



**Board of Selectmen
Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, June 23, 2020 at 5:00 p.m.**

Instructions for call in option: at or before 5:00 p.m., call the phone number below and when prompted enter the Meeting ID number. The platform is Zoom Meetings.

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

Meeting ID: 784 604 1861

Phone: 929-205-6099

Present at Town Hall: Selectman Nancy Talbot, Selectman Keith Kruckas, Town Manager Stuart Beckley, Police Chief Crevier, Acting Fire Chief Gagnon, DPW Interim Director Gibby St. George-Sorel, PCD Director Rebekah DeCoursey, Building Inspector Anna Marques

Via Zoom: Selectman Alan Whitney, Selectman Tracy Opalinski, WRN Editor Eileen Kennedy, Tom Barnes

Absent: Selectman John Carroll

Meeting Opened by Selectman Kruckas, per Chairman Whitney

Request for Public Hearing under MGL Chapter 139, Section 1: 114 Main Street

Mr. Beckley stated that, under MGL Chapter 139, Section 1, the property at 114 Main Street may be a dangerous property and requests the Board schedule a hearing for July 7, 2020. The Board needs to know the owner's intent to repair or shall the Board order repair or demolition.

Selectman Kruckas questioned contact with the owner; Building Inspector Anna Marques stated she has left messages, but her calls have gone unanswered. Selectman Kruckas noted he was disgusted at the amount of money that will be lost on this, as the Town has known about the building being unstable. He asked for a contingency plan. Mr. Beckley noted that the hearing must first be held, then Attorney Wojcik can prepare the order.

Selectman Kruckas questioned where the town will come up with the money, with cuts to departments and this should have come up at town meeting. He noted he voted against the town hall grant, not because the town does not need it, but now the town is $\frac{3}{4}$ of \$1million in, and voters should have been told ahead.

Selectman Talbot noted that communications are included with the packet, and it would be more appropriate to schedule the hearing next week. She asked, and Mr. Beckley answered, there should be 10 days' notice.

Chairman Whitney asked what the owner would gain by talking to the Board. He stated we need a Plan B and not spend \$750,000.

Selectman Opalinski stated the town cannot afford to do this, and, when she was elected, she was concerned about this and why erratic enforcement. She said now Mass DOT may fine us or pay more money. She stated "this falls under Stuart's tenure, your umbrella, your care", and she told him to meet and find out what the town could do to get code enforcement, whether there were or would be policies or procedures. She stated now look where we are, and during a COVID year, now rainy day funds must be used. She stated this assessed the way Stuart is doing his job, and she stated she is "putting the blame on Stuart."

Chairman Whitney noted blame on the tenant, and noted the Historical Commission put this on hold and this would not be an issue if that did not happen. Selectman Opalinski noted the grant and job were left half done. Selectman Kruckas questioned if anyone looked at grants in the past 10 years. He noted that towns of Gardner and Fitchburg have Slum and Blight and they tore down numerous buildings, while Ware cannot get this done. He stated he saw no benefit to Slum and Blight designation except to ruin property values which went up anyway, with no benefit if no grants. He noted the Main Street project is costing the town.

Chairman Whitney noted he must be on another call at 5:30 pm and stated the Board should set the hearing. He instructed Mr. Beckley to come up with a Plan B and sue the owner for the proper amount. He stated that owners that abandon property must stop. He noted that 73 West Main Street burned, and the owner disappeared. He noted that the Main Street building burned, the owner received \$750,000 in fire insurance and walked away, and now the town is stuck with the building. He instructed Mr. Beckley to work on code enforcement, and to come up with a plan if/when the owner does not show up, and go from there.

Selectman Kruckas stated the town needs a bylaw to hold people accountable when they buy property here. He stated he hasn't seen anything from the bylaw committee in ten years. Chairman Whitney stated that Plan B must involve suing the owner. Selectman Kruckas noted that DPW, Mass DOT, and Ludlow Construction must all be irritated. Chairman Whitney stated this dangerous property should have been caught during the engineering study. This should be answered on July 7. This should have been noted for safety in the engineering study. Selectman Kruckas noted that the town should have been told if buildings were unsafe, the liability falls back on the town.

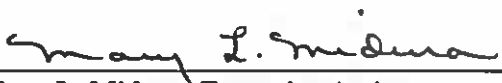
Selectman Opalinski questioned if the Main Street project is now delayed; Mr. Beckley stated there has been no delay, but notice by Mass DOT states the project could be delayed. Ms. Marques noted that it was just this past Spring that the shift in the roof toward the next building did occur.

Selectman Kruckas stated everyone has been looking at this building, the building inspector, town clerk, everyone walking by the building, and he has noticed it getting worse, now we must have this hearing, and we need a contingency plan if the owner does not attend. Selectman Opalinski questioned where the funds will come from. Selectman Kruckas instructed Mr. Beckley to provide all the costs, including engineering, legal costs, money to be lost, and all this needs to be public information. He stated that every project has resulted in the town has to go back for more money. He stated this is not this Board's fault. Chairman Whitney requested real numbers, not estimates.

Selectman Kruckas stated he wanted a status update of the two buildings next to this building. Chairman Whitney stated there must be a menu of costs on all buildings.

Selectman Kruckas made the motion to set a Public Hearing per MGL Chapter 139, Section 1, Regarding 114Main LLC, 114 Main Street, for Tuesday, July 7, 2020 at 7:15 p.m. Selectman Talbot seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

Selectman Kruckas made the motion to adjourn the meeting at 5:20 p.m. Selectman Talbot seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

Attest: 
Mary L. Midura, Executive Assistant to
Town Manager
Minutes VIA TV15 Ware Community TV
Live Broadcast and Video

