



**Board of Selectmen
Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, May 18, 2021 at 7:00 p.m.**

5:00 p.m. Executive Session: M.G.L. Chapter 30A, Section 21(a) #2 Non-Union Contract Negotiations, #3 Litigation Update

Instructions for call in option: at or before 7:00 p.m., call the phone number below and when prompted enter the Meeting ID number. The platform is Zoom Meetings.

Join online: <https://us02web.zoom.us/j/7846041861> (the online option will require a download).

**Meeting ID: 784 604 1861
Passcode: 01082**

Phone: 929-205-6099

Present: Selectman Keith J. Kruckas, Selectman Nancy J. Talbot, Selectman Thomas H. Barnes, Selectman John J. Morrin, Selectman Caitlin M. McCarthy, Town Manager Stuart B. Beckley, Executive Assistant Mary L. Midura

Present via Zoom: Ware River News Editor Eileen Kennedy

Meeting Opened by Chairman Kruckas at 7:04 p.m.

Opening Remarks, Announcements, and Agenda review by Chair

Selectman Barnes noted Earth Week cleanup and thanked the Beaver Lake Association. He thanked DPW for the yard waste collection days. He noted federal funds for infrastructure and stated all towns are facing water rate increases and other problems. Chairman Kruckas stated that increased taxes and water and sewer rates will drive people out of town, and stated that \$13million is not enough for the Water Filtration Plant plus maintenance.

Consent Agenda – none

Carol Zins spoke about Sidewalk Sales days May 22 and 23, and encouraged residents to buy tickets to win a basket of items, keep money local and visit merchants and Artworks.

Scheduled Appearances

- **7:10 p.m. Public Hearing RE: Liquor License #00016-PK-1326 Bruso Liquor Mart, Inc. d/b/a Bruso's Liquor Mart, Application for Change of Manager, Change of Officers/Directors, Stock or Ownership Interest**

Attorney Malek attended via zoom, Dan Bruso attended in person. Attorney Malek noted Bruso Liquor Mart has operated since 1990 and Mr. Bruso is hard working, experienced and capable.

Selectman Talbot made the motion to approve the application of Liquor License #00016-PK-1326 Bruso Liquor Mart, Inc. d/b/a Bruso's Liquor Mart, Application for Change of Manager, Change of Officers/Directors, Stock or Ownership Interest. Selectman Barnes

seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Review and Recommendations: Annual Town Meeting Warrant Articles with Finance Committee**

I move that the Town take Articles 1, 2, 3, 4, 5, 6, 7, 8, and 9 out of order and that they be "Passed by Consent" in accordance with the Motions shown on the Consent Agenda distributed this evening.

Article 1. I move that the Town accept the reports of the Town Committees, Boards and Departments as presented in the Annual Town Report.

Article 2. I move that the Town authorize the Treasurer/Tax Collector to enter into Compensating Balance Agreements during Fiscal Year 2022 as permitted by Massachusetts General Laws, Chapter 44, §53F.

Article 3. I move that the Town 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 2022, beginning July 1, 2021 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.

Article 4. I move that the Town 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.

Article 5. I move that the Town accept all State and Federal Educational Grants in any amount as may be awarded for the direct educational expenditures for Fiscal Year 2022 to be expended by the Pathfinder Regional Vocational Technical High School District.

Article 6. I move that the Town accept all State and Federal Educational Grants in any amount as may be awarded for the direct educational expenditures for Fiscal Year 2022 to be expended by the Ware Public Schools.

Article 7. I move that Town 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.

Article 8. I move that the Town appropriate Four hundred twenty four thousand, fifty-four dollars and no cents (\$ 424,054.00) 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 meet said appropriation by authorizing the Treasurer to borrow the sum of Four hundred twenty four thousand, fifty-four dollars and no cents (\$ 424,054.00) under provisions of the Massachusetts General Laws Chapter 44, §6 and/or any other relevant sections of the Massachusetts General Laws Chapter 44.

Article 9. I move that the Town establish FY2022 spending limits for the revolving funds listed in the Town's General bylaw and to authorize such expenditure limits to remain in place from fiscal year to fiscal year unless revised by Town Meeting prior to July 1 for the ensuing fiscal year as follows:

Authorized Revolving Fund	Fiscal Year Expenditure Limit
Senior Center Rental	20,000.00
Ware Public School Athletic Advertising	100,000.00
Community Development Septic Repair	25,000.00
Community Development	120,000.00
Cemetery Maintenance and Burial	10,000.00
Bulky Waste	15,000.00

Recommended by: **Board of Selectmen** **5 Yes**
 Finance Committee **3 Yes, 2 Absent**
 Town Manager **Yes**

Article 10. I move that the Town fix the salaries of the several Elected Officers of the Town for the Fiscal Year 2022 and to determine whether any Town Board, Commission or Committee shall be authorized to employ any of its members for additional salary or compensation.

Town Moderator	\$ 250.00
Chairman, Selectmen	\$2,652.00
Members, Selectmen	\$2,232.00 each member
Board of Assessors, Chair	\$3,800.00
Board of Assessors Member	\$3,100.00 each member
Planning Board Members	\$800.00 each member
Board of Health Members	\$654.50 each member

And, further that no Town Board or Commission shall be authorized to employ any of its members for an additional salary or compensation except for the Board of Registrars, Finance Committee, Planning Board, and Recreation Commission, and further provided that the Board of Health may appoint one or more of its members to witness percolation tests and deep hole tests and to perform other paid functions required by the Board of Health.

Recommended by: **Board of Selectmen** **5 Yes**
 Finance Committee **3 Yes, 2 Absent**
 Town Manager **Yes**

Article 11. I move that the following sums be appropriated for the Water Enterprise Fund for FY 2022.

Explanation: This article adopts the budget for the Water Enterprise

Salaries	\$321,005.00
Operating Expenses	\$396,100.00

Recommended by: **Board of Selectmen** **5 Yes**
 Finance Committee **N/A**
 Town Manager **Yes**

Article 16. I move that the Town amend the local Cannabis Control bylaw by increasing the allowed number of retail Cannabis facilities to 50% of the allowed off-premise liquor licenses.

Recommended by: **Board of Selectmen** **5 Yes**
 Finance Committee **N/A**
 Town Manager **Yes**

Article 17. I move that the Town authorize the Board of Selectmen, on behalf of the Town of Ware, to acquire by gift the parcel of land on West Main Street known as Assessors Map 60, Parcel 156-1 and to further authorize the Board of Selectmen to dispose of said property in the best interest of the Town.

Recommended by: **Board of Selectmen** **5 Yes**
 Finance Committee **3 Yes, 2 Absent**
 Town Manager **Yes**

Article 18. Citizens' Petition – No recommendations

Terry Smith noted this petition addresses the Charter and need for charter review. Selectman Talbot noted that town meeting vote is needed, and petition would be sent to Attorney General. She noted that the Charter Commission would need election on a ballot. Mr. Smith stated that the charter review should have been done in 2017.

Article 19. I move that the Town dismiss Article 19.
(To see if the Town will vote to raise and appropriate a sum of money to be purchase a utility vehicle for use in the Cemetery for the Department of Public Work 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.)

Included in the Budget

Recommended by: **Board of Selectmen** **5 Yes**
 Finance Committee **3 Yes, 2 Absent**
 Town Manager **Yes**

Article 20. I Move that the town appropriate \$208,000.00 to purchase a payloader for the Department of Public Works and to meet said appropriation by authorizing the Treasurer with the approval of the Board of Selectmen to borrow up to the sum of \$208,000.00 under Massachusetts General Laws, Chapter 44, §7.

Recommended by: **Board of Selectmen** **5 Yes**
 Finance Committee **2 Yes, 1 No (Smith) 2 Absent**
 Town Manager **Yes**

Explanation: Currently, the Town has two payloaders: a Komatsu WA 320 purchased in 2003 and a John Deere 544G purchased in 2006. The Town under this article would replace the older machine this year. The operators have noticed the machine is starting to lose power and there appears to be some slippage in the transmission. These are very costly repairs to make on a seventeen-year-old machine. The machine will be auctioned. These machines are used for road work, snow removal and other DPW tasks These machines became even more critical when the engine failed in the old grader and the machine was not replaced.

Article 21. I move that the Town appropriate \$50,000.00 to purchase additional water meters for the Water Department and to meet said appropriation by transferring \$50,000.00 from the Water Enterprise Reserve.

Recommended by: **Board of Selectmen** **5 Yes**
 Finance Committee **3 Yes, 2 Absent**
 Town Manager **Yes**

Explanation: Under this article the Water Enterprise will purchase additional water meters to expedite the conversion of existing water meters into the new remote readers; a typical water meter for a home costs \$250.00. These funds will supplement the amount in the operating budget. This article will require an appropriation of \$50,000.00 to be taken from Water Enterprise Fund Retained Earnings.

Article 22. I move to dismiss Article 22.

To see if the Town will vote to raise and appropriate a sum of money to design and install a section of water main and appurtenant works on Upper North Street to connect Upper North Street to Greenwich 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 and further to authorize the Town to apply for and to accept any grants and/or loans that may be available for said project.

Recommended by: Board of Selectmen 5 Yes
Finance Committee 3 Yes, 2 Absent
Town Manager Yes

Article 23. I move that the Town transfer \$2,500.00 from the sale of lots account for part-time seasonal help for the care and maintenance of the cemeteries, and the design of the next cemetery expansion area.

Recommended by: Board of Selectmen 5 Yes
Finance Committee 3 Yes, 2 Absent
Town Manager Yes

Article 24. I move that the Town appropriate \$625,000.00 for the purchase and outfitting of a firetruck for the Fire Department and to meet said appropriation by authorizing the Treasurer with the approval of the Board of Selectmen to borrow up to the sum of \$625,000.00 under Massachusetts General Laws, Chapter 44, §7.

Recommended by: Board of Selectmen 5 Yes
Finance Committee 2 Yes, 1 No (Smith), 2 Absent
Town Manager Yes

- **Update: Water Resource Committee, Terrance Smith and Gilbert St. George-Sorel**

Terry Smith noted the organizational meeting and a site visit have taken place. He noted the staff is extremely competent and the tour showed all operations and clear water in the cisterns. He noted the Water Filtration Plant could cost much more than projected, and an engineering study should be done for the sewer plant. He noted the Committee should not take a position but review all information. Gibby St. George-Sorel, DPW Director, noted rising costs and secondary contaminants. He noted the continued need to chlorinate.

Old Business

- **Review of Proposed Bylaw to Manage and Control Blighted Properties within the Town of Ware**

Selectman Talbot made the motion to table. Selectman Barnes seconded the motion. The motion passed unanimously (5-0).

New Business

- **Reappointments, Terms to Expire June 30, 2024:**
 - Carolyn Wilkins, ADA Commission
 - Mark Swett, Conservation Commission
 - Carl Waal, Council on Aging
 - Lewis Iadarola, Zoning Board of Appeals
 - David Skoczylas, Zoning Board of Appeals, Alternate Member
 - Brandy Bruso, Community Development Authority
 - Danielle Souza, Community Development Authority

Selectman Barnes made the motion to approve the reappointments. Selectman Talbot seconded the motion. The motion passed unanimously (5-0).

Selectman Talbot made the motion to reappoint Robert LeMaitre as a Special Municipal Employee Engineering Consultant. Selectman McCarthy seconded the motion. The motion passed unanimously (5-0).

- **Accept Resignations from Committees, Terms Expire June 30, 2021:**
 - Janice Hills, Finance Committee
 - Paul Opalinski, Community Development Authority
 - Cynthia Allen Bourcier, Historical Commission

Vacancy on Finance Committee, CDA, Historical Commission and Council on Aging (4)

Selectman Talbot made the motion to accept, with thanks and regrets, the resignations. Selectman Barnes seconded the motion. The motion passed unanimously (5-0).

Comments and Concerns of Citizens

Selectman Morrin made a motion that “Somewhere Worth Seeing” moniker may not be used without permission of the Board. Selectman Barnes seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Selectman McCarthy questioned the flashing neon light at a business on Main Street. She also noted the park behind the town pool must be cleaned up. Chairman Kruckas noted the Town Planner should look for a grant for a youth center. Selectman McCarthy noted the incident of violence against Shiloh, and stated the need for support for this man. Mr. Beckley noted several ideas are forming to address this.

Selectman Morrin questioned when the Senior Center would be open to the public; Mr. Beckley noted that the Health Department is reviewing.

Town Manager Report

Dates

May 24 – 6:30 Special Town Meeting (From April 24) and 7:00 Annual Town Meeting

Open topics:

Underpass – Surveyor/engineer measuring the site for required work and cost estimate.

School bills

114 Main – After arranging with the State to reduce the procurement requirements in order for the Town to address the demolition, the private owner produced a signed contract with a demolition company. The Town will reach out to the contractor to assist with permitting and to determine a schedule.

On Monday, Water flushing will reach the final Zone 7, so the system will be complete by early next week.

The Veterans Agent and I have submitted a plan for Memorial Day ceremonies to the Health Director for both the ceremony and parade. This would be Monday, May 31.

The federal government has release guidelines for the Recovery Funds and webinars have been held. The attached is a summary. Next week, the State DOR is hosting a webinar on Massachusetts specific requirements. Ware's funds (\$2.8 million) will be issued through the State. The Board may want to discuss how to prioritize spending. These funds are much more flexible than the first round (for which there is approximately \$500,000 remaining).

Baystate has scheduled a meeting with legislators and Dr. Keroack and Molly Gray for Monday to discuss plans forward. Attached is their latest submittal to DPH.

Adjournment

Selectman Morrin made the motion at 9:35 p.m. to Adjourn the Regular Meeting. Selectman Talbot seconded the motion. The motion passed unanimously (5-0).

Attest: 
Mary L. Midura
Executive Assistant to Town Manager

