



Board of Selectmen

Ware Town Hall, 126 Main Street, Meeting Room

Meeting Minutes

Tuesday, May 2, 2017 at 7:00 p.m.

Meeting Opened By Chairman Carroll at 7:00 p.m. There was a moment of silence for Milton "Bill" S. Jordan, who passed away April 23, 2017.

Reorganization of the Board of Selectmen

Mr. Beckley accepted nominations for Chairman of the Board of Selectmen:

Selectman Opalinski nominated Selectman Talbot, Selectman Whitney seconded the nomination.

Selectman Fountain nominated Selectman Carroll, Mr. Beckley seconded the nomination.

The vote was 3 (Selectmen Opalinski, Talbot, Whitney) for Selectman Talbot, 2 (Selectmen Fountain, Carroll) for Selectman Carroll. Selectman Talbot is now Chairman.

Mr. Beckley accepted nominations for Vice-Chairman of the Board of Selectmen:

Selectman Opalinski nominated Selectman Whitney, Selectman Talbot seconded the nomination.

Selectman Carroll nominated himself, Selectman Fountain seconded the nomination.

The vote was 3 (Selectmen Opalinski, Talbot, Whitney) for Selectman Whitney, 2 (Selectmen Carroll, Fountain) for Selectman Carroll. Selectman Whitney is now Vice Chairman.

Mr. Beckley accepted nominations for Clerk of the Board of Selectmen:

Selectman Talbot nominated Selectman Opalinski, Selectman Carroll seconded the nomination. The vote was unanimous. Selectman Opalinski is now Clerk.

Opening Remarks, Announcements, and Agenda review by Chair

Chairman Talbot stated that there have been complaints, and the situation is noticeable to all, that young people are using Veterans Park as a play area. There is need for supervision, as skateboarders and others are often there, and there must be public safety.

Selectman Opalinski noted there is a By-Law Study Committee and encouraged citizens to apply to be on this committee. The goal is to review all by-laws of the town and, when completed, post the by-laws on the Town of Ware website. Chairman Talbot noted that Mr. Cote is interested. A review was done several years ago with most of the review completed, so the process now should not take long to finish.

Consent Agenda

- **Approval of Meeting Minutes of April 4, 2017, April 11, 2017, and April 18, 2017**

Selectman Opalinski moved to approve the meeting minutes; Selectman Whitney seconded. The motion passed unanimously (5-0).

Comments and Concerns of Citizens

Bill Jackson questioned when there would be a posting for the Subcommittee for the Ambulance. Mr. Beckley noted that the first meeting was this morning for information gathering; the subcommittee is awaiting information from the billing company and will then hold another meeting soon.

Mr. Jackson questioned the timeline for the choice of Police Chief. Mr. Beckley noted that the assessment

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center has been completed; scores will go to Civil Service and be ranked. Interviews with the candidates will then be held. There may be some public participation. The Board may hire the new Police Chief in approximately six weeks.

Maggie Sorel requested that the contract be reviewed regarding ambulance transports after 5:00 p.m. Keith Krukas questioned the ambulance situation with Hardwick; Selectman Talbot noted that nothing has been decided, to date only information gathering has taken place. Mr. Krukas stated that there must be liability issues discussed if this deal goes forward. Ms. Sorel questioned whether this deal would go to ballot for the voters or would the Board of Selectmen and the sub-committee make the decision. Mr. Beckley noted that any question to the voters would be non-binding.

Cathy Cascio stated that the decision should be up to the voters with public hearings and input. Mr. Krukas commented further on Ware having 23rd highest taxes in the state and need for public input on the issue of the ambulance agreement with Hardwick. Selectman Talbot encouraged all voters to attend Town Meeting on Monday, May 8, 2017 at 6:30 pm.

Mr. Beckley noted that the town's taxes are 250th in the state, not 23rd highest.

Scheduled Appearances

- **7:00 p.m. Police Commendations**

Chairman Talbot turned the gavel over to Vice-Chairman Whitney.

At the request of Police Chief Kovitch, the Board of Selectmen gave commendations to several outstanding officers and an employee of the Town. For their work on the Ware Police Department computer upgrade, IT Director David Grace, Officer John Cacela, Officer David Obrzut, and Police Administrative Assistant Robert Lavallee were commended for outstanding performance. Robert Lavallee was also commended for professional dedication and longtime service on the Ware Police Department. Officer Cacela was commended for applying and obtaining Highway Traffic Safety Grants and a Child Passenger Safety Equipment Grant. Officer Diana Gliniecki was commended for reestablishing the K-9 Program, obtaining a grant for this program and for giving much of her own time to this program.

The Board of Selectmen then commended Police Chief Kenneth Kovitch for his 32 years of service on the Ware Police Department and wished Chief Kovitch a happy retirement.

- **Appointment of Acting Police Chief**

Selectman Carroll moved to appoint Sgt. Shawn Crevier as Acting Police Chief; Selectman Fountain seconded. The motion passed on a vote of 4 Yes, 1 Abstention (Selectman Talbot).

- **7:05 p.m. Beaver Lake Road – Speeding Concerns**

Residents Lynn Lak, Beth Kaltner, Lori Mooney, and Rita Lee spoke of cars speeding through the street and beach area at speeds of 50-60 mph at times. Acting Police Chief Crevier agreed that more radar patrols would be done. A "Slow – Beach Area Ahead" sign was there in the past, but has been gone for years.

Selectman Opalinski moved to request that DPW place signs at both ends of the street (Beach Area, Children at Play, Slow, 30 MPH), request more police patrols, and request Town Manager check regulations and return with recommendations on feasibility of a crosswalk or one-way street; Selectman Whitney seconded. The motion passed unanimously (5-0).

- **7:15 p.m. Public Hearing for National Grid/Verizon New England, Inc. Petition for Joint or Identical Pole Locations #23733546 Dugan Road**

Selectman Carroll asked Mandy, National Grid representative to compile a list of all double poles, and questioned the plan for the aluminum pole on South Street that trucks have hit several times.

Selectman Opalinski moved to approve the petition; Selectman Whitney seconded. The motion passed

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unanimously (5-0). *(Executive Assistant note: After the meeting, it was discovered that the legal advertisement was not placed as proper procedure. The legal advertisement will run in the May 11, 2017 edition of the Ware River News. It will be necessary to take a re-vote to approve the petition on May 23, 2017 at the Board of Selectman meeting.)*

Old Business

- **East Court Request**

The request is for DEAD END, NO PARKING ON EITHER SIDE signs. Mr. Beckley noted that signs will help with enforcement.

Selectman Opalinski moved to approve signage as requested; Selectman Whitney seconded. The motion passed unanimously (5-0).

- **Planning & Community Development: Request for Subordination**

Selectman Opalinski moved to accept recommendation of \$5,000 to subordinate; Selectman Carroll seconded. The motion passed unanimously (5-0).

- **Recommendations on Articles 30-33 of Annual Town Meeting Warrant**

Selectman Opalinski moved to Support Articles 1-11; Selectman Whitney seconded. The motion passed unanimously (5-0).

Selectman Carroll moved to Recommend to Dismiss Article 30; Selectman Whitney seconded. The motion passed unanimously (5-0).

Selectman Opalinski moved to Support Article 31 (request to underline updates); Selectman Whitney seconded. The motion passed unanimously (5-0).

Selectman Opalinski moved to Recommend to Dismiss Article 32; Selectman Whitney seconded. The motion passed unanimously (5-0).

Selectman Whitney moved to Support Article 33; Selectman Opalinski seconded. The motion passed unanimously (5-0).

- **Discussion: Community Host Agreement with Tri-County Recycling, Inc. (if available)**

Mr. Beckley explained that attempts by Town Counsel to come up with a host agreement have not been successful.

Selectman Whitney moved to Cease Negotiations with Tri-County Recycling, Inc.; Selectman Opalinski seconded. The motion passed unanimously (5-0).

New Business

- **Request to Change May 16, 2017 meeting to May 23, 2017**

Mr. Beckley will be on vacation the week of May 14-21, 2017. Request has been granted.

- **Approval of Common Victualler License – Charter Foods, LLC d/b/a Taco Bell #32588, 118 West Street – Projected Opening May 2017**

Kayla Newton, Manager, was present for the application. Projected open date is May 19, 2017.

Selectman Opalinski moved approval of the license; Selectman Whitney seconded. The motion passed unanimously (5-0).

- **Request to Change Class II License #7 Cookies Car Connection, LLC to Cookies Car Connection**

Karen Parker was present for the application. She will be a sole proprietor; her accountant recommended

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dropping the LLC to save money as business has been slow.

Selectman Opalinski moved approval of the name change; Selectman Fountain seconded. The motion passed unanimously (5-0).

- **Approval of One-Day Liquor Licenses – Workshop 13**

Selectman Whitney moved approval of the 4 licenses (May 6, May 19, June 2, and June 4, 2017); Selectman Opalinski seconded. The motion passed unanimously (5-0).

- **Acceptance of Chapter 138, Section 33B – To Authorize Section 12 Licensees to Sell Alcoholic Beverages beginning at 10:00 a.m. on Sundays**

Selectman Carroll questioned Executive Assistant Mary Midura regarding this acceptance affecting insurance costs and licensees who may want to request 2 a.m. closing. Ms. Midura noted that this only affects opening at 10:00 a.m. on Sundays. Mr. Carroll stated he would not support this acceptance because of ramifications of increased insurance costs.

Selectman Opalinski moved to accept Chapter 138, Section 33b; Selectman Whitney seconded. The motion passed on a vote of 4 Yes, 1 No (Selectman Carroll).

- **Town Meeting Roads Article Options Discussion**

Mr. Beckley noted that Article 22 has been changed to \$5million debt exclusion. Another option is a capital exclusion with \$1million voted each year at town meeting. The Board might consider review of all roads as there may be some duplication. To place the question on the ballot, the Board would have to vote in January 2018, at least 35 days prior.

Selectman Carroll moved to Recommend to Dismiss Article 22, to take up discussion in mid-summer and review all roads listed; Selectman Fountain seconded. The motion passed unanimously (5-0).

Town Manager Report

Mr. Beckley noted that Town Meeting Packets will be available at Town Hall on May 3, 2017. The Special and Annual Town Meeting will be held at 6:30 pm and 7:00 pm, respectively, on Monday, May 8, 2017. Baseball Opening Day is Sunday, May 7, 2017 at noon. The yard waste drop off at Robbins Road will also be on May 7 from 8:00 am – 2:00 pm. A message has been sent out on the robo-call regarding water flushing, with some rusty water possible. Selectman Carroll noted that the Town has not lifted the water ban; and the State has not lifted drought conditions. Selectman Opalinski questioned notification to businesses; Mr. Beckley noted that businesses can sign up on the website for the Code Red call. Alerts are also posted on the town website, in the Ware River News, and on Ware Community TV.

Mr. Jackson questioned the override; Selectman Talbot explained that the article will be dismissed, with discussion to occur in the summer regarding a ballot question next April and/or debt exclusion at town meeting 2018.

Mr. Beckley noted that proposals for the solar facilities on Robbins Road landfill and Banas farm are due on May 12; approximately 10 firms have expressed interest. Only 11 acres are to be used.

The PARC grant will fund the paving of the parking lot at the Parks Department; a favorable quote was received. The Town will seek bids for paving the Senior Center parking lot late this Spring.

Mr. Kilhart has recommended a commendation for David Comeau, WWTP operator for his work to save the Town over \$8,000 monthly.

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Selectman Opalinski moved to approve a commendation for Mr. Comeau (to be presented at May 23, 2017 meeting); Selectman Whitney seconded. The motion passed unanimously (5-0).
Mr. Beckley received notification that the DCR has discontinued plans to place rattlesnakes at the Quabbin.

At 8:36 p.m., Selectman Whitney moved to Adjourn; Selectman Opalinski seconded. The motion to adjourn passed unanimously (5-0).

Attest: 
Mary L. Midura, Executive Assistant