



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Minutes – Tuesday, July 10, 2018 at 7:00 p.m.

Meeting Opened by Chairman Carroll

Present: Selectman John E. Carroll, Selectman Michael P. Fountain, Selectman Keith J. Kruckas, Selectman Tracy R. Opalinski, Selectman Alan G. Whitney, Town Manager Stuart Beckley, Clerk Mary L. Midura, Ware Community TV General Manager Stanley Ciukaj

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

Consent Agenda

- **Approval of Minutes of June 19, 2018**
- **Approval of One-Day Liquor License: Workshop 13, July 23, 2018**

Selectman Whitney made the Motion to Approve the Consent Agenda; Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Old Business

- **Fire Department Audit**

Mr. Beckley noted that the one RFP from BetterGov.com is \$25,000 quote for Financials/Operations Audit of Fire Department. Town Meeting appropriation was \$15,000. Selectman Kruckas noted the RFP only indicates lookback of 3 years, and he understood lookback would be 5-6 years. Selectman Whitney proposed only audit financials, adding payroll, overtime and ambulance receipts. Resident Cathy Cascio questioned only auditing the financials without operations, as the Fire Department is an ambulance service.

Selectmen requested Mr. Beckley invite Mr. Willett to a future meeting for informational purposes.

Selectman Whitney made the Motion for Town Manager to RFP for Financials, Payroll and Overtime, Ambulance Receipts for 5 Years; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

New Business

- **Application for Sewer Abatement: 6 Berkshire Circle**

Selectman Kruckas made the Motion to Approve the Abatement in the Amount of \$61.75; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Request for Special Town Meeting**

Mr. Beckley noted the letter from Massachusetts School Building Authority. The Town must demonstrate by August 27, 2018 that funding for feasibility study, approximately \$45,000 for windows at Ware Middle School, approximately \$9,000 for boiler at SMK Elementary School, has been approved at a Special Town Meeting. State may reimburse at 60/40, with full cost of \$1.25million for windows,

\$265,000 for boiler. Possible funding by borrowing or stabilization funds; Mr. Beckley will speak to School Committee at the next meeting. The school business manager and Dr. DiLeo are working on the grant, and the feasibility monies would not be spent if the Town does not get the grant.

Selectman Whitney made the Motion to Approve Schedule of a Special Town Meeting on Wednesday, August 15, 2018, with close of the warrant on July 19, 2018; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Video Surveillance Policy**

Mr. Beckley noted that the policy was created as a result of security concerns, and cameras were installed and funded by a MIIA grant. The video covers public areas only and does not capture audio. Retention is approximately 2 weeks.

Selectman Whitney made the Motion to Approve the Video Surveillance Policy as presented; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Herbal Pathways, LLC – Community Host Agreement**

Mr. Beckley noted that an applicant must have a community host agreement to apply for State approval. This applicant proposes a recreational marijuana facility at 2 Vernon Street. Mr. Beckley asked for and received department opinions for any impacts on the town and citizens; opinions were received from Board of Health, Superintendent of Schools, and the School Resource Officer. The Board must give reasons to charge impact fees.

Selectman Whitney made the Motion to Approve Town Manager contact Town Counsel to draft a Community Host Agreement using models and per MGL and new Cannabis regulations; Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 1 No (Selectman Carroll).

- **Historical Commission Applications, Term to Expire June 30, 2021 (Position Open as Martha Rohan chose not to be reappointed)**

Chairman Carroll read aloud a commendation recognizing Martha Rohan for 30+ years of service on the Historical Commission.

- Alan G. Whitney
- Cynthia Allen Bourcier

Selectman Whitney made the Motion to Approve Selectman Whitney to the Historical Commission; Selectman Carroll seconded the motion.

Selectman Opalinski noted that selectmen might be on too many boards, and the Board should listen to the boards and commissions when individuals show an interest in serving on a town board/committee. Selectman Opalinski noted that she was on the CDA before being elected as a Selectman, and she consulted with the State regarding ethics and conflict of interest. Selectman Opalinski noted that Ms. Allen would be a great professional addition to the Historical Commission.

Selectman Whitney noted his involvement with historical re-enactment since 1991 and he would bring a unique business background and viewpoint to the Historical Commission.

Ms. Allen introduced herself to the Board, and noted her project experience, passion for

downtown, and involvement with Workshop 13. Kathy Galford, a Historical Commission member, noted the submitted letter from Chairman Lynn Lak in support of Ms. Allen. Ms. Galford noted that the Historical Commission members hope their recommendation would not be disregarded.

Selectman Opalinski made the Motion to Approve Appointment of Cynthia Allen Bourcier to the Historical Commission, Term to Expire June 30, 2021; Selectman Fountain seconded the motion. The motion passed on a vote of 3 Yes (Selectman Fountain, Selectman Kruckas, Selectman Opalinski), 2 No (Selectman Carroll, Selectman Whitney).

- **Acceptance of Resignation, Term to Expire June 30, 2019**
 - **Zoning Board of Appeals – Elizabeth Calvert**

Chairman Carroll noted the resignation of Ms. Calvert. The open position on the ZBA will be advertised on the Town website.

- **FY2019 Appointments of Special Police Officers, Honorary Police Officers, Police Matrons, and Constables**

Selectman Kruckas made the Motion to Approve FY2019 Appointments of Special Police Officers, Honorary Police Officers, Police Matrons, and Constables; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Comments and Concerns of Citizens

Chairman Carroll noted that September 4, 2018 is a State Primary. He proposed that the Board move September 4 meeting to September 11, and September 18 meeting to September 25.

Selectman Opalinski made the Motion to Approve Change of September 4 meeting to September 11, and September 18 meeting to September 25; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Phil Bourcier questioned the hydrants out of service on Mechanic Street, Wildflower Drive and Mountain View Drive. Mr. Beckley noted the developer is responsible on Wildflower Drive. Mr. Bourcier questioned why tank areas at Anderson Road and Church Street, and wells and pumping station have not been mowed. Mr. Beckley noted that the Parks Department took on these tasks 6 years ago.

Town Manager Report

East Street Bridge. Both MA DOT and the Central Massachusetts Railroad responded to a citizen's and the Town's concerns. Work to repair the bridge is already planned for later in the Summer and Fall. The Town will also take the opportunity to discuss improving sidewalk accessibility for the underpass with the Railroad.

Selectman Opalinski questioned if the MA DOT or Central Massachusetts Railroad would also repair the sidewalks; Mr. Beckley noted that the Town must cover those repairs.

Regional School Planning. The School Business Manager submitted similar studies' proposals to Dr. Dileo and me. The three of us reviewed the requirements of study for a Department of Education report. Dr. Dileo and I decided to ask the School Business Manager to submit a proposal for leading the Town through the study process. This is forthcoming.

South Street School. Thank you to Mary Midura, the Building Department and the DPW for a successful auction of items from the South Street School. Approximately \$600 was raised. A large number of bicycles remain; the Town is looking for a proper place who will accept the bikes. Mr. Beckley noted that the Town may contact a man in Springfield who repurposes bicycles. Optimus is moving forward with its due diligence and preparation of a purchase and sale. They will be doing some additional hazardous material monitoring work with respect to the removed oil tank in order to appease financiers. This will take 5-6 weeks. Mr. Beckley noted that Optimus has requested to deduct \$4,000 from the sale price for removal of the oil tanks. Selectman Kruckas objected to this request as there has already been a TIF approval.

Selectman Kruckas made the motion to deny a request to deduct \$4,000 from the sale of South Street School to Optimus; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 1 No (Selectman Opalinski).

In addition to South Street, Attorney Wojcik is working on *Purchase and Sales* on 116 Pleasant Street and 73 West Main Street. Selectmen questioned the progress of the 73 West Main Street sale; Mr. Beckley noted the ownership must be completed before the Board of Selectmen can decide the matter further.

Main Street. Both Mass DOT in Boston and in the district office in Northampton have indicated willingness to meet to discuss the loss of parking spaces, bike lanes, and project planning. Additionally, the Town met with Main Street business owners to begin discussion of the construction, including timing and parking mitigation. The group will next meet with the project engineer and then hopefully DOT.

Selectman Kruckas stated that meetings held at 8:00 a.m. are not convenient for all residents, and meetings should be held at night. Selectman Opalinski noted that the businesses agreed that the work should be done in one construction season.

Wayfinding. The Town will sign a contract with Sunshine Signs of Grafton to create and install its new wayfinding system of signage. The process will take approximately 8-10 weeks. The Signage Plan can be found on the Town's website on the Planning Department page. The Urban Trust has funded this program.

The **Quaboag Connector** has been the recipient of great support recently. The Department of Elder Affairs increased its grant to the Town by \$45,000 which will be used to purchase and outfit a new van. The Massachusetts Association of Councils on Aging contributed \$10,000 to the Quaboag Valley CDC for use by the Connector. The Pioneer Valley Transit Authority continues to support the Connector, and will provide 2-3 used vehicles to be added to the fleet. Finally, the Governor's Community Compact Cabinet funded the Town \$20,000 to study the coordination and expansion of the Connector with the region's Senior Center vans.

The Community Compact Cabinet also awarded the Town and its regional partners a \$25,000 grant to study and create a program to assist young adults, age 17-25, with the transition from education to employment while identifying and addressing the hurdles to success in the Quaboag region. Under the leadership of Selectman Opalinski and Michael Moran of Baystate Eastern Region, the partners will work with school districts and regional employers.

Mr. Beckley has established an ad hoc committee to look at the **structural budget deficit** identified by the Division of Local Services. The Town Accountant, Town Treasurer/Collector, three members of the Finance Committee, two members of the School Committee, and Mr. Beckley will review the budget

model and the recommendations of the DLS report in order to create a strategy to eliminate the budget gap over time. Does the Board wish to include a member or designee? Work will begin at the end of July.

Selectman Opalinski noted that a WBCA member with financial knowledge should be on this committee.

Selectman Opalinski made the motion to nominate Paul Opalinski, WBCA member, to the Ad Hoc Committee; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Ongoing Issues Update

Main Street	To use State funding, Main Street will require Bike lanes. <i>Main Street project is at 75% design. Decision on lighting will be needed.</i> Right of Way easements need approval from Town meeting and Selectmen prior to January 2019. Scheduled for bidding August, 2019. May 29 presentation of 75% plans. Follow up with MassDOT to request waiver for bike lanes.
Multifamily Inspections	Inspectors meeting held. Determined that town will be divided into 5 sectors for 5-year inspections. Based on comments from other towns, will be challenged to complete fully. <i>The Building Department online system was made live on July 1.</i> The Departments are meeting on July 16.
Purchase of 116 Pleasant Street	Appraisal complete. Discussions with homeowner. Moving forward with Purchase and Sale.
GPS	6 units installed. Negotiations with unions initiated on appropriate vehicles. Working with Verizon on next order of units. Verizon has deal for \$1 per unit available through April (15 additional units acquired) Budget to include cost of annual fees (\$5,700)
Condemned buildings	Town Meeting Article for 73 West Main Street. Community Development Authority proposing use of CDBG funds to assist with removal. Building Inspector to work with owner on sale. Has had 3 discussions with owners.
Beaver Lake Dam	Waiting to hear from MassDOT. Beaver Lake Dam will also need repair this Fall. Road closures will need coordination.
Beavers – Prendiville Road	National Grid is reviewing the situation with field crew. Will determine if they have ability to take action under utility laws.

Selectman Kruckas noted his concerns: Why was the Town Pool opened late? Mr. Beckley noted the old fiberglass needed repair, and the town has a water restriction. Selectman Kruckas questioned if the Town could use the Slum and Blight designation to apply for a grant specifically for the pool. Mr. Beckley noted that the Planning Department has agreed to help the Parks Department on this issue. Selectman Kruckas noted that there has not yet been a monthly report from the Fire Department. Mr. Beckley noted that all departments' monthly reports are due on July 11, 2018.

Selectman Kruckas asked which vehicles have GPS installed; Mr. Beckley noted the Police Chief, Fire Chief, Deputy Fire Chief and 3 Quaboag Connector vans are equipped with GPS units. Other units may be installed when unions agree.

Selectman Kruckas questioned the progress of hire of a new DPW Director; Mr. Beckley noted he would update the Board in Executive Session.

Cathy Cascio stated that the fireworks were wonderful this year. Ms. Cascio noted that it is very difficult to hear all comments of the Board of Selectmen in this room and on the audio of the meeting. Ms. Cascio noted many bike trails are flat roads with signage and no barriers.

Selectman Carroll suggested a water ban exemption for town departments.

Selectman Kruckas made the motion to Exempt the Town Departments from the Water Ban for use of water in the Town Pool, flushing of hydrants, and water emergency necessity; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Jim Russell questioned who is in charge of the DPW; Mr. Beckley noted that he is in charge temporarily. Mr. Russell questioned the salary for the new DPW Director and how many applications have been submitted; Mr. Beckley noted that \$86,000 is budgeted for the DPW Director salary and six applications have been received. Mr. Russell questioned the Ad Hoc committee schedule; Mr. Beckley noted that meetings will be public. Mr. Russell questioned the progress of a recycling center; Mr. Beckley noted this is a goal. Selectman Opalinski requested the Town Manager's goals be placed on the Town website (done 7/11/2018).

Executive Session: MGL Chapter 30A, Section 21(a) #1 Employee Discipline, #2 Negotiations, #3 Litigation

Selectman Whitney made the Motion to Adjourn Regular Session at 8:30 p.m. to go into Executive Session per MGL Chapter 30A, Section 21 (a) #1 Employee Discipline, #2 Negotiations, #3 Litigation, NOT TO RECONVENE IN OPEN SESSION; Selectman Carroll seconded the motion. The motion passed on a roll call vote of 5 Yes, 0 No.

Selectman John E. Carroll	Yes✓
Selectman Michael P. Fountain	Yes✓
Selectman Keith J. Kruckas	Yes✓
Selectman Tracy R. Opalinski	Yes✓
Selectman Alan G. Whitney	Yes✓

Attest: 
Mary L. Midura, Executive Assistant

The next Board of Selectmen meeting will be held on Tuesday, July 24, 2018 at 7:00 p.m.