

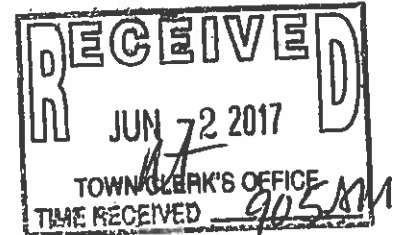
Board of Selectmen: *Nancy J. Talbot, Alan G. Whitney, Tracy R. Opalinski, John E. Carroll, Michael P. Fountain*

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



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

**Regular Meeting Notice Agenda
Tuesday, June 6, 2017 at 7:00 p.m.**



Meeting Opened

Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda

- **Approval of Meeting Minutes of May 23, 2017**

Comments and Concerns of Citizens

Scheduled Appearances

- **7:05 p.m. Review of RT's Welding Fabrication & Auto Repair, Inc. Class III License (postponed to June 20, 2017)**
- **7:30 p.m. Hearing for Dog Complaint**

Old Business

- **Review Hardwick Ambulance Information Sheet**

New Business

- **Discussion: House Bill No. 2252 Municipal Constables**
- **Re-Appointment to Finance Committee – Denis Ouimette, Term to Expire June 30, 2020**
- **Re-Appointment to Capital Planning Committee – Clayton Sydla, Term to Expire June 30, 2020**
- **Special Event: Ware Lions Fireworks, Saturday, June 24, 2017**

Town Manager Report

Adjournment

Executive Session: MGL Chapter 30A, Section 21 (a) #6 - To Consider the Purchase, Exchange, Lease or Value of Real Property



**Board of Selectmen
Ware Town Hall, 126 Main Street, Meeting Room
May 23, 2017 Minutes**

Meeting Opened at 6:34 p.m.

Present: Selectman Talbot, Selectman Whitney, Selectman Opalinski, Selectman Carroll

Absent: Selectman Fountain

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

Selectman Whitney moved to Enter into Executive Session at 6:34 p.m. per MGL Chapter 30A, Section 21(a), #2, Negotiations, TO RECONVENE IN OPEN SESSION AT 7:00 P.M.; Selectman Carroll seconded. The motion passed on a Roll Call Vote of 4 Yes, 0 No, 1 Absent:

Nancy J. Talbot	Yes√
Alan G. Whitney	Yes√
Tracy R. Opalinski	Yes√
John E. Carroll	Yes√
Michael P. Fountain	Absent

Selectman Whitney moved to Adjourn Executive Session at 6:55 p.m. per MGL Chapter 30A, Section 21(a), #2, Negotiations, TO RECONVENE IN OPEN SESSION AT 7:00 P.M.; Selectman Opalinski seconded. The motion passed on a Roll Call Vote of 4 Yes, 0 No, 1 Absent:

Nancy J. Talbot	Yes√
Alan G. Whitney	Yes√
Tracy R. Opalinski	Yes√
John E. Carroll	Yes√
Michael P. Fountain	Absent

Regular Meeting Minutes

Tuesday, May 23, 2017 at 7:00 p.m.

Present: Selectman Talbot, Selectman Whitney, Selectman Opalinski, Selectman Carroll, Town Manager Beckley, DPW Director Kilhart, WWTP Operator Comeau, Stanley Ciukaj, Clerk Mary Midura

Absent: Selectman Fountain

Meeting Opened at 7:02 p.m. by Chairman Talbot. There was a moment of silence for Jack Nicholas, who passed away May 15, 2017. He was Food Services Manager at Mary Lane Hospital, then Food Services Director of Ware Public Schools for 26 years.

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

Consent Agenda

- **Approval of Meeting Minutes of May 2, 2017**

Several corrections were made by the clerk on May 22, 2017.

Selectman Whitney moved approval of the minutes, as amended; Selectman Opalinski seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

Comments and Concerns of Citizens

Bill Jackson questioned why the article on solid waste was dismissed; Mr. Beckley explained that there was no prepared agreement with Tri-County Recycling, Inc. at the time of town meeting. Mr. Jackson also questioned when the next meeting about the ambulance would be held; Mr. Beckley explained that the committee sent out a survey to senior citizens but no questions have been received.

Keith Krukas noted that not all residents have seen this survey, and a call should be made, and printouts made, so that all residents can see what is being discussed. Chairman Talbot noted that any resident can ask the Town Manager for a printout if they do not use a computer.

Jack Cascio questioned if there would be a public hearing on the status of the house on route 9 (73 West Main Street), or what is the status of this situation. Mr. Beckley explained that the owner is willing to talk about this and the Building Inspector is coordinating information. Mr. Cascio questioned the progress on the building next to Niko's Pizza; Mr. Beckley noted there is new interest by the owner in applying for state aid and we are in discussion.

Chairman Talbot noted that Selectmen can answer these concerns and questions with better preparation if the citizen would drop off their questions to the Town Manager a few days before the meeting.

Scheduled Appearances

- **7:00 p.m. Commendation: David Comeau, WWTP**

Selectman Whitney read the commendation, which thanks Mr. Comeau for saving the Town of Ware approximately \$8,000 per month in wastewater treatment procedures.

- **Governor Baker's Race Amity Day Proclamation**

Selectman Opalinski read the Proclamation.

- **7:05 p.m. Request to Retake Vote of May 2, 2017 for National Grid Pole Petition #23733546 (Administrative Procedures – Legal Advertisement was not placed prior to May 2, 2017 meeting)**

Selectman Whitney moved to approve Petition #23733546; Selectman Opalinski seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Presentation – Dog Park, Melannie Barnes**

Melannie Barnes, Natasha Sawabi, Lindsay Kularski, Mary O'Halloran, and Brandy Brusio were the presenters. Natasha Sawabi and Lindsay Kularski are high school students, and the school is involved through the government class to arrange an assembly and for volunteer work. Ms. Barnes explained that the proposed location for a dog park is the lot on Pleasant Street (formerly the site of the Mt. Carmel Church). The Stanton Foundation has a design grant that covers 100% of costs and a construction grant that covers 90%. The 10% needed to be raised would be a good faith effort to the Stanton Foundation. This group is meeting with the Parks and Recreation Committee in a public forum on June 5, 2017 at 6:00 pm. Ms. Barnes

has also spoken with Officer Gliniecki, Ware's K-9 officer. Ms. Barnes noted that the location is town-owned, town-insured, and town-maintained and is easily monitored by the Ware Police Department. This location is centrally located in town, is easy to walk to, and has parking and access to Ware's restaurants. A dog park at this location would be a great place for the Ware K-9 to train and exercise. There would be a small dog section and large dog section. The park would be locked at dusk and opened at dawn, with self-monitoring of licensed and approved dogs and their owners. There would be rules of the park. This group is asking for support from the Board of Selectmen. In Ludlow and Agawam, when dog parks were opened, there was an increase in dog licensing as owners wanted to use the park.

Mr. Beckley noted that the location is presently mowed and repairs done and trash picked up; he would like to research information regarding insurance and liability.

Selectman Talbot noted that there are currently over 1,500 dogs licensed in the Town of Ware.

Ms. Barnes noted that she has seen Ware families at other dog parks; if people come to a dog park in Ware, often they will spend money in the town.

Selectman Carroll noted that rules and regulations of the Parks and Recreation Committee may have to be amended, as presently no dogs are allowed off leash in any parks. Selectman Talbot noted that this dialogue is a good step in the process. A mailing will go out regarding the Parks and Recreation meeting on June 5, 2017 at 6:00 pm.

Old Business

- **Police Chief Update – Process of Interviews and Hiring**

Selectman Talbot recused from the discussion. Vice Chairman Whitney conducted the discussion.

Mr. Beckley noted Chief Healey retired two years ago, and Chief Kovitch fill the position for that time. The Police Department, including the Chief, are in civil service. In 2016, the Town requested a written exam. Only 3 applicants were interested, so the exam was cancelled. In 2017, an exam was again requested, but Civil Service was not holding written exams. The Town chose to offer a sole assessment center to internal candidates and a statewide open assessment center. Five candidates completed the Assessment Center on April 18 and 19, 2017. The rankings and scores were issued on May 21, 2017, but this is draft as there is a 17 day appeal period (to June 7, 2017) for candidates to question the individual scores. Moving forward, a Police Interview Committee has been formed and met for the first meeting on May 22 to discuss process and questions. Members include:

John Drawec, resident with police experience

Richard Trombly, resident with police experience

JAC Patrissi, Domestic Violence Task Force

Deb Gagnon, Substance Use Alliance, Mary Lane Community Benefits Advisory Committee

Paul Opalinski, Business community

Jennifer McMartin, resident, BMLH employee

Robert Shea, Council on Aging

The Committee hopes to conduct interviews in closed session on June 7 and June 9, 2017. After this, the Board of Selectmen, as the appointing authority, would conduct open interviews with the top 3 candidates. Within Civil Service rules, the Board may decide to offer the position to the chosen candidate.

Selectman Carroll requested a written report from the Police Interview Committee. Selectman Opalinski asked Mr. Beckley's role on this Committee; Mr. Beckley stated that he is attending the meeting as an observer.

- **Request to Revise Vote of May 2, 2017 for Class II Car Dealer License #7 Cookies Car Connection, to add name of Karen L. Parker on license (RMV requirement)**

Selectman Opalinski moved to approve the name addition to License #7; Selectman Whitney seconded.

The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

New Business

- **Grievance – Administrative Bargaining Unit Member**

Jennifer Shaw was present, with Laura Jablonski and Kathy Galford representing the Administrative Personnel Unit. Ms. Shaw explained that she is the current DPW Administrative Assistant, and that she applied for a vacancy of Assistant Tax Collector that was posted on February 22, 2017. Ms. Shaw has 3 ½ years of experience with the specialized software. She was interviewed on April 5. On April 7, Maura O'Connor spoke with her about an opportunity to send her resume to Ms. O'Connor's former employer; Ms. Shaw took this as an indicator that she would not be offered the Assistant Tax Collector position. Ms. Shaw noted this gives internal candidates no opportunity to grow or advance. Ms. Shaw stated that she learned the brand new software system at the DPW with 5 hours of training. Ms. Shaw noted that this current process was not done as equal opportunity and due process was not given. Ms. Shaw stated that previous positions that have opened have been re-categorized down, and per the bargaining agreement an employee can carry seniority and benefits, but cannot carry the same pay. Ms. Shaw stated that she has been told she is not qualified for several positions which she previously applied for. Ms. Shaw stated this is reverse discrimination, employees are held back, unable to grow, change, gain knowledge. Ms. Shaw noted her service and dependability. Ms. Shaw stated that this process is unfair.

Selectman Carroll asked what Ms. Shaw would consider as a resolution. Ms. Shaw stated that she would like to see the following:

1. Re-posting of the position under EEO
2. Policy change – Charter 2007 v. Bargaining Unit Agreement, unions want cohesion, clear language, specifics of process
3. Applicants interviewed by Town Manager, Department Head and panel, i.e., one Board of Selectmen member

Selectman Talbot noted management's rights. Mr. Beckley noted that Ms. Shaw chose open session. He stated that while her information is accurate, the contract has precedence over the Charter, and the contract was not violated (the purpose of a grievance). Mr. Beckley noted that rarely are all applicants interviewed, per page 1 of the contract stating management's rights, with exclusive right to hire, as the Town strives to hire the best employee. Mr. Beckley stated that Ms. Shaw is an outstanding employee, but the person chosen for the position is the best fit. Mr. Beckley noted that some language in the contract can be clarified in the near future.

Selectman Carroll requested copy of applicants' resumes. Selectman Opalinski noted that Mr. Beckley has interview authority. Selectman Talbot also noted that the Town Manager has the authority to hire.

Selectman Whitney moved to take the grievance under advisement, to be determined in Executive Session, with a response due in ten days; Selectman Opalinski seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Appointment to Capital Planning Committee – Jennifer McMartin**

Selectman Opalinski moved approval of the appointment to Capital Planning Committee, Term to June 30, 2020; Selectman Carroll seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Ware Tax Rate Analysis – Selectman Whitney**

Selectman Whitney explained that the perception that Ware has the highest taxes is incorrect, and the intention is to put together an analysis of actual taxes paid that is educational to citizens.

- **Approval of One-Day All Alcoholic Liquor License: American Legion Post 123, Memorial Day, Monday, May 29, 2017**

Selectman Opalinski moved to approve the license; Selectman Carroll seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Approval of One-Day Beer & Wine Liquor License: St. Mary's Parish, Saturday, June 10, 2017**

Selectman Opalinski moved to approve the license; Selectman Carroll seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Approval of Special Event: Town Wide Tag Sale, Proprietors of Ware Center Meetinghouse, Saturday, June 17, 2017**

Selectman Opalinski moved to approve the special event; Selectman Whitney seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Approval of Toll Road: Ware Lions Club, Saturday, June 17, 2017**

Selectman Carroll explained that the Town must adhere to the landscape design and rules and regulations of the Park Trust. For example, clear cutting is prohibited.

Selectman Opalinski moved to approve the toll road permit; Selectman Whitney seconded. The motion passed on a vote of 3 Yes, 0 No, 1 Abstention (Selectman Carroll), 1 Absent (Selectman Fountain).

- **Approval of One-Day Beer & Wine Liquor License: Westfield Bank, Wednesday, June 21, 2017**

Selectman Opalinski moved to approve the license; Selectman Whitney seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

- **Request to Set Public Hearing for Dog Nuisance Complaint**

Selectman Whitney moved to set a Public Hearing for Dog Complaint on Tuesday, June 6, 2017 at 7:30 p.m.; Selectman Opalinski seconded. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

Town Manager Report

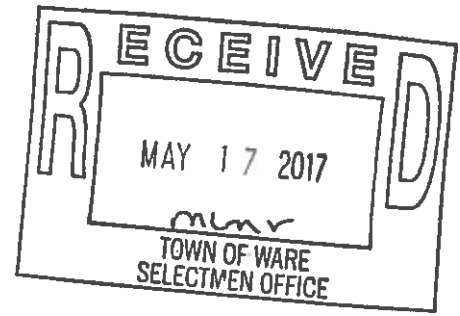
Mr. Beckley noted the Veterans Pancake Breakfast on Saturday, May 27 from 9-11am. The Memorial Day Parade will be at 1:00 p.m. on May 29. A Community Dinner at United Church will be held on June 8, with guest speaker Marisa Hebble, and sponsored by Substance Use Alliance. The Warren Board of Health has announced their transfer station will accept household waste (\$100 fee to Ware residents).

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

Late Comment of Citizen: Kim Ring stated that she was here several weeks ago regarding the ambulance transfer issue. Baystate Mary Lane Hospital used West Brookfield to transport her fiancé, and she was told she would not be billed, but has since received a bill for \$400. She has been told that if Ware is called for transport, there would be no charge, as they are signed for the ambulance program. Ms. Ring called to argue the charge from West Brookfield and the charge was forgiven. But this situation has left citizens confused regarding the transport by ambulance service. Selectman Opalinski stated that the transport after 5:00 p.m. is determined by emergent or non-emergent diagnosis. Mr. Beckley noted he and Chief Coulombe will be meeting soon with Baystate Mary Lane Hospital representatives to discuss this issue.

At 8:53 p.m., Selectman Whitney moved to Adjourn; Selectman Opalinski seconded. The motion to adjourn passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Fountain).

Attest: *Mary L. Midura*
Mary L. Midura, Executive Assistant



May 17, 2017

Board of Selectmen
126 Main St.
Ware, MA 01082

Dear Board Members:

My name is Jerry Clough and I live at 208 Old Belchertown Rd. in Ware.

I wish to file a complaint with the Board of Selectmen for a dog owned by my neighbor Roger Peterson who lives at 206 Old Belchertown Rd.

These dogs are not licensed to my knowledge, run everywhere other than their own yard and are constantly in my yard.

Simon the smaller of the two dogs almost bit my neighbors child last week while she was in my yard viewing my rabbits.

Often I must clean the yard from feces that are left from the bigger of the two dogs. It is not unusual to have the dog(s) in my yard early in the morning and during the course of the day.

I wish to have this matter reviewed by the Animal Control Officer and the Board – there is a leash law in town to my knowledge and all dogs must be licensed in the state of MA.

I was requested to put my complaint in writing to the board by the Animal Control Officer.

I am available to discuss in person if needed or by telephone.

Sincerely,

Jerry Clough
208 Old Belchertown Rd.
Ware, MA 01082

Telephone 967-3943



TOWN OF WARE

Board of Selectmen
Town Hall, 126 Main St., Suite J
Ware, Massachusetts 01082-1386

Tel. 413-967-9648 EXT. 101

May 24, 2017

Jerry Clough
208 Old Belchertown Road
Ware, MA 01082

Dear Mr. Clough:

The Ware Board of Selectmen has set a public hearing for Tuesday, June 6, 2017 at 7:30 p.m. for a complaint of dog nuisance which you submitted to this office on May 17, 2017.

You are requested to attend this hearing. The Animal Control Officer will also be asked for an opinion on this situation.

Sincerely,

Mary L. Midura
Executive Assistant to Town Manager

Enclosure



TOWN OF WARE

Board of Selectmen
Town Hall, 126 Main St., Suite J
Ware, Massachusetts 01082-1386

Tel. 413-967-9648 EXT. 101

May 24, 2017

Roger Peterson
206 Old Belchertown Road
Ware, MA 01082

Dear Mr. Peterson:

The Ware Board of Selectmen has set a public hearing for Tuesday, June 6, 2017 at 7:30 p.m. for a complaint of dog nuisance regarding dogs owned by you. Enclosed is a copy of the complaint.

You are requested to attend this hearing. The Animal Control Officer will also be asked for an opinion on this situation.

Sincerely,

Mary L. Midura
Executive Assistant to Town Manager

Enclosure

**TOWN OF WARE NOTICE OF VIOLATION
OF TOWN BY-LAWS OR REGULATIONS**

DATE OF THIS NOTICE: 5/3/17 | 011756
 NAME OF OFFENDER: Koer Peterson
 ADDRESS OF OFFENDER: 204 Old Belchertown Rd
 CITY, STATE, ZIP CODE: Ware MA 01082 | DATE OF BIRTH OF OFFENDER: 2/14/83
 MV OPERATOR LICENSE NUMBER: 517815888 | MVMB REGISTRATION NUMBER: _____
 OFFENSE: Ware bylaws Art 1 322-2
MGL Ch 140 § 173A

TIME AND DATE OF VIOLATION: _____ (A.M.) (P.M.) ON May 3 2017
 LOCATION OF VIOLATION: Old Belchertown Rd Ware
 AT _____
 SIGNATURE OF ENFORCING PERSON: [Signature] | ENFORCING DEPARTMENT: Animal Control
 I HEREBY ACKNOWLEDGE RECEIPT OF THE FOREGOING CITATION
 X

Unable to obtain signature of offender. Date mailed: 5/3/17
 THE NONCRIMINAL FINE FOR THIS OFFENSE IS \$ 450
 YOU HAVE THE FOLLOWING ALTERNATIVES IN THIS MATTER:
Either option (1) or (2) will operate as a final disposition, with no resulting criminal record.
 (1) You may choose to pay the above fine, either by appearing in person or through a duly authorized agent, or by mailing a check, money order or postal note made payable to The Town of Ware WITHIN 21 DAYS OF THE DATE OF THIS NOTICE to:
 Ware Town Clerk
 126 Main Street, Suite J
 Ware, MA 01082
 (2) If you desire to contest this matter, you may do so by making a written request for a noncriminal hearing, and enclosing a copy of this citation, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE to:
 The Clerk-Magistrate
 Eastern Hampshire District Court
 205 State Street
 P.O. Box 1490
 Belchertown, MA 01007
 Attn: 21D Noncriminal Hearings
 (3) If you fail to pay the above fine or to request a hearing within 21 days, or if you fail to appear for the hearing or to pay any fine determined at the hearing to be due, a criminal complaint will be issued against you.
 A. I HEREBY ELECT the first option above, confess to the offense charged, and enclose payment in the amount of \$ _____
 B. I HEREBY REQUEST a non-criminal hearing on this matter. Please mail request for a hearing to court listed above.

Signature _____
 CLERK COPY

**TOWN OF WARE NOTICE OF VIOLATION
OF TOWN BY-LAWS OR REGULATIONS**

DATE OF THIS NOTICE: April 24, 2017 | 011754
 NAME OF OFFENDER: Koer Peterson
 ADDRESS OF OFFENDER: 204 Old Belchertown Rd
 CITY, STATE, ZIP CODE: Ware, MA 01082 | DATE OF BIRTH OF OFFENDER: 2/14/83
 MV OPERATOR LICENSE NUMBER: 517815888 | MVMB REGISTRATION NUMBER: _____

OFFENSE: MGL c 140 § 137 failure to license
2 dogs \$50 per dog
MGL c 140 § 45B failure to vaccinate 2 dogs
 TIME AND DATE OF VIOLATION: _____ (A.M.) (P.M.) ON April 1 2017
 LOCATION OF VIOLATION: Old Belchertown Rd Ware
 AT _____
 SIGNATURE OF ENFORCING PERSON: [Signature] | ENFORCING DEPARTMENT: Animal Control

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOREGOING CITATION
 X

Unable to obtain signature of offender. Date mailed: 4/24/17
 THE NONCRIMINAL FINE FOR THIS OFFENSE IS \$ 200.00

YOU HAVE THE FOLLOWING ALTERNATIVES IN THIS MATTER:
Either option (1) or (2) will operate as a final disposition, with no resulting criminal record.
 (1) You may choose to pay the above fine, either by appearing in person or through a duly authorized agent, or by mailing a check, money order or postal note made payable to The Town of Ware WITHIN 21 DAYS OF THE DATE OF THIS NOTICE to:
 Ware Town Clerk
 126 Main Street, Suite J
 Ware, MA 01082
 (2) If you desire to contest this matter, you may do so by making a written request for a noncriminal hearing, and enclosing a copy of this citation, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE to:
 The Clerk-Magistrate
 Eastern Hampshire District Court
 205 State Street
 P.O. Box 1490
 Belchertown, MA 01007
 Attn: 21D Noncriminal Hearings
 (3) If you fail to pay the above fine or to request a hearing within 21 days, or if you fail to appear for the hearing or to pay any fine determined at the hearing to be due, a criminal complaint will be issued against you.
 A. I HEREBY ELECT the first option above, confess to the offense charged, and enclose payment in the amount of \$ _____
 B. I HEREBY REQUEST a non-criminal hearing on this matter. Please mail request for a hearing to court listed above.

Signature _____
 CLERK COPY

**TOWN OF WARE NOTICE OF VIOLATION
OF TOWN BY-LAWS OR REGULATIONS**

DATE OF THIS NOTICE: May 17, 2017 | 011757
 NAME OF OFFENDER: Koker Peterson
 ADDRESS OF OFFENDER: 204 Old Belchertown Rd
 CITY, STATE, ZIP CODE: Ware MA 01082 | DATE OF BIRTH OF OFFENDER: 2/14/83
 MV OPERATOR LICENSE NUMBER: S17815888 | MV/MB REGISTRATION NUMBER: _____

OFFENSE: MGL Ch. 140 §45B Failure to
vaccinate for rabies 2 dogs

TIME AND DATE OF VIOLATION: _____
 (A.M.) (P.M.) ON: 5/17 2017

AT: 204 Old Belchertown Rd Ware

SIGNATURE OF ENFORCING PERSON: Thomas Costello | ENFORCING DEPARTMENT: _____

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOREGOING CITATION

X
 Unable to obtain signature of offender. Date mailed: 5/17/17

THE NONCRIMINAL FINE FOR THIS OFFENSE IS \$ 200.00

YOU HAVE THE FOLLOWING ALTERNATIVES IN THIS MATTER:
Either option (1) or (2) will operate as a final disposition with no resulting criminal record.
 (1) You may choose to pay the above fine, either by appearing in person or through a duly authorized agent, or by mailing a check, money order or postal note made payable to The Town of Ware WITHIN 21 DAYS OF THE DATE OF THIS NOTICE to:

Ware Town Clerk
 128 Main Street, Suite J
 Ware, MA 01082
 The Clerk-Magistrate
 Eastern Hampshire District Court
 205 State Street
 P.O. Box 1490
 Belchertown, MA 01007
 Attn: 21D Noncriminal Hearings

(3) If you fail to pay the above fine or to request a hearing within 21 days, or if you fail to appear for the hearing or to pay any fine determined at the hearing to be due, a criminal complaint will be issued against you.

- A. I HEREBY ELECT the first option above, confess to the offense charged, and enclose payment in the amount of \$ _____
- B. I HEREBY REQUEST a non-criminal hearing on this matter. Please mail request for a hearing to court listed above.

Signature _____

CLERK COPY

ANSWERS to Questions regarding the Proposed WARE/HARDWICK AMBULANCE SERVICE AGREEMENT

The Town of Ware (Ware) is considering a partnership with the Town of Hardwick (Hardwick) by providing EMS ambulance service to Hardwick residents through an inter-municipal agreement. There is a Ware/Hardwick Subcommittee comprised of representatives of each town working and gathering data to determine feasibility.

Below we answer questions from residents of both towns.

A. WHAT TYPE OF EMERGENCY SERVICES DOES WARE PROVIDE? Ware operates a Fire/Ambulance Department that results in an increased level of total emergency protection for Ware residents. All firefighter personnel are cross-trained; each are in addition either a certified Emergency Medical Technicians (EMT) who can offer Basic Life Support (BLS) services "or a licensed Paramedic who is certified to offer Advanced Life Support (ALS) which are critical services such as tracheal intubation (airway) and intravenous medications. Most importantly, Paramedics bring a body of knowledge and experience to the scene and can recognize subtle presentations of life-threatening conditions.

B. Staffing Levels:

In addition to the Chief and Deputy, the department has four shifts, each with a lieutenant and 3 other firefighters.

- all shifts have a minimum 1 Paramedic and at most times 2 Paramedics
- 9 staff members are Paramedic trained. An additional 3 will begin training soon.

Ware schedules 24-hour per diem staff who are paid an hourly rate to maintain availability during specific hours and commit to being available upon immediate notice.

Ware has a robust Recall List of local firefighters, EMTs and Paramedics that can be called in to fill any gaps in service. They are paid only if they work.

Ware has Mutual Aid contracts with West Brookfield and Warren. Towns of Palmer and Belchertown Ambulance Departments are ALS Paramedic certified.

Ware's AMBULANCE EQUIPMENT:

3 ambulances: 2 are used primarily, the 3rd is used for backup to the 2 primary ambulances and for inter-facility ambulance transfers as needed.

Regular ambulance replacement costs are planned for through Ware Capital Plan and are scheduled for every 5-6 years . Ware Capital Plan demonstrates Ware is due to appropriate funding the purchase a new ambulance in 2018

WILL THERE BE ENOUGH STAFF AVAILABLE HANDLE THE EXPECTED INCREASE IN CALLS DUE TO A POSSIBLE HARDWICK AGREEMENT?

There would be enough staff available to handle the increase of the expected 2.5 calls per day to the Hardwick. There exists 4 levels of staffing (see above). Each separate level of staffing triggers the next level when needed and include highly qualified paramedics. Having 4 levels of staffing allow staffing needs to be flexible enabling them to grow and shrink as needed to address multiple emergency situations.

WILL THERE BE ENOUGH AMBULANCE EQUIPMENT TO HANDLE THE INCREASE IN CALLS DUE TO A HARDWICK AGREEMENT?

Ware currently has 2 primary ambulances and 1 secondary interfacility ambulance for transfers and backup to the 2 primaries. Three ambulances are enough equipment to be able to safely handle the expected increase of 2.5 calls per week. All ambulances are equipped to provide Advanced Life Support level of service.

HOW OFTEN DOES Ware USE MUTUAL AID FROM SURROUNDING towns FOR WARE RESIDENTS? Ware has not been the recipient of mutual ambulance aid assistance by an outside town in over 5 years. Ware has a signed mutual aid agreements with West Brookfield and Warren. Other towns that offer aid are Palmer and Belchertown

WHAT IS THE CURRENT AVERAGE EMERGENCY RESPONSE TIME IN WARE and Hardwick AND WILL THAT CHANGE WITH A HARDWICK AGREEMENT? The current ambulance response time is ??? minutes. These average response times will not change with a Hardwick Agreement. This average response time will not change with a Hardwick Agreement.

WHAT IS THE EXPECTED INCREASE IN NUMBER OF AMBULANCE CALLS TO HARDWICK PER DAY? There will be an expected increase of 2.5 calls to Hardwick per week.

WHAT WOULD BE THE TERMS OF THE HARDWICK AGREEMENT?

- There would be a 90 day cancelation clause
- The agreement would be for 1 year
- The agreement would be renewable annually
- The creation of a "Ware/Hardwick Ambulance Oversight Committee" comprised of representatives of both towns would develop protocol and oversee an annual review of costs and evaluation of quality of service. The Committee would also address residents concerns and questions.

AMBULANCE CALL AND SERVICE INFO:

- 1) Response Time to a location in Ware: is ??? minutes
- 2) Response Time to a location in Hardwick: is ?? minutes
- 3) Average # of Ware Ambulance calls handled by Ware in Ware? 1,677 calls = 4.59 runs per day
- 4) Average # of Ware Fire calls handled by Ware? 350 which includes fires, natural gas leaks, carbon monoxide incidents, elevator rescues, water rescues, electrical problems, motor vehicle collisions, box alarms, bells and smells and anything else you can imagine including lift assists and permitting.
- 5) Average # of Ware Ambulance Paramedic ALS Intercept calls to other communities? 200 (28 to Town of Hardwick)
- 6) Number of total calls Ware handled in 2016 in Town of Hardwick: approximately 225 (82 were paid. 28 intercepts and 54 Mutual Aid calls) which is 70-75% of their calls. Since April 2017, Ware ambulance is responding to all Hardwick calls.
- 7) Annual what percentage of ambulance calls to Hardwick are non-payer ambulance transport calls? 3%

Hardwick AMBULANCE AGREEMENT COST: proposed \$60,000. The Committee review expects this fee plus increased insurance payments will cover costs (existing and new) of the service to Hardwick. The new revenue to the Town of Ware is very conservatively \$100,000 and more likely \$130-\$150,000. The fee to Hardwick will be reviewed and adjusted annually.

For more information, call the Town Manager, Stuart Beckley

Memo

To: Board of Selectmen
From: Nancy J. Talbot – Town Clerk/Selectmen
Date: June 2, 2017
Re: Letter from MA Bay Constables Association, Inc.

Please find attached a letter that was received with regard to the proposed House Bill No. 2252 by State representative Daniel Cahill of Lynn.

The letter is self-explanatory.

The MA Town Clerks Association is also working with our Legislative Lobbyist to insure that this bill receives the attention and discussion needed, as many communities within MA currently use Constables for posting of meetings and warrants, as well as working at elections to insure for safety and orderliness.

I would ask that the Board of Selectmen vote to send a letter of non-support to our Representatives Berthiaume and Smola when this bill comes up for consideration in the House.

Thank you.



MASSACHUSETTS BAY CONSTABLES ASSOCIATION, INC.

P.O. Box 531, READING, MA 01867

TELEPHONE: 781-944-1191 - FAX: 781-337-5670

WEBSITE: WWW.CONSTABLES-MBCA.ORG

NOTIFICATION TO MUNICIPALITIES, IN RE: MASS HOUSE BILL NO. 2252

I am writing to inform you of a very serious matter affecting the position of municipal constables in Massachusetts. State Representative Daniel Cahill of Lynn has filed House Bill No. 2252. If this bill, all 12 pages of it should it become law it would strip away most of the powers and duties of municipal constables in Massachusetts. It would virtually eliminate the municipal office of constable as we know it today. You can find and read H.2252 at <https://malegislature.gov/Bills/190/H2252> on the internet.

We believe this legislation to be thoughtless, misguided and without any real justification. To the best of our knowledge there was no input whatsoever requested from any municipalities or constables in drafting this legislation. Therefore, we are calling upon all municipalities in Massachusetts to contact Rep. Daniel Cahill whose State House email address is daniel.cahill@mahouse.gov to express their concerns and opposition to this legislation. H.2252 will eventually be heard at the State House before the Joint Committee on the Judiciary who you can also contact to express your concerns and opposition to H.2252. The email contact info for the Joint Judiciary Committee chairpersons is as follows:

Senate Chairman is Sen. William N. Brownsberger, William.brownsberger@masenate.gov

House Chairwoman is Rep. Claire D. Cronin, Claire.cronin@mahouse.gov

You can also contact your own State Senators and State Representatives to express your opposition to H.2252. In addition seeing that constables are elected or appointed municipal officers under the provisions of MGL. Chap.41, Sect.1 we suggest you also contact Geoff Beckwith the CEO of the Mass. Municipal Association relative to opposing H.2252. Geoff's email address is gbeckwith@mma.org.

Municipal constables have honorably served their communities since colonial times and are an equally important part of today's Massachusetts legal system. If you were to compare any problems concerning wrongdoing or public scandals involving municipal constables over the years to other Massachusetts law enforcement entities, including Chiefs of Police, Police Officers, and Sheriffs, you would find it to be negligible to say the very least.

We know that many municipalities use their constables for purposes other than just serving civil process, such as security at polling places during elections, appointment of Housing and Health Inspectors as constables so that they will have a lawful power of entry, etc. We feel that instead of virtually eliminating constables the correct approach would be to provide mandatory state funded training and education for all municipal constables in Massachusetts to help make them an even more valuable asset to the municipalities they now serve. We hope we can count on your opposition to H.2252.

If you have any questions at all relative to our position on H. 2252 you can write to us at the above address, or contact our Secretary, Sally M. Hoyt at Tel. 781-944-1191 or email us at info@constables-mbca.org . We would be most pleased to hear from you.

Respectfully yours,

Richard E. Ramponi,
President, MBCA

RER:la

Stuart Beckley, Town Manager

Town of Ware

126 Main Street

Ware, MA 01082

Re: Re-appointment to Finance Committee

Wednesday, May 10, 2017

Dear Stuart,

If it is acceptable to the Board of Selectmen, I would like to be considered for re-appointment to another three (3) year term to the Finance Committee. My current term expires June 30, 2017.

Thank you,

Denis R. Ouimette

148 Church Street

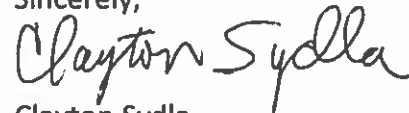
May 25, 2017

Mr. Stuart Beckley
Town Manager
Town of Ware
Ware, MA 01082

Dear Mr. Beckley,

I am requesting to continue to be a member on the Town of Ware, Capital Planning Committee. It is with great pleasure to serve on this committee with fellow town employees and officials. Thank you for the opportunity!

Sincerely,

A handwritten signature in black ink that reads "Clayton Sydla". The signature is written in a cursive, flowing style.

Clayton Sydla
13 Highland Street
Ware, MA 01082



TOWN OF WARE

SPECIAL EVENT PERMIT APPLICATION

(To be posted or made available at event)

Return to: Board of Selectmen
Town of Ware, 126 Main Street, Ware, MA 01201

Application packet must be received no later than 30 days prior to the event.

Event Name: Ware Lions fireworks Event Producer: Ware Lions Club

Primary Contact Information:

Primary Contact Name: John Carroll Fax: 717-265-2220

Non-Profit Organization / Event: Yes No

Day Phone: 413-335-2474 Cell Phone: same

E-mail: secwareselectmon@gmail.com Website: -

Event Information:

Event Address / Location: Grenville Park 73 Church St.

Starting Date: 06/24/17 Time: 8am M Ending Date: 06/24/17 Time: 12:pm M

Total attendance expected: 2,500-3,000 Rain plan: Next day 6-25-17 some times

List any streets to be closed for special event: Park Roads

Summary of Event - Please describe the special features of the event within the box below.

Band concert and fireworks display
1-2 vendors food, novelties

RELEASE/HOLD HARMLESS AGREEMENT (REQUIRED FOR USE OF TOWN PROPERTY ONLY):

I, John E. Carroll, a representative from Ware Lions Club, does hereby acknowledge that in the course of its use of property owned by the Town of Ware, namely Grenville Park located at 73 Church St., Ware, Massachusetts, for the purpose described above, and more particularly by virtue of the presence of its agents, servants, employees and invitees, (hereinafter collectively referred to as _____), in any manner whatsoever shall operate at its own risk on said property of the Town of Ware.

For and in consideration of the use of _____, _____ does for itself and on behalf of its agents, servants, employees and invitees, hereby, jointly and severally, remise, release and forever discharge the Town, it's agents, servants and employees (hereinafter collectively referred to as the "Town"), of and from all debts, demands, actions, and any and all claims or demands whatsoever of any kind for damages or injuries to property or person, which may arise by virtue of _____ use of _____, Ware Lions Club further agrees to defend and indemnify and hold harmless the Town from and against any claims of any nature whatsoever and the cost and expense, including, but not limited to, attorney fees and legal costs arising out of any claim in connection with its use of Grenville Park. Said indemnification shall not include claims arising from intentional malfeasance by the agents or employees of the Town of Ware.

Signed this 15 day of May, 20 17, on behalf of Ware Lions Club by John Carroll, its _____ Date: 5/15/17
Signature of the agent duly authorized by the Special Event Permit applicant to bind it.

****This application packet (the checklist and the permit application) must be brought in person to each department for sign-offs - Community Development / Parks MUST be approved first. Once all sign-offs have been received, this application packet must be returned to the Licensing Board Clerk in the Town Clerk's Office for final approval.****

Review & Submission for Sign -Offs Provided By Departments

Please note - Departments may provide additional comments below their sign-off

Community Development/Parks [Signature] Date: 5/15/2017
5/15/2017

Health Department Betty Bawle Date: 5/16/17
Food to be sold by both licensed vendors

Department of Public Works _____ Date: _____

Building Inspections [Signature] Date: 5/16/17

Building/Grounds Maintenance Michelle Hillard Date: 5-19-17

Fire Department [Signature] Date: 5-22-17

Police Department Kenneth Koutch Date: 05/19/2017

of Officers (if applicable) 6