



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, May 4, 2021 at 7:00 p.m.

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 7:00 p.m.

Opening Remarks, Announcements, and Agenda review by Chair

Set Public Hearing for May 18, 2021 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

Selectman Talbot made the motion to set the Public Hearing for 7:10 p.m., Tuesday, May 18, 2021 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. Selectman Barnes seconded the motion. The motion passed unanimously (5-0).

Consent Agenda

- Approval of April 20, 2021 Meeting Minutes
- Special Event Permit Application: Proprietors of the Ware Center Meeting House presents Town Wide Tag Sale, Saturday, June 19, 2021

Selectman Barnes made the motion to approve the Consent Agenda. Selectman Morrin seconded the motion. The motion passed unanimously (5-0).

Scheduled Appearances

- Discussion with KP Law, Town Counsel Role

Attorney Lauren Goldberg of KP Law, P.C. joined the meeting via Zoom. She extended congratulations to Attorney David Wojcik on his retirement. KP Law, PC serves 130 cities and towns, with 40+ lawyers, each is client assigned based on town's needs for litigation. A group of attorneys will work with the town on issues of zoning, contracts, real estate, etc. Services are billed monthly with billing at six (6) minute intervals. KP Law, C has experience with town meetings, drafting of bylaws, marijuana laws.

- **Budget Discussion with Finance Committee and School Committee**

Finance Committee members Chairman Lynn Nenni, Ken Willett, Terry Smith and Devin Peterson were in attendance. Ms. Nenni noted that the Finance Committee has worked with the department heads and Mr. Beckley to share ideas of the budget, to include capital projects in the budget and reduce the number of Special town meetings. Mr. Beckley noted that free cash is funds unspent, whereas stabilization funds are by policy. The Finance Committee invited the Board of Selectmen to attend their meetings. Discussion continued of ways to cut taxes while seeking revenue sources such as retail marijuana funds.

Old Business

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

Selectman Barnes made the motion to table, on advice from town counsel. Selectman McCarthy seconded the motion. The motion passed unanimously (5-0).

- **114 Main Street**

Attorney Wojcik attended via Zoom. He noted that liability was not yet resolved, however, there is no reason for the Board to hold off on demolition. He advised that the work be put out to bid.

Selectman Talbot made the motion to Authorize the Town Manager to Request for Project (RFP) for the demolition, while continuing to pursue other options. Selectman Barnes seconded the motion. The motion passed unanimously (5-0).

- **Town Policies**

Selectman Talbot made the motion to Adopt Town Policies Sections 1 and 2. Selectman Morrin seconded the motion. The motion passed unanimously (5-0).

- **Discussion – Dangerous Dog, 16 Howard Road**

Attorney Anastasi attended via zoom. He stated that Ms. Kularski has completed the 6' fence. He stated that the dog is included in the homeowners' insurance policy, and he will send written confirmation. He clarified that the dog is not muzzled while on the property. He noted that the owner understands the decision, but another hearing would need to be held before the Board can order euthanization of the dog. Resident Jodi Chartier presented documentation to the Board of the dog being walked without muzzle by the boyfriend of the owner two days after the hearing. She presented police reports of the boyfriend driving on the street, squealing brakes, loud music at 2:40 am. Ms. Kularski stated she had no complaints from neighbors. Chairman Kruckas ordered Ms. Kularski's boyfriend to leave this meeting; he did not comply. Ms. Kularski stated she did not receive copy of the law; Mr. Beckley confirmed the law was sent with letter to Ms. Kularski. Attorney Wojcik, for the Town, stated that the Board wants to do the right thing for public safety. Ms. Chartier noted that the neighbors want this owner to be a responsible owner and questioned what the penalty is if the owner does not follow the rules. Attorney Wojcik noted that the Board may order to euthanize after proper notice to owner and hearing. Attorney Anastasi noted this was acceptable.

Selectman Morrin made the following motion. Selectman Talbot seconded the motion. The motion passed unanimously (5-0).

The Board of Selectmen unanimously voted per MGL Chapter 140 §157 to declare the dog Maia as a dangerous dog. The Board clarified that, per MGL Chapter 140 §157 (4) (c) (i), (ii), (iii), and (iv), that the dog must be humanely restrained, confined per the fenced yard on premises with 6 foot high fence, set an

additional 2 feet into the ground, with roof. Further, when removed from the premises, the dog must be muzzled and restrained at all times. The owner must provide \$100,000 insurance on the owner of the dog.

The owner is hereby put on notice that in the future if, after a hearing, the Board of Selectmen determines that there has been a failure to comply with this order or any of its provisions or any other attacks, then the Board of Selectmen may order that the dog be euthanized.

New Business

- **Amendment to Host Community Agreement, B'Leaf Wellness Centre, LLC, Change of Location to 24 West Main Street, Ware, MA**

Selectman Talbot made the motion to amend the Host Community Agreement with B'Leaf Wellness Centre, LLC to change location to 24 West Main Street, Ware. Selectman Morrin seconded the motion. The motion passed unanimously (5-0).

- **Approval of Annual Town Meeting Warrant, Quorum Consideration**

Selectman Talbot made the motion to approve the warrant of the May 24, 2021 Annual Town Meeting, 7:00 p.m. at the Ware High School. Selectman Barnes seconded the motion. The motion passed unanimously (5-0).

Selectman Talbot noted a lower quorum allows the Town to conduct business. Selectman Morrin stated he will ask for secret ballots. Mr. Beckley noted that we are looking at an electronic voting system, not sure of availability by May 24.

Selectman Barnes made the motion to keep the quorum at 100. Selectman Morrin seconded the motion. The motion passed on a vote of 3 Yes (Selectmen Kruckas, Morrin, Barnes), 2 No (Selectmen McCarthy, Talbot).

Comments and Concerns of Citizens - none

Town Manager Report

Dates

May 24 – Special Town Meeting (From April 24) and Annual Town Meeting

Open topics:

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

School bills

MassDOT returned to review the closed sidewalk on the bridge over the canal on East Main Street . They will be proposing a design that will place a temporary sidewalk in the road. It is unknown whether two lanes of traffic will be able to continue during the repair, or if a light system will need to be installed to allow one lane of traffic at a time.

Water Flushing will move to Zone 3 on Monday, May 3. The first two zones found that it is taking less time and water to flush to clear water this year.

The Senior Center director and Health Director are meeting next week to discuss opening of the senior center. What activities and what hours will be reviewed.

Thanks to the efforts of the DPW, the tour of the Town's flood dike system with the Army Corps of Engineers went very well. They will submit their findings report within a couple of months.

The Town has been working with the eight bargaining units on insurance modifications that will save employees with lower premiums and potentially less out of pocket expenses. By using a high deductible plan and front loading an account for employees, the Town will reduce its anticipated premium increase from 12.8% to 7.4%.

Demolition of 13-15 Parker Street will begin within two to three weeks.

Repairs at the dog park were completed this week. The Parks department, the Friends of the Dog Park and I are meeting on Monday to discuss ongoing maintenance and costs. Workshop 13 received a grant to paint a mural on the retaining wall at the park.

The Town has hired John Prenosil as Conservation Agent for the Conservation Commission.

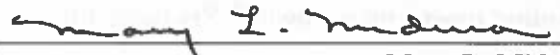
The Town is having beaver control issues in various areas of town including near roads and the water system. The Town is moving forward with beaver management plans in these areas.

Baystate Health is working on a meeting with Town and legislative leaders. Tentatively looking at May 17.

Adjournment

Selectman Barnes made the motion at 8:32 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