



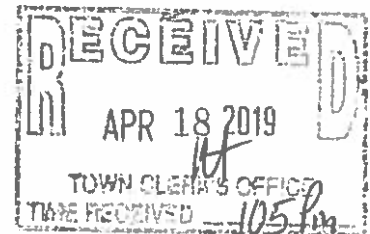
Board of Selectmen – Joint Meeting with Finance Committee and Moderator

**Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Notice Agenda – Thursday, May 2, 2019 at 7:00
p.m.**

Meeting Opened

- **Review Articles of May 13, 2019 Special Town Meeting and Annual Town Meeting with Finance Committee and Moderator**

Adjournment





**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, 237 West Street, Ware, on Monday, May 13, 2019 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. Free Cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

ARTICLE 2: To see if the Town will vote to amend or adjust any of the line items of the Fiscal Year 2019 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 ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

ARTICLE 3. To see if the Town will vote to raise and appropriate a sum of money to remove accumulated solids from the winter side of the aeration basin at the Ware wastewater treatment plant including related mechanical and structural work and engineering services and to determine the manner of meeting said appropriation, whether by taxation, borrowing, transfer from available funds, or any other means or combination thereof, or take any other action relative thereto.

\$200,000+ from Sewer Enterprise Reserves

Recommended by: Board of Selectmen Yes ___ No ___
 Finance Committee Yes ___ No ___
 Town Manager Yes ___ No ___

ARTICLE 4. To see if the Town will vote to raise and appropriate a sum of money to fund infrastructure improvements to Spring Street, 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.

To Be Dismissed

Recommended by: Board of Selectmen Yes ___ No ___
 Finance Committee Yes ___ No ___
 Town Manager Yes ___ No ___

ARTICLE 5. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town of Ware, to acquire by gift, purchase, eminent domain, or any other means, or combination thereof, land and easements necessary for the Main Street Reconstruction Project and further vote to raise and appropriate a sum of money for said purpose and to determine the manner of meeting said appropriation, whether by taxation, borrowing, transfer from available funds, or any other means or combination thereof, or take any other action relative thereto.

\$7850 from Free Cash.

Recommended by: Board of Selectmen Yes ___ No ___
 Finance Committee Yes ___ No ___
 Town Manager Yes ___ No ___

ARTICLE 6. To see if the Town will vote to raise and appropriate a sum of money to pay for the engineering and design of a culvert on Old Poor Farm Road 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.
\$3500 from Free Cash.

Recommended by: Board of Selectmen	Yes	___	No	___
Finance Committee	Yes	___	No	___
Town Manager	Yes	___	No	___



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 13, 2019, at seven (7:00 PM) o'clock in the evening, then and there to act on the following articles:

Consent Articles 1 - 9

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 ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 2. To see if the Town will vote to authorize the Treasurer/Tax Collector to enter into Compensating Balance Agreements during Fiscal Year 2020 as permitted by Massachusetts General Laws, Chapter 44, §53F, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 3. 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 2020, beginning July 1, 2019 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 ___ No ___
Finance Committee Yes ___ No ___

Town Manager . Yes ____ No ____

Article 4. 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 ____ No ____
Finance Committee Yes ____ No ____
Town Manager Yes ____ No ____

Article 5. 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 2020 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 ____ No ____
Finance Committee Yes ____ No ____
Town Manager Yes ____ No ____

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 2020 to be expended by the Ware Public Schools or take any other action relative thereto.

Recommended by: Board of Selectmen Yes ____ No ____
Finance Committee Yes ____ No ____
Town Manager Yes ____ No ____

Article 7. 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 ____ No ____
Finance Committee Yes ____ No ____
Town Manager Yes ____ No ____

Article 8. 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 ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 9. To see if the Town will vote to establish the total amount to be expended from each of the Town's revolving funds for certain Town departments under Massachusetts General Laws, Chapter 44, §53 E ½ for the fiscal year beginning July 1, 2019 or take any other action relative thereto.

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 10. To see if the Town will vote to fix the salaries of the several Elected Officers of the Town for the Fiscal Year 2020 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 ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 11. To see if the Town will vote to raise and appropriate a sum of money to operate the Water Enterprise during Fiscal Year 2020 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.

Budget - Water

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 12. To see if the Town will vote to raise and appropriate a sum of money to operate the Sewer Enterprise during Fiscal Year 2020 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.

Budget Sewer.

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 13. 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 2020 or take any other action relative thereto.

BUDGET

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 14. 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.

\$20,000 from available funds

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 15. To see if the Town will vote to amend the Zoning Bylaw by amending the Zoning Map Ware Zoning Map and Bylaw by changing 4 parcels from Downtown Commercial (DTC) district to the Mill Yard (MY) district as defined by Sections 3.1.7 and Section 3.1.8, of the Zoning Bylaw, Said properties are listed on Assessor's Map 57-0-64, 57-0-65, 57-0-66, and 57-0-67.; or to take any action related thereto.

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 16. To see if the Town will vote to amend the Zoning Bylaw for a zoning use change to allow self-storage facility by right in Residential Business (RB) District in accordance with the attached petition, or take any other action related thereto.

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 17. To see if the Town of Ware will vote to authorize the Selectman to petition the Legislature for a special Act of Legislation exempting Christopher Scott Romani, who has already taken the Civil Service Exam, from the maximum age requirement for applying for Civil Service appointment as a Police Officer in the Town of Ware. The Legislation seeks to allow the appointment of Christopher Scott Romani as a Ware Police Officer despite the fact that he surpasses the 32 year age limit on March 28, 2002. This vote specifically authorizes the Board of Selectman to petition the Legislature for a Special Act of Legislation as follows:

Whereas the deferred operation of this Act would tend to defeat its purpose, which is set forthwith exempt Christopher Scott Romani from the maximum age requirement for applying for civil service appointment as a police officer in the Town of Ware, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Section 1. Notwithstanding Chapter 31 of the General Laws or any other general or special law or rule of regulation to the contrary regulating the maximum age of an applicant for appointment as a police officer, Christopher Scott Romani of the Town of Ware, shall be eligible to have his name certified for original appointment to the position of police officer in the town of Ware notwithstanding his having reached the age of 32 before taking any Civil Service Examination in connection with that appointment. Christopher Scott Romani shall be eligible for appointment to the position of police officer in the Town of Ware provided that he meets all other requirements for certification and appointment to this position.

Section 2. This Act shall take effect upon its passage.
And further that the Town of Ware authorize the Legislature to reasonably vary the form and substance of this requested Legislation within the scope of the general public objectives of this petition.

Or take any other action relating thereto.

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 18. To see if the Town will vote to raise and appropriate a sum of money for the support of veterans through the Brookfield Institute Care for the Troops program, or to take any action related thereto.
\$2,000 from Free cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 19. To see if the Town will vote to raise and appropriate a sum of money for the engineering, design and installation of water mains and appurtenant works at the Barnes Street Pumping 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.
\$75,000 from Water Enterprise Reserve

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 20. To see if the Town will vote to raise and appropriate a sum of money to fund the purchase of an overseeder for the Parks and School Departments, 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.
\$8,000 from Free Cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 21. To see if the Town will vote to raise and appropriate a sum of money to be expended for the replacement of water service lines and appurtenant works to the buildings on Main Street as part of the Main Street Reconstruction Project 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.
\$60,000 from Water Enterprise Reserve

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 22. To see if the Town will vote to raise and appropriate a sum of money for the purchase and outfitting 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.

\$53,000 from Free Cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 23. To see if the Town will vote to raise and appropriate a sum of money for speed control signs for the Police department, 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.

\$5,800 Free Cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 24. To see if the Town will vote to raise and appropriate a sum of money for the purchase of improvements to the telephone system for the Police Department, 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 Free Cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 25. To see if the Town will vote to raise and appropriate a sum of money to be purchase a backhoe or excavator for the Department of Public Works 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.

Excavator \$200,000

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 26. To see if the Town will vote to raise and appropriate a sum of money to be purchase a dump truck for the Department of Public Works 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.
\$255,000 Borrow

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 27. To see if the Town will vote to appropriate a sum of money to fund the purchase and outfitting of a pickup truck for the Department of Public Works 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.
\$44,000 Free Cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 28. To see if the town will vote to appropriate a sum of money for the construction of the Ware Dog Park on Pleasant 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.
\$10,000 Free Cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 29. To see if the town will vote to appropriate a sum of money to fund its share of the construction of a Regional Animal Control Shelter, 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.
\$162,000 Borrow

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 30. To see if the Town will vote to appropriate a sum of money to fund the purchase and outfitting of a pickup truck for the Parks department 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.
\$44,000 Free Cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 31. To see if the Town will vote to appropriate a sum of money to fund the purchase of personal computers for various Town departments, 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.
\$20,000 Available Funds

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 32. To see if the town will vote to appropriate a sum of money to fund the engineering review and repair related to the structure and foundation of the Ware Senior Center, 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.
\$14,000 Free Cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 33. To see if the town will vote to appropriate a sum of money to fund the purchase and outfitting of a pickup truck for the Fire Department, 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.
\$45,200 Free Cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 34. To see if the town will vote to appropriate a sum of money for the replacement of AIR SCDA units, breathing/air tanks and gear, for the Fire Department, 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.

\$25,000 from Free Cash

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 35. To see if the town will vote to appropriate a sum of money to fund the operations of the local and regional transportation service, the Quaboag Connector, 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 Available Funds

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 36. To see if the Town will vote to authorize the Board of Selectmen to approve a Preservation Restriction on Ware Town Hall to be held by the Massachusetts Historical Commission subject to the Town's participation in the Massachusetts Preservation Projects Fund, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 37. To see if the Town will vote to accept a revised layout of Buckley Court and to authorize the Board of Selectmen to record said layout in the Hampshire County Registry of Deeds, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 38. To see if the Town will vote to authorize the Board of Selectmen to accept the proposed Payment in Lieu of Tax program as presented on March 29, 2019 by Goldilocks Capital, UC to the Town of Ware involving a dual-use solar plus agricultural project on land owned by Terrance Smith & Ivy Peritz-Smith at 209 Greenwich Plains Road, Ware, as presented in the attached petition, or take any other action relative thereto.

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 39. To see if the Town will vote to authorize the Board of Selectmen to enter into a tax agreement pursuant to M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, or any other enabling authorizing, for personal property in the annual amount of \$11,900 per MW DC escalating at 1.2% annually, associated with a privately owned and operated solar photovoltaic facility to be located on the property located at 313 Palmer Road and referred to as parcel ID 10-0-105 in the Assessor's database and filed in the Hampshire County Registry of Deeds in Plan Book 8803 Page 60, for a term of 20 years; and to take all actions as may be necessary on behalf of the Town to undertake the purpose of this article; or take any other action relative thereto.

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

Article 40. To see if the Town will vote to authorize the Board of Selectmen to ratify and approve an agreement made between the Town of Ware and CS Ware West LLC or subsidiary pursuant to G.L. C. 59, §38H, and regulations promulgated thereunder, with respect to annual payments in lieu of real and personal property taxes for a 20 year period relative to a parcel of land located at 417 Belchertown Road; said PILOT agreement is based upon the proposed construction and operation of a solar photovoltaic power plant with an expected nameplate capacity of approximately 1.79 megawatts and may be executed in conjunction with a Massachusetts Solar Net Excess Generation Credit Purchase Agreement, or take any other action relating thereto.

Recommended by: Board of Selectmen Yes ___ No ___
Finance Committee Yes ___ No ___
Town Manager Yes ___ No ___

