **7:15 pm Public Hearing – Review of Proposed Water/Sewer Rates**

Mr. Kilhart noted that it has been five years since rates were increased. Resident Clayton Sydla opposed this increase with comparison to other towns. Resident Mr. Jackson questioned the reserve funds and rates.

Selectman Desmond moved to hold the public hearing open to June 21, 2016; Selectman Fountain

seconded. The motion passed on a Vote of 3 Yes, 2 No.

Selectman Desmond questioned the use of vehicles by department heads. Mr. Beckley stated that mileage sheets do not exist. Mr. Desmond would like two years' information. Mr. Beckley will try to get that information for the next meeting.

New Business

- **Approval of Common Victualler's License for Bella Roma Restaurant (New Owners)**

Selectman Talbot moved to approve; Selectman Cooper seconded. The motion passed unanimously (5-0).

- **Approval of Common Victualler's License for Big Y**

Selectman Talbot moved to approve; Selectman Fountain seconded. The motion passed unanimously (5-0).

- **Reappointment of Veterans Agent/Graves Officer**

Selectman Talbot moved to approve reappointment of Mark Avis to March 31, 2017; Selectman Cooper seconded. The motion passed unanimously (5-0).

- **Reappointment of Wanda Mysona to Ware Historical Commission**

Selectman Talbot moved to approve; Selectman Fountain seconded. The motion passed unanimously (5-0).

- **Invite to Participate in Palmer's 300th Anniversary Parade on October 15, 2016**

Town Manager Report:

Selectman Desmond questioned the progress regarding Mary Lane Hospital. Mr. Beckley noted that the next action for DPH to consider is essential services, with a decision on a satellite after July 1, 2016.

Mr. Beckley noted the ribbon cutting success of E2E with classes to begin in September.


Selectman Carroll noted signatures needed for Fireworks Permit. Assistant Deputy Fire Chief Wloch stated that they are waiting for the application.

Selectman Talbot moved to approve the Fireworks Permit for Ware Lions Club for June 25, 2016;

Selectman Cooper seconded. The motion passed on a Vote of 4 Yes, 1 Abstention (Selectman Carroll).

At 8:15 p.m., Selectman Talbot made the motion to adjourn to Executive Session MGL 30A, Section 21 (a) #3 Negotiations, Litigation, not to return to regular meeting; Selectman Cooper seconded. The motion to adjourn passed on a Roll Call Vote of 5 Yes, 0 No.

Attest:


Mary L. Midura, Executive Assistant
Transcription per Video 1/9/2017



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

Meeting Minutes

Tuesday, June 21, 2016 at 7:00 p.m.

Present: Selectman Carroll, Selectman Desmond, Selectman Talbot, Selectman Cooper, Selectman Fountain, Stuart Beckley

Meeting Opened by Selectman Carroll at 7:00 p.m.

Opening Remarks, Announcements, and Agenda review by Chair:

Selectman Desmon questioned a letter regarding Open Space Plan Committee. Selectman Desmond also questioned the status of the building on Main Street; Mr. Beckley noted that there has been little communication with the owner. Selectman Talbot noted that the Deputy Fire Chief is in contact with the owner.

Consent Agenda

Comments and Concerns of Citizens

Mr. Jackson questioned the building next door to this building; Mr. Cooper knows the owner will rehab the property.

Resident Paul Harper stated he could hear the race cars coming to the track as early as 5am, and this noise is a miserable nuisance. He asked that the Board help the taxpayers resolve this. Mr. Beckley noted that if the Board wishes to have Town Counsel research the zoning and nuisance, it will take several hours to see what could be done. Resident Rick Paul also commented that the reality of the racetrack is worse than any funds spent to research the noise and help our home values.

Selectman Desmond moved to ask Town Counsel to research and review the noise of the Racetrack; Selectman Talbot seconded. The motion passed unanimously (5-0).

Scheduled Appearances

- **7:15 pm Water and Sewer Review**

Mr. Kilhart noted that his recommendations follow previous mandates by the Board of Selectmen. Major expenses in the near future must be considered and some may be eligible for Federal funds. Selectman Talbot noted that the town went into debt and borrowing for previous upgrades. Resident Mr. Jackson stated his opposition to these increases while there are surplus funds. Mr. Carroll stated he will support these increases. **Selectman Cooper moved to approve the Water & Sewer Proposed Rate Increases as of July 1, 2016; Selectman Talbot seconded. The motion passed on a vote of 4 Yes, 1 No (Selectman Desmond).**

New Business

- **Approval of Special Event Application for Holy Cross Church**

Selectman Talbot moved approval, Selectman Cooper seconded. The motion passed unanimously (5-0).

- **Set Public Hearing for Approval of Application for Class II Car License for Deida Auto World LLC (July 12, 2016 at 7:15 pm)**

Selectman Cooper moved to set the Public Hearing for July 12, 2016 at 7:15 pm, Selectman Fountain seconded. The motion passed unanimously (5-0).

- **Resignation from Ware Housing Authority**

Selectman Talbot accepted, with regret, the resignation of Madeline Cebula; Selectman Desmond seconded. The motion passed unanimously (5-0).

- **Re-appointment for Ware Finance Committee**

Selectman Talbot moved to reappoint Dan O'Connor; Selectman Cooper seconded. The motion passed unanimously (5-0).

- **Vacancy – Ware Housing Authority (process for filling by appointment until next Town Election)**

The next housing meeting is August 8; there will be more information at the August 9 Board of Selectmen meeting.

- **Re-appointment for ZBA**

Selectman Talbot moved to reappoint George Staiti, as alternate; Selectman Cooper seconded. The motion passed unanimously (5-0).

- **Re-appointment for CDA**

Selectman Talbot moved to reappoint David Gravel; Selectman Cooper seconded. The motion passed unanimously (5-0).

- **End of Year Transfers**

Selectman Talbot moved to approve end of year transfers; Selectman Cooper seconded. The motion passed unanimously (5-0).

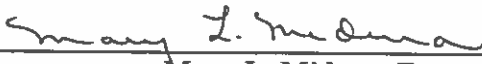
Selectman Talbot moved to approve a one-day liquor license for June 24, 2016; Selectman Cooper seconded. The motion passed unanimously (5-0).

Town Manager Report:

The Governor announced today two grants for Ware at \$800,000 total. The state budget is lower than anticipated. Ware's budget will have a \$100-\$150,000 shortfall.

At 8:15 p.m., Selectman Cooper made the motion to adjourn to Executive Session MGL 30A, Section 21 (a) #3 Negotiations, Litigation, not to return to regular meeting; Selectman Talbot seconded. The motion to adjourn passed on a Roll Call Vote of 5 Yes, 0 No.

Attest: _____


Mary L. Midura, Executive Assistant
Transcription per Video 1/13/2017

Program Activities Include:

- ♦ Individual and group therapy
- ♦ Daily psycho-education and skills groups
- ♦ Trauma/recovery and safety groups
- ♦ Health and wellness groups
- ♦ Linkages to Peer leadership, volunteer, education, employment, and transitional financial support
- ♦ On-site yoga, Zumba and mindfulness, stress reduction activities
- ♦ Expressive arts program
- ♦ Family education and support
- ♦ Aftercare planning
- ♦ Follow-up support and linkages to Recovery Coaches.

Contact Information

Gándara Cornerstone Recovery Program
for Young Women

59 South Street
Ware, MA

Heather Murphy
Program Director
413-237-5296

hmurphy@gandaracenter.org

Cornerstone is part of the Adolescent & Family Services (AFS) at Gandara Center. AFS also provides housing and outreach services for homeless youth (18-24 years), Intensive Foster Care, after school programs, short and long term residential, behavioral and mental health treatment and transition to adulthood services to children, youth and young adults.

Gandara Center provides innovative, culturally competent residential, mental health, substance abuse, outreach, outpatient, and preventive services for children, adults and families. Improving lives in the Pioneer Valley of Massachusetts since 1977.

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www.gandaracenter.org



Gándara Center

Culturally Sensitive Care

Cornerstone Recovery
Program for Young
Women

*Residential drug and alcohol
treatment and recovery
support for transition age
youth and young adult
women*

www.gandaracenter.org

About Us

Gandara's programs use a Wraparound Framework treatment model to fully understand a youth and family needs that is family/youth driven, sensitive to cultural and language practices, and builds on participants strengths and resources to support recovery and well being. Treatment content is driven by the participant with the help of staff and family/ community supports. Length of stay is based on individual need and may last for up to 6 months.

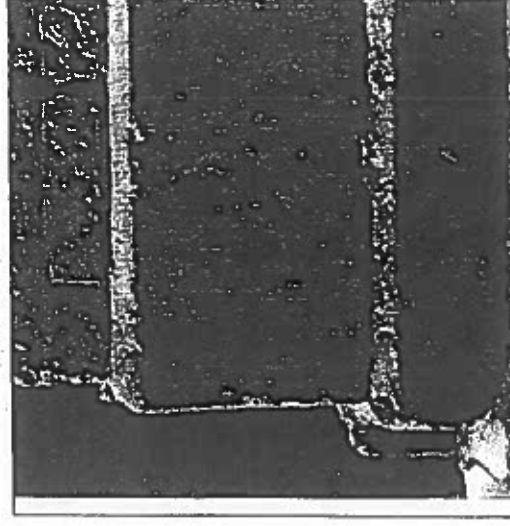
Services are provided at a residential setting located at 59 South Street in Ware, MA and conveniently located to public services and transportation.

Participants live in a structured milieu that reinforces a culture of recovery and well-being, self-help skills, and activities that promote self-esteem, coping skills, leadership skills and social connected with family, peers and community supports. Treatment addresses drug/alcohol use, and associated problems, challenges and obstacles which prevent young people from living successfully in the community

Service Focus

- ♦ Supporting education opportunities
- ♦ Employment skills development
- ♦ Promoting linkages and access to community based services, and
- ♦ Fostering engagement with the recovery community and social connectedness
- ♦ Increasing housing stability

"The stone discarded often becomes the cornerstone."



Admission Criteria

- ♦ Must be without acute withdrawal symptoms
- ♦ Be able to participate in a structured residential setting
- ♦ May have a poly-substance use history, and have Medication Assisted Treatment.
- ♦ Be willing to engage in assessment, treatment planning and staged-treatment process and Personal Experience Portfolio that guides participants in goal planning, skills activities, employment and housing readiness.

Application includes a telephone screening, completion of a referral packet, and an interview. The information will be reviewed and applicant will be notified within 24 hours. Contact Heather Murphy at 413-237-5296 or hmurphy@gandaracenter.org

Gándara Center
Culturally Sensitive Care



TOWN OF WARE

Building Department
126 Main Street, Ware, Massachusetts 01082

t. 413.967.9648 ext. 113 f. 413.967.9627
crice@townofware.com

January 19, 2017

Town of Ware
Board of Selectman
Ware, MA 01082

RE: Fire damaged structures

Select Board Members:

73 West Main Street property:

I met with the owner of this property on December 22nd at her home in North Brookfield. We spoke at length about the situation and she agreed to facilitate a transfer of the property. On January 19, 2017 I spoke with an interested party and I am currently trying to negotiate an arrangement between he and the owner. If this deal falls through I would seek guidance to see if the town would like to own the property. I believe that the owner would transfer ownership of this property to the town.

92-104 Main Street

The above property is currently in compliance. The property was boarded up and secured against entry. The property is not "unkempt" per article 28 of The Town of Ware bylaws.

I am not aware of any actions I can take at this time. Please see attached.

Sincerely,

Christopher H. Rice
Building Commissioner

cc: file

CHRISTOPHER, HAYS, WOJCIK & MAVRICOS

MEMORANDUM

TO: DAW
FROM: APD
SUBJECT: WARE – PROCEDURE FOR DEMOLITION OF NUISANCE PROPERTY
DATE: 11/17/2015

David,

This is in response to Nancy Talbot's question regarding whether the Board of Selectmen may initiate a process to tear down a fire-damaged structure.

The Board of Selectmen may commence a demolition of an unsafe, fire-damaged property by using the statutory procedure set forth in G.L. c. 139, §§ 1-3A.

Section 1 permits the Board to, after written notice and hearing, record an order adjudging the property to be a nuisance or dangerous, "and prescribing its disposition, alteration or regulation." An attested copy of the order must then be served on the owner of the structure. There is no defined notice period prior to the initial hearing, but some amount of notice is required. See *Morais v. City of Lowell*, 50 Mass.App.Ct. 540 (2000).

Section 2 permits a person aggrieved by a demolition order to appeal to superior court within three days of service of the order.

Section 3 states that the Board "shall have the same power to abate and remove" nuisance properties as that given to the board of health under G.L. c. 111, §§ 123-125. Thus, the procedure the Board must follow is included in Chapter 111, which provides:

G.L. c. 111, § 123: "Said board shall order the owner or occupant of any private premises, at his own expense, to remove any nuisance... within twenty-four hours, or within such other time as it considers reasonable, after notice..."

G.L. c. 111, § 124 describes service of the order. If the owner's whereabouts are known, service must be in writing and may be made by process server (in-hand or last and usual)

or by registered mail. If the owner's whereabouts are unknown or out of state, the order may be posted conspicuously on the premises and advertised in the local newspaper for three of five consecutive days.

G.L. c. 111, § 125: "If the owner or occupant fails to comply with such order, the board may cause the nuisance, source of filth or cause of sickness to be removed, and all expenses incurred thereby shall constitute a debt due the city or town upon the completion of the removal and the rendering of an account therefor to the owner, his authorized agent, or the occupant, and shall be recoverable from such owner or occupant in an action of contract."

Section 3A sets out the process for recording a lien for demolition costs. The Board must sign a statement of claim setting forth the amount owed (not including 6% interest which may be collected) and file the claim with the Registry of Deeds. The lien becomes effective upon filing and continues "for two years from the first day of October next following the date of such filing." Additionally, once the claim is filed, the Board may transmit the claim to the Assessor/Collector who may treat it as a tax obligation.

To recap, the procedure is as follows: Written notice → hearing → order to remove served on owner → 24-hour period (at least) for owner to remedy problem → removal by board → filing of claim for costs.

There is an alternative method set forth in G.L. c. 143, through which the building inspector can commence the demolition process. Let me know if you want information about that process – it is the one outlined in the 37 Eddy Street letter you forwarded me earlier.

Drew

Rice, Chris

From: Rice, Chris
Sent: Friday, July 08, 2016 1:58 PM
To: Wloch, Ed
Subject: FW: Main Street building
Attachments: Ware - Demolition Process.pdf

From: David Wojcik [mailto:dwojck@chwmlaw.com]
Sent: Friday, February 26, 2016 3:04 PM
To: Datres, Julie (AGO); Beckley, Stuart
Cc: Coulombe, Thomas; Rice, Chris; Jonah Temple; Andrew DiCenzo
Subject: RE: Main Street building

Hi Stuart & nice to meet you Julie,

As far as I know there is nothing to prevent the owner of a burned down building from simply accepting the insurance proceeds and walking away depending on the provisions of the fire insurance policy and any mortgage. Generally insurance proceeds go first to pay off any outstanding mortgage and then either to repairs or in the owner's pocket. That said we do have tools to prevent an owner from leaving a burned building in a dangerous/unsafe condition – we used this process with respect to the Casino Theatre and other unsafe/dilapidated structures. However once the building is taken down or otherwise rendered safe an owner has no obligation to develop to our wishes. Generally – assuming no coverage issues- an insurer will pay the costs of the work which needs to be done immediately to tear down or to otherwise make a burned building safe. If this building is presently unsafe then we need to start the process- by building inspector/Fire Chief Tom, to follow the appropriate procedures and make the necessary orders to have it repaired or torn down or otherwise made safe and secure. In this type of situation an owner who gets an order to repair/demo would generally forward that order to the insurer and ,again, if there are no coverage issues and the insurer is responsive (if the insurer is Lloyd's ... expect delays) the work will get done and paid for by the insurer. In my view the appropriate Town Officials need to, ASAP, do the necessary inspections and make the appropriate orders ;once that is done we can try to chase the owner/insurer/mortgagee to get the work done and paid for without expending nonexistent town funds. See below & attached (from 11/15) for a bit more general information. If you give me a little more information on the nature/extent of the damage I can provide a more focused memo on the process that should be followed. Obviously reaching out to the owner and initiating a discussion may avoid the need for some or all of this, if we get solid, verified assurances that the necessary work is going to be done, but prudence probably dictates that appropriate inspections/orders be done now.

David

The Board may initiate a process to tear down a fire-damaged building that has been declared unsafe. There is no definite time period, but the steps that must be followed are:

- Provide written notice of a hearing to the owner of the property.
- Hold a hearing at which the property may be adjudged a nuisance and/or dangerous. If so, an order may issue requiring the property to be altered or removed.
- The order must be served on the owner, who has three days to appeal to superior court.
- The owner has at least 24 hours after service of the order to comply.

- If the owner does not comply, the Board may commence alteration / removal.
- The Board issues and records a statement of costs associate with removal, which may be treated as a tax lien.

I have attached a memo prepared by my associate which describes the process in more detail.

From: Datres, Julie (AGO) [<mailto:julie.datres@state.ma.us>]
Sent: Friday, February 26, 2016 11:01 AM
To: Beckley, Stuart; David Wojcik
Cc: DPH-OEMS-TCoulombe; Rice, Chris
Subject: RE: Main Street building

Good morning, Stuart,

I was saddened to see this fire in the news. Unfortunately, as a commercial property it does not fall under the state sanitary code and therefore there is no statutory authority to proceed to receivership. The receivership statute does not extend to commercial properties – although legislation has been proposed to expand it to commercial properties, it has never made it through. Accordingly, I have to leave this to Attorney Wojcik to propose solutions, as this is something beyond the scope of what my Office is able to assist with and I am not able to provide legal advice to the Town.

Good luck,

Julie Datres, Assistant Attorney General
Office of Attorney General Maura Healey
1350 Main Street, 4th Floor
Springfield, MA 01103-1629
Tel: 413-523-7703
Fax: 413 -784-1244
Email: julie.datres@state.ma.us

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From: Beckley, Stuart [<mailto:sbeckley@townofware.com>]
Sent: Friday, February 26, 2016 9:47 AM
To: David Wojcik (dwojick@chwmlaw.com); Datres, Julie (AGO)
Cc: DPH-OEMS-TCoulombe; Rice, Chris
Subject: Main Street building

Good morning Attorney Wojcik and Attorney Datres,

I don't know if you have met, so Town Attorney David, please meet Julie from the Attorney General's office who helps the Town with vacant buildings.

As you know, a significant downtown building was heavily damaged by fire last week. The building was insured for \$700,000. There is local concern that the owner will take the payment and walk away.

Do you know of a tool we could use to prevent abandonment?

Thank you for your consideration.

Stuart

Stuart Beckley, Town Manager
Town of Ware
413-967-9648 x100

Massachusetts General Laws Annotated

Part I. Administration of the Government (Ch. 1-182)

Title XX. Public Safety and Good Order (Ch. 133-148a)

Chapter 139. Common Nuisances (Refs & Annos)

M.G.L.A. 139 § 1

§ 1. Orders adjudging buildings, structures or vacant land
to be nuisances; notice, hearing and service of copy of order

Currentness

The aldermen or selectmen in any city or town may, after written notice to the owner of a burnt, dilapidated or dangerous building or other structure, or his authorized agent, or to the owner of a vacant parcel of land, and after a hearing, make and record an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. The city or town clerk shall deliver a copy of the order to an officer qualified to serve civil process, who shall forthwith serve an attested copy thereof in the manner prescribed in section one hundred and twenty-four of chapter one hundred and eleven, and make return to said clerk of his doings thereon.

Credits

Amended by St.1966, c. 195; St.1970, c. 649, § 2; St.1984, c. 166, § 1.

Notes of Decisions (4)

M.G.L.A. 139 § 1, MA ST 139 § 1

Current through Chapter 124 of the 2015 1st Annual Session

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Massachusetts General Laws Annotated

Part I. Administration of the Government (Ch. 1-182)

Title XX. Public Safety and Good Order (Ch. 133-148a)

Chapter 139. Common Nuisances (Refs & Annos)

M.G.L.A. 139 § 2

§ 2. Appeal to superior court; trial by jury; costs

Currentness

A person aggrieved by such order may appeal to the superior court for the county where such building or other structure is situated, if, within three days after the service of such attested copy upon him, he commences a civil action in such court. Trial by jury shall be had as in other civil causes. The jury may affirm, annul or alter such order, and the court shall render judgment in conformity with said verdict, which shall take effect as an original order. If the order is affirmed, the plaintiff shall pay the costs; if it is annulled, he shall recover from the town his damages, if any, and costs; and if it is altered, the court may render such judgment as to costs as justice shall require. All proceedings hereunder authorized by section ten of chapter one hundred and forty-three, after issue is joined therein, shall be in order for trial and shall have precedence over any case of a different nature pending in said court and then in order for trial.

Credits

Amended by St.1945, c. 697, § 5; St.1970, c. 649, § 3; St.1973, c. 1114, § 8.

Notes of Decisions (4)

M.G.L.A. 139 § 2, MA ST 139 § 2

Current through Chapter 124 of the 2015 1st Annual Session

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Massachusetts General Laws Annotated
Part I. Administration of the Government (Ch. 1-182)
Title XX. Public Safety and Good Order (Ch. 133-148a)
Chapter 139. Common Nuisances (Refs & Annos)

M.G.L.A. 139 § 3

§ 3. Abatement or removal of nuisance by aldermen or selectmen

Currentness

The aldermen or selectmen shall have the same power to abate and remove any such nuisance as is given to the board of health of a town under sections one hundred and twenty-three to one hundred and twenty-five, inclusive, of chapter one hundred and eleven.

Notes of Decisions (1)

M.G.L.A. 139 § 3, MA ST 139 § 3

Current through Chapter 124 of the 2015 1st Annual Session

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Massachusetts General Laws Annotated

Part I. Administration of the Government (Ch. 1-182)

Title XX. Public Safety and Good Order (Ch. 133-148a)

Chapter 139. Common Nuisances (Refs & Annos)

M.G.L.A. 139 § 3A

§ 3A. Demolition or removal of building or structure or securing of vacant land; owner's liability

Currentness

If the owner or his authorized agent fails to comply with an order issued pursuant to section three and the city or town demolishes or removes any burnt, dangerous or dilapidated building or structure or secures any vacant parcel of land from a trespass, a claim for the expense of such demolition or removal, including the cost of leveling the lot to uniform grade by a proper sanitary fill, or securing such vacant parcel shall constitute a debt due the city or town upon the completion of demolition, removal, or securing and the rendering of an account therefor to the owner or his authorized agent, and shall be recoverable from such owner in an action of contract.

Any such debt, together with interest thereon at the rate of six per cent per annum from the date such debt becomes due, shall constitute a lien on the land upon which the structure is or was located if a statement of claim, signed by the mayor or the board of selectmen, setting forth the amount claimed without interest is filed, within ninety days after the debt becomes due, with the register of deeds for record or registration, as the case may be, in the county or in the district, if the county is divided into districts, where the land lies. Such lien shall take effect upon the filing of the statement aforesaid and shall continue for two years from the first day of October next following the date of such filing. If the debt for which such a lien is in effect remains unpaid when the assessors are preparing a real estate tax list and warrant to be committed under section fifty-three of chapter fifty-nine, the mayor or the board of selectmen, or the town collector of taxes, if applicable under section thirty-eight A of chapter forty-one, shall certify such debt to the assessors, who shall forthwith add such debt to the tax on the property to which it relates and commit it with their warrant to the collector as part of such tax. If the property to which such debt relates is tax exempt, such debt shall be committed as the tax. Upon commitment as a tax or part of a tax, such debt shall be subject to the provisions of law relative to interest on the taxes of which they become, or, if the property were not tax exempt would become, a part; and the collector of taxes shall have the same powers and be subject to the same duties with respect to such debts as in the case of annual taxes upon real estate, and the provisions of law relative to the collection of such annual taxes, the sale or taking of land for the non-payment thereof, and the redemption of land so sold or taken shall, except as otherwise provided, apply to such claims. A lien under this section may be discharged by filing with the register of deeds for record or registration, as the case may be, in the county or in the district, if the county is divided into districts, where the land lies, a certificate from the collector of the city or town that the debt constituting the lien, together with any interest and costs thereon, has been paid or legally abated. All costs of recording or discharging a lien under this section shall be borne by the owner of the property.

Credits

Added by St.1970, c. 649, § 4. Amended by St.1984, c. 166, § 2; St.1992, c. 133, § 494.

Notes of Decisions (2)

M.G.L.A. 139 § 3A, MA ST 139 § 3A

Current through Chapter 124 of the 2015 1st Annual Session

Massachusetts General Laws Annotated
Part I. Administration of the Government (Ch. 1-182)
Title XVI. Public Health (Ch. 111-114)
Chapter 111. Public Health (Refs & Annos)

M.G.L.A. 111 § 123

§ 123. Abatement of nuisance by owner; penalty

Currentness

Said board shall order the owner or occupant of any private premises, at his own expense, to remove any nuisance, source of filth or cause of sickness found thereon within twenty-four hours, or within such other time as it considers reasonable, after notice; and an owner or occupant shall forfeit not more than one thousand dollars for every day during which he knowingly violates such order.

Credits

Amended by St.1992, c. 23, § 17.

Notes of Decisions (26)

M.G.L.A. 111 § 123, MA ST 111 § 123

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Massachusetts General Laws Annotated

Part I. Administration of the Government (Ch. 1-182)

Title XVI. Public Health (Ch. 111-114)

Chapter 111. Public Health (Refs & Annos)

M.G.L.A. 111 § 124

§ 124. Service of order for abatement

Currentness

Such order shall be in writing, and may be served personally on the owner, occupant or his authorized agent by any person authorized to serve civil process; or a copy of the order may be left at the last and usual place of abode of the owner, occupant or agent, if he is known and within or without the commonwealth; or a copy of the order may be sent to the owner, occupant or agent by registered mail, return receipt requested, if he is known and within the commonwealth. If the order is directed against the owner and if the residence and whereabouts of the owner or his agent are unknown or without the commonwealth, the board may direct the order to be served by posting a copy thereof in a conspicuous place on the premises and by advertising it for at least three out of five consecutive days in one or more newspapers of general circulation within the municipality wherein the building affected is situated.

Credits

Amended by St.1949, c. 280; St.1965, c. 898, § 2.

Notes of Decisions (4)

M.G.L.A. 111 § 124, MA ST 111 § 124

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Massachusetts General Laws Annotated

Part I. Administration of the Government (Ch. 1-182)

Title XVI. Public Health (Ch. 111-114)

Chapter 111. Public Health (Refs & Annos)

M.G.L.A. 111 § 125

§ 125. Removal of nuisance by board

Currentness

If the owner or occupant fails to comply with such order, the board may cause the nuisance, source of filth or cause of sickness to be removed, and all expenses incurred thereby shall constitute a debt due the city or town upon the completion of the removal and the rendering of an account therefor to the owner, his authorized agent, or the occupant, and shall be recoverable from such owner or occupant in an action of contract.

The provisions of the second paragraph of section three A of chapter one hundred and thirty-nine, relative to liens for such debt and the collection of the claims for such debt, shall apply to any debt referred to in this section, except that the board of health shall act hereunder in place of the mayor or board of selectmen.

Credits

Amended by St.1970, c. 649, § 1.

Notes of Decisions (9)

M.G.L.A. 111 § 125, MA ST 111 § 125

Current through Chapter 124 of the 2015 1st Annual Session

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TOWN OF WARE

Town Manager

126 Main Street

Ware, MA 01082

413-967-9648 x100

January 19, 2017

To : Board of Selectmen
From : Stuart Beckley, Town Manager
Subject: Police Chief Assessment

Attached is the Delegation Agreement from Civil Service for the Open Competitive Sole Assessment Center. The Board can authorize its signing, and the process of setting up the Assessment Center will begin with the procurement of a consultant.

I would like to recommend that the Board authorize a parallel internal promotional center. All participating (internal and statewide) will be evaluated with the same assessment and the Board will be provided with two ranked lists. There appears to be interest from 5-6 department candidates.

Thank you.

Beckley, Stuart

From: Moscardi, Sebastian (HRD) <sebastian.moscardi@state.ma.us>
Sent: Thursday, January 19, 2017 9:40 AM
To: Beckley, Stuart
Subject: Delegation Agreement for 2017 sole Assessment Center - Ware Police Chief
Attachments: 2017_Ware_P_Chf_delegation agreement_sole_OCX.pdf

Hello Stuart,

Here is the delegation agreement you requested for the open competitive sole Assessment Center for Ware Police Chief. Once it is signed and dated, send it back our way and we'll get it signed as well and give you a copy of the final agreement for your records. Then you can begin your search for a vendor. If you have any questions, please let me know. Thanks!

Best,

Sebastian Moscardi
Personnel Analyst
Human Resources Division
1 Ashburton Place, Boston, MA 02108

DELEGATION AGREEMENT
between the Ware Police Department and the
Massachusetts Human Resources Division

In accordance with the provisions of MGL Chapter 31, section 5(l), this agreement between the Human Resources Division (HRD) and the Ware Police Department is for the purpose of delineating the responsibilities of the parties in the delegation of certain duties and powers of HRD to the Ware Police Department pertaining to the selection process for Police Chief, Ware Police Department.

The Ware Police Department has agreed to hire an Assessment Center vendor to develop, construct, validate, administer and score a Police Chief Assessment Center and to pay all attendant costs associated with same. The Ware Police Department will hire an Assessment Center vendor who will develop an Assessment Center based upon a job analysis. In addition, the Ware Police Department will ensure that the Assessment Center vendor produces an Assessment Center that conforms with recognized validation methodologies. Further, the Ware Police Department will ensure that the Assessment Center vendor will provide evidence of validation if the Assessment Center is challenged. With the exception of additional points as required by statute or rule, including credit for employment or experience in the Police Chief title, this delegated selection process for Police Chief will be used as the **sole basis** for scoring and ranking candidates on an eligible list. The Ware Police Department may forego the use of any written test administered by HRD. Nothing in this delegation agreement precludes the use of a validated, written examination exercise developed by the Assessment Center vendor as part of the overall assessment center activities.

HRD will delegate to Ware Police Department, Stuart Beckley, and the Assessment Center vendor including, but not limited to, the following areas:

1. Determination of the knowledges, skills, abilities and personal characteristics (KSAP's) that are supported by job analysis data that will be evaluated during the assessment center exercises.
2. Development of the open competitive examination announcement to be used to solicit applications including a description of duties; a description of the KSAPs determined pursuant to Paragraph 1 above; a description of the testing process to be used including any reading lists and preparation guides; testing date(s); deadline for filing applications; salary for the position; and any applicable fees. HRD will, upon request, provide sample language for the announcement, consistent with statutory requirements, regarding eligibility for the selection process, Employment/Experience examination component, and statutory preferences. The Ware Police Department

must ensure proper posting of the examination announcement in all Police Department stations.

3. Development of the job-related, content valid questions/activities that will be used during the assessment center for which validation evidence has been gathered in accordance with professionally accepted guidelines.
4. The security plan that will be utilized to ensure the integrity of the assessment center.
5. Any training materials or sessions that will be distributed to/conducted for applicants prior to the administration of the assessment center in order to familiarize them with assessment center procedures.
6. The review of any validation materials which support the assessment center activities.
7. The composition and selection of the assessors for the assessment center exercises.
8. The training of the assessors in the use of the rating schedules and administration of the exercises.
9. The review and approval of the rating schedules to be used.
10. The determination of a passing point for the assessment center.
11. The Ware Police Department's representation as observers only for the assessment center components.
12. Reviews permitted pursuant to Section 22 of Chapter 31 of the MGL shall be the responsibility of the Ware Police Department's Appointing Authority. The Ware Police Department shall be responsible for issuing notice to all candidates of the rights afforded to them under this Section of the MGL.
13. Any "fair test appeal" will be forwarded to HRD, along with the Assessment Center Vendor's summary of facts related to the appeal and position. HRD will issue a determination as to a "fair test appeal." The Ware Police Department shall be responsible for issuing notice to all candidates of the Employment/Experience examination component, including instructions on how to claim credits.
14. Maintenance of the record of the examination for three years from the date of the examination.

15. Upon establishment of an eligible list, stemming from assessment center exercises and any additional points required by statute, such list will be forwarded to HRD. The eligible list will be made available for public inspection by the Ware Police Department.

It is agreed that:

- I. HRD authorizes George Bibilos, Director, Organizational Development Group/Civil Service, (617) 878- 9727, and/or his designee to act as its representative in all matters relative to this delegation agreement.
- II. Primary responsibility for the administration of all delegated civil service functions, as described herein, for the Ware Police Department will be assigned to Stuart Beckley, who will serve as Delegation Administrator. He, or his designee, will be responsible for all matters relative to this delegation agreement.
- III. The Delegation Administrator shall be responsible for the following:
 - A. all notifications to all eligible candidates, acceptance and processing of examination applications, verification of examination eligibility, and security of the administration and scoring of the selection process that results in the establishment of an eligible list for Police Chief;
 - B. maintenance of the eligible list for Police Chief for a maximum of two years in accordance with applicable statutory language and HRD policy.
 - C. certification from the eligible list in accordance with civil service laws, rules, regulations and procedures.
 - D. forward all notices of employment of promoted employee(s) from the certification process.
- IV. The Delegation Administrator shall be responsible for ensuring that the examination referenced herein is administered within 18 months of the issuance of this Delegation Agreement. An extension of a maximum of six additional months may be approved by HRD upon review of a written request from the Delegation Administrator detailing extenuating circumstances necessitating such extension. Such request must be submitted at least 30 days prior to expiration of the 18 month timeframe. Upon failure to administer this examination within the timeframe approved by HRD, HRD may cancel this examination and Delegation Agreement,

and the Delegation Administrator will be responsible for refunding any examination processing fee(s) paid by applicants.

- V. The Delegation Administrator will be responsible for ensuring continued public access to all records determined to be public information.
- VI. The Delegation Administrator will be responsible for ensuring that candidates can review their standing on the established eligible list. (Such review must be made in the presence of the Delegation Administrator or designee to ensure that there is no alteration or destruction of material.)
- VII. The Ware Police Department must choose an Assessment Center vendor who is willing to assume the following responsibilities in relation to this Delegation Agreement. If the Assessment Center vendor neglects to follow the below actions, this Delegation Agreement may be discontinued by HRD. Assessment Center vendor responsibilities are listed below:
 - A. Utilize HRD's examination posting notice template for posting the Assessment Center examination.
 - B. Identify additional credits required by statute GL Chapter 31§ 59 and provide documentation to HRD.
 - C. Issue score notices to candidates using the template provided by HRD.
 - D. Fully cooperate with HRD regarding all instances of Appeals, including, but not limited to, Fair Test Appeals (GL Chapter 31 § 22).
 - E. Will appear and defend the Assessment Center content if a Civil Service Commission hearing occurs.
- VIII. Periodic or random audits of all examination materials, examination records, and/or delegated personnel transactions may be conducted at any time by representatives from HRD. All examination materials, records, ledgers and correspondence relating to the delegated functions shall be made readily available and accessible to HRD upon request. HRD may also at its option attend the administration of the examination as an observer. A report on any audit findings regarding delegated personnel transactions will be made available to the Delegation Administrator and corrective action, if necessary, on any problems or errors identified in that report must be taken by the Ware Police Department within thirty 30 days from receipt of the audit report. A written report of that corrective action shall be submitted to HRD. HRD retains the rights to review, retain, approve, and/or disapprove any and all

examination related materials and/or records, before or after the administration of the examination, at its discretion.

- IX. It will be the responsibility of HRD to provide and explain to the Delegation Administrator any changes in civil service law and rules which may directly affect any of the delegated functions.
- X. The Human Resources Division will be responsible for notifying the Delegation Administrator on a timely basis of any changes in the law or regulations which may affect the delegated functions.
- XI. HRD reserves the right to take action, up to and including rescinding this agreement if Ware Police Department or assessment center vendor has violated this delegation agreement.
- XII. HRD will be available to the Delegation Administrator throughout the delegation process and HRD will provide technical assistance to the Delegation Administrator upon request.
- XIII. Changes in approved procedures for the administration of the delegated functions may not be made without the review and approval of both parties. No duties may be assumed by the Delegation Administrator which have not been authorized by this agreement or subsequent attachment.
- XIV. The cost of all services, forms, and materials provided directly by HRD shall be assumed by HRD unless otherwise agreed to by both parties. All other costs involved in the delegation of the functions set forth herein will be the responsibility of the Ware Police Department.
- XV. The Ware Police Department may elect to charge a reasonable fee, as set by statute (currently \$250 per application), to offset the administrative costs of the selection process. Any processing fees collected through the delegation of these functions are the property of the Ware Police Department.
- XVI. Candidate scores from the Assessment Center shall only be available to HRD and the individual candidates.
- XVII. If at any time after the execution of this agreement either the Ware Police Department or HRD determines that delegation authority should be discontinued, reversion of the authority for all delegated functions to the Ware Police Department may be effected through 30 days' written notice, by registered mail, by

either the Ware Police Department or the Personnel Administrator (Chief Human Resources Officer).

XVIII. The specific functions to be delegated are described and detailed in this Agreement. As further functions are delegated, detailed descriptions shall be reviewed by both parties and appended to this Agreement.

DATE OF ISSUANCE:

FOR THE WARE POLICE DEPARTMENT:

John Carroll
Chair, Board of Selectmen

Date

FOR THE HUMAN RESOURCES DIVISION:

Ronald J. Arigo
Chief Human Resources Officer

Date



APPLICATION FOR SPECIAL SERVICE OF
ALCOHOLIC BEVERAGES
MGL CHAPTER 138, SECTION 14
TOWN OF WARE

Name: Workshop 3

Effective Date(s) of License: 1-21-17

Hours of Service (In conformity with MGL): 6³⁰-10

Event (describe activities): Friends of the Bay Scouts Sip & Point

Anticipated Attendance: 85

Sponsoring Organization: _____

For Profit: ☐ Beer & Wine (only) Non Profit: All Alcoholic ☐ Beer & Wine ☒

Address (include Street & Number): 13 Church St Ware

Names of All Servers (bartenders) for this event: Darlene Sogka

I have received, and agree to abide by, all regulations of the Board of Selectmen. Furthermore, pursuant to MGL Chapter 52C, Section 49A, I hereby
Certify under penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and all state taxes required under law.

Signature of Applicant: Wanda Margit

Social Security # or Federal I.D.#: _____

Fire Inspection

Date: 1/13/15

Building Inspection

Date: 1/13/15

Date Received: 1/12/2017

Insurance Certificate: ☒

Application Fee: \$25.00

Action Taken: ☒ Approved ☐ Denied Date: 1/12/17

Police Chief Review and Action

Donald M. Healey
Donald M. Healey, Police Chief



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

☐ For Reconsideration

LOCAL LICENSING AUTHORITY REVIEW RECORD

00001-CL-1326

ABCC License Number

WARE

City/Town

01/13/2017

Date Filed with LLA

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|--|--|--|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of DBA | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change of Hours |
| <input checked="" type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder |
| <input type="checkbox"/> Change of Beneficial Interest | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine/Malt) | <input type="checkbox"/> Management/Operating Agreement |

APPLICANT INFORMATION

Name of Licensee	ASPEN ST ROD AND GUN CLUB INC.		D/B/A		
ADDRESS:	ASPEN STREET	CITY/TOWN:	WARE	STATE	MA
				ZIP CODE	01082
Manager	MICHAEL R. BROWN				
<div>Granted under Special Legislation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></div> <div>If Yes, Chapter <input type="text"/> of the Acts of (year) <input type="text"/></div>					
<div>\$12 Club <input type="checkbox"/></div> <div>Type (i.e. restaurant, package store)</div>		<div>Annual <input type="checkbox"/></div> <div>Class (Annual or Seasonal)</div>		<div>All Alcoholic Beverages <input type="checkbox"/></div> <div>Category (i.e. Wines and Malts / All Alcohol)</div>	

LOCAL LICENSING AUTHORITY DECISION

Please indicate the decision of the
Local Licensing Authority:

Approves this Application ☐

Please indicate what days and hours
the licensee will sell alcohol:

If Approving With Modifications, please indicate below what changes the LLA is making:

Please indicate if the LLA is
downgrading the License
Category (approving only Wines
and Malts if applicant applied for All
Alcohol):

☐ ☒

Changes to the Premises Description

Patio/Deck/Outdoor Area
Total Square Footage

Seating Capacity

Indoor Area
Total Square Footage

Number of Entrances

Number of Exits

Floor Number	Square Footage	Number of Rooms

Abutters Notified: Yes ☐ No ☒

Date of Abutter
Notification

Date of
Advertisement

Please add any
additional remarks or
conditions here:

☒ Check here if you are attaching additional documentation

The Local Licensing Authorities By:

01/24/2017

Date APPROVED by LLA

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

TOWN OF WARE FY2018 BUDGET PREPARATION WORKSHEET							
DEPT #	122	BOARD OF SELECTMAN					
OPERATING EXPENSES							
		FY15 ACTUAL	FY16 ACTUAL	FY17 BUDGET	FY18 REQUEST	NOTES	
5200	Purchase of Services						
	Postage	673.66	541.12	675.00	-		
	Advertising-Legal Ads	723.19	503.62	725.00	-		
	Advertising-Employment	1,394.00	-	860.00	-		
	Dues	1,736.00	1,567.00	1,740.00	-		
	Seminars/Employee Training	-	315.00	-	-		
	Other (please detail)	567.96	302.55	-	-		
	Total Purchase of Services	5,094.81	3,229.29	4,000.00	-		
5400	Supplies						
	Office Supplies	10.05	32.69	400.00	-		
	Total Supplies	10.05	32.69	400.00	-		
5700	Other Charges						
	Dues & Memberships	-	-	-	-		
	Travel	-	-	-	-		
			-				
	Total Other Charges	-	-	-	-		
	Total	5,104.86	3,261.98	4,400.00	-		



TOWN OF WARE

Town Manager

126 Main Street

Ware, MA 01082

413-967-9648 x100

Town Manager Updates
January 24, 2017

Pending and Dates

Massachusetts Municipal Association Annual Meeting Update.

Sewer Clogs. The DPW reminds residents that only the Three P's (pee, poop and paper) be flushed to the sewer system. Flushable wipes are actually not flushable and have caused some recent backups.

Wood policy. At times there is surplus wood from the removal of street trees in town. Attached is a draft policy for the removal and disposition of the wood for Board consideration.

Police Detail Fees. Other communities charge contractors an hourly rate for the use of police vehicles on outside details. Ware currently does not. The Chief and I would like to propose the addition of this fee for Board review and hearing if necessary.

Outreach for the ***Quaboag Connector*** has begun. Rides are available for scheduling as of Monday, January 23rd.

The Metropolitan Area Planning Commission and the Department of Energy Resources are offering a 30% grant toward the replacement of streetlights with ***LED streetlights***. As the Town was pursuing this replacement anyway, a request was placed for these funds. Details will need to be worked out with National Grid, but a Memorandum of Understanding for the use of the grant funds should be available for the next Board meeting. The streetlights will be audited, a lighting scheme designed, and installation set up. Procurement for all aspects will be through the MAPC.

For residents desiring to dispose of Christmas trees, they may contact the DPW yard to arrange drop off for chipping through the end of January.

Detail Fees

Town	Hourly vehicle fee
Clarksburg	\$18.00
Chesterfield	\$15.00
Ware	\$0.00
Halifax	\$0.00
Ashburnham	\$15.00
Petersham	\$10
Hadley	\$20
Monson	\$10.00
Palmer	\$10.00
Williamsburg	\$12.00

Town of Ware Wood Policy

The following policy is to be used when:

Public shade trees are to be removed under the direction of the tree warden. Public shade trees are defined under Mass. General Laws Chapter 87, Section 1, as all trees within public ways or on the boundaries thereof.

The tree warden will determine if:

1. The tree has a value as lumber.
2. Value as firewood.
3. Has no value.

Any town trees that may have a value as logs, for lumber purposes, may be transported to a local sawmill. The sawmill owner will then issue a check to the town for the value of the logs at the current market price. However, if the highway department or another town department has a municipal use for the lumber generated from these logs, then they may use them to their advantage with approval from the Town Manager.

If the wood can't be used as firewood due to the type or condition and has no other value, then it is disposed of at a local wood waste company or Town site.

If the wood can be used as firewood, the tree warden determines if the property abutter to the tree wants the wood. If so, all or part of the wood may be left as requested. This is providing that if the wood were left on site, it would not create any safety hazard to the public. The wood is left in large sections that would need to be cut and split for use.

If the abutter rejects the wood, then the maintenance of a stockpile of wood at the highway garage or Banas property is supplied. This is for general use by residents. Again, this is left in large sections that would need to be cut and split for use. This pile may only be restocked when completely depleted, forcing the public to take less than desirable wood as well as the higher quality wood. Anyone taking this wood will be required to schedule removal with the [] and sign a form relieving the town of any liability while removing the wood.

On occasion firewood will be left where cut along the public way for any residents to take, provided the highway director determines it will not create a hazard or interfere with maintenance of the public way.

When the pile at the garage or Banas property is adequately stocked, then the wood will be available to all town residents including town employees to reduce disposal costs. A list of those residents who desire wood will be kept at the []. Again this would be left in large sections that would need to be cut and split for use. Residents will be contacted when their turn to cut and load wood is reached on the list. Residents will have access for [] days or hours to cut and load the wood. This time will occur during the weekend.

If there is no disposal area available for this wood then it is disposed of at the local wood waste facility.

Note: The above policy will not apply when the town hires a professional tree service for the removal of a tree on a public way and the tree warden determines that the removal process would be more cost effective and safer for the tree company to remove and dispose of any part or the entire tree themselves, or in emergency situations created by natural or man made disasters that require hiring outside contractors for timely removal and disposal of wood.

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