



## **Board of Selectmen**

**Ware Town Hall, Meeting Room, 126 Main Street**

**Regular Meeting Minutes – Tuesday, June 5, 2018 at 7:00 p.m.**

### **Meeting Opened 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, Cemetery Commissioner Craig Simmons, Cemetery Commissioner Julie Bullock, Police Chief Shawn Crevier, Officer John Cacula, Clerk Mary L. Midura, Ware Community TV General Manager Stanley Ciukaj

### **Opening Remarks, Announcements, and Agenda review by Chair**

-Selectman Opalinski noted the Town Wide Tag Sale on Saturday, June 16, and the Ware Community Band Concert on June 18. Selectman Opalinski noted the MMA monthly newsletter did not list Mr. Kruckas as a new Selectman; Mr. Beckley noted he was listed in the previous monthly newsletter. Selectman Opalinski requested information to contact MA DOT be posted on the town website. Selectman Opalinski asked the progress for 73 West Main Street; Mr. Beckley stated there is no timetable, but this should be resolved by end of summer. Selectman Opalinski questioned when the Finance Committee would discuss the shortfall; Mr. Beckley noted the next Finance Committee meeting is this Thursday, June 7.

-Selectman Fountain noted his previous suggestion to impose a 3 cent gas tax to use for road repairs; Mr. Beckley stated this was sent to the legislators, but usually they are not in favor.

**Consent Agenda - none**

### **Scheduled Appearances**

- **Joint Meeting with Cemetery Commission to Appoint by Roll Call Vote on Open Position, Term to Expire April 2019**
  - **Application of Ryan A. Maslak**

Chairman Carroll read the letter of interest aloud. Mr. Simmons noted that Mr. Maslak came to a meeting of the Cemetery Commission, showed great interest and knowledge, and stayed for the meeting. Mr. Simmons stated his belief that Mr. Maslak would be a good fit for the Cemetery Commission, and for the town!

**Selectman Whitney made the motion to appoint Mr. Maslak to the Cemetery Commission, Term to Expire April 2019; Mr. Simmons seconded the motion. The motion passed by roll call vote of 7 Yes, 0 No.**

<b>Cemetery Commissioner Craig Simmons</b>	<b>Yes</b>
<b>Cemetery Commissioner Julie Bullock</b>	<b>Yes</b>
<b>Selectman John E. Carroll</b>	<b>Yes</b>
<b>Selectman Michael P. Fountain</b>	<b>Yes</b>
<b>Selectman Keith J. Kruckas</b>	<b>Yes</b>
<b>Selectman Tracy R. Opalinski</b>	<b>Yes</b>
<b>Selectman Alan G. Whitney</b>	<b>Yes</b>

- **DART Program**

Police Chief Crevier introduced Officer John Cacela, DART officer. Officer Cacela stated that the Drug Addiction Recover Team (DART) is grant funded through Hampshire Hope for \$1.7million to help those addicted to substances such as opioids. Through the grant, Narcan is provided to police. The DART officer and recovery coach Beth Romeo make contact with the addict to encourage that person into a treatment program, and/or instruct in safe use. The program is multi-regional in Belchertown, Amherst, Easthampton, Northampton, and Ware. Narcan would cost \$90 in a pharmacy without insurance, but is provided free through this program. Police have used Narcan 3 times to date in 2018.

Selectman Opalinski noted the importance of those who try to recover. Selectman Kruckas thanked the Police Department for a great job. Selectman Whitney requested an update in 6 months.

Chief Crevier requested Board of Selectman approval to attend Chiefs Seminar, September 7-20, 2018. The Board of Selectmen approved the request.

### **Old Business**

- **Grove Street Update**

Mr. Beckley noted that the DPW did extensive patching, and when Palmer Paving works on East Street, DPW will mill some of Grove Street. Selectman Kruckas thanked Mr. Beckley and the DPW for this work. Selectman Opalinski questioned the process of eminent domain; Mr. Beckley noted there are no funds for eminent domain.

**Selectman Kruckas made a motion to contact town counsel for next steps; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.**

- **Town Manager Evaluation**

Selectman Whitney noted the evaluation and Selectman Opalinski's input. He stated that the next step is a Goals document for the Town Manager. The evaluation will be made available to the public two weeks after Mr. Beckley has time to review. Selectman Opalinski and Selectman Kruckas will work on the Goals document.

**Selectman Whitney made the motion to accept the Evaluation of Town Manager; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.**

- **Maple Street Cars/Taxes Plan**

Gary Buelow and Mrs. Buelow appeared before the Board of Selectmen. Mr. Beckley noted that he met with the Buelows here and on site. The assessors met with the Buelows today. Mr. Beckley noted that the Building Inspector recommends the owners apply for a Special Permit. Mr. Buelow stated that he did meet with the assessors today, but he disputed the valuation of the property. He stated that he was denied information from the assessors' office. He stated that he believes the town has over-assessed his property at approximately \$700,000.

Mrs. Buelow stated that they have been met with confusion with the assessors' office, with the Tax Collector, and with Mr. Beckley. Mr. Buelow further stated that no one in the Town offices can or will provide him with information regarding 2015 valuation documents. Mrs. Buelow stated that Tax Collector Maura O'Connor confirmed that any payments made to outstanding taxes are applied to more recent taxes first, but when the Buelows requested this information, they were not provided with documentation. The Buelows maintained that their properties are over-assessed and have submitted a Public Records Request; Mr. Beckley noted the Town has ten days to answer the Public Records Request.

Mr. Beckley noted that the Building Inspector recommends a Special Permit be applied for by the owners to address the excess of vehicles on the properties. This would be the clearest solution to the original complaint by the parishioners of the church.

Selectman Opalinski noted that this began when the property became an eyesore for the church and the usage of the property was questioned.

**Chairman Carroll requested an update in 60 days.**

**New Business - none**

**Comments and Concerns of Citizens**

Cathy Cascio stated she did not appreciate the Board of Selectmen laughing or being sassy, as the Board was elected to represent the citizens. Ms. Cascio questioned the follow up of the Fire Chief and money taken; Selectman Kruckas noted this would be addressed in Executive Session. Ms. Cascio questioned the TIF given to G & G Medical, that the company has not hired for the promised 70 new jobs; Mr. Beckley noted that the company has been off schedule and a progress report would be submitted in two weeks. Ms. Cascio questioned progress on the Main Street buildings; Selectman Opalinski noted she attended the Historical Commission meeting regarding proposed modifications to the Mansard roof. Ms. Cascio questioned the progress of the former Otto Florists' building; Mr. Beckley noted the building is on the market. Ms. Cascio noted comments of the previous Board of Selectmen meeting in which a Selectman questioned a town employee speaking for a property owner; Selectman Kruckas noted that Ms. Cascio could run for Selectman. Ms. Cascio stated that anyone can question the Board.

Jack Cascio stated he personally visited 15 businesses regarding the redesign of Main Street and some did not know, with the majority not aware of State stipulations or what to expect. He stated every business owner was appalled at the removal of 8 parking spaces. Mr. Cascio noted that all parking spaces are full during the day, and questioned what to do if the storefronts had new businesses. Selectman Kruckas noted that the Board voted at the last meeting to write to the State, but the town should look at other ways to add parking, such as the Balicki parcel. Selectman Whitney noted that Boston does not know what towns such as Ware actually face.

Selectman Kruckas requested that Mr. Beckley provide a cost breakdown of the Main Street redesign. Chairman Carroll note the importance of compliance and codes. Selectman Opalinski noted that a previous discussion suggested that municipal employees could park elsewhere, and suggested this could be looked at again. Chairman Carroll asked about the fence in the municipal parking lot; Mr. Beckley noted this would be moved by the end of June.

Jack Cascio asked that the Town be proactive and have plans in preparation if the State rejects our letter of appeal of the redesign. He noted a parking study done several years ago, and described a scenario in which residents would shop elsewhere if the construction and lack of parking prevented use of downtown. Mr. Cascio noted to Selectman Opalinski that the Maple Street parcels are zoned industrial and there were no complaints for over 5 years. Mr. Cascio stated he went to speak to the church pastor out of the goodness of his heart. Selectman Kruckas noted to Mr. Cascio that any business owner must know what they are buying when they take permits. Selectman Whitney stated the problem was the property was an eyesore and a complaint was addressed.

Jim Russell, Republican reporter, asked to clarify the issue of the Maple Street properties; Chairman Carroll stated the assessors would be contacted for further clarification. Mr. Russell questioned the Main Street redesign and steps to move forward; Mr. Beckley noted the vote was taken 6-7 years ago.

### **Town Manager Report**

Upcoming dates:

June 6 – Optimus Senior Living Planning Board Public hearing

June 13 – Project Redemption Art Opening – Teresa’s

June 16 – Town Wide Tag Sale

June 30 – Fireworks

**Water Treatment Plant.** The contract for Owners Project Manager for the project is attached. The town will work with Tighe and Bond on design review, bidding and construction review. The Design Engineer will finalize plans with the OPM, then the designs will be submitted to the US Department of Agriculture (funding source) for approval before bidding.

**East Street.** The paving project will now start the second week of July.

**Water System Flushing.** Flushing of the side streets continues, primarily during the day.

**Flood Levee system.** The Army Corps of Engineers will be conducting their annual routine inspections of the three Levee systems in town. Past finding have included the need to remove brush from the levees and from the Ware River, and to remove obstructions. Meeting these requirements would allow the Town to participate in emergency funding for repairs. The Levees/Dikes are along the Ware River and Muddy Brook.

**Grove Street.** The DPW patched Grove Street extensively. They are considering milling the road to further improve travel. The Town Attorney’s thoughts from 2014, along with proposed cost are attached.

**Wastewater Treatment Plant.** The Town, through the work of Chief Operator David Comeau, has submitted its application for Permit Renewal for the WWTP to the US Environmental Protection Agency. A copy is in the Board’s reading file.

**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. <b>May 29 presentation of 75% plans. Follow up with Mass DOT to request waiver for bike lanes.</b>
Social Media Policy	Prepared. Reviewed by Labor attorney. Ready for adoption. <b>6/19 agenda along with Video surveillance policy</b>
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. Establishing coordination system utilizing new software system. Online on March 15.
Purchase of 116 Pleasant Street	Appraisal complete. Discussions with homeowner. <b>Second appraisal conducted. Need to discuss sale in executive session (5/8). And (5/29)</b>
GPS	6 units installed. Negotiations with unions initiated on appropriate vehicles. Working with Verizon on next order of units. <b>Verizon has deal for \$1 per unit available through April (15 additional units acquired)</b> Budget to include cost of annual fees (\$5700)
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.
Beaver Brook Bridge	Waiting to hear from Mass DOT. Beaver Lake Dam will also need repair this Fall. Road closures will need coordination.

Mr. Beckley presented draft letters to be sent to MA DOT regarding Main Street design and to area schools regarding interest in regionalization. Notice will be placed on the town website for businesses and citizens to submit letters of support.

**Adjournment**

**Executive Session: MGL Chapter 30A, Section 21(a) #2 Negotiations**

Selectman Whitney made the motion to Adjourn Regular Session at 8:27 p.m. to go into Executive Session per MGL Chapter 30A, Section 21 (a) #2 Negotiations NOT TO RECONVENE IN OPEN SESSION; Selectman Opalinski 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*  
Mary L. Midura, Executive Assistant

*The next Board of Selectmen meeting will be held on Tuesday, June 19, 2018 at 7:00 p.m.*