



## **Board of Selectmen**

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

**Regular Meeting Minutes – Tuesday, November 20, 2018 at 7:00 p.m.**

**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, Clerk Mary L. Midura, Ware Community TV General Manager Stanly Ciukaj.

**Meeting Opened by Chairman Carroll at 7:00 p.m.**

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

Chairman Carroll requested a moment of silence to honor those affected in northern California by the fires.

Rick Starodoj, Planning Board Chairman, noted the November 26 meeting to reconsider the Ecos special permit, with the public hearing closed, and possible procedural error. Selectman Kruckas stated that the meeting and December 5 meeting should be recorded with a town attorney present. He questioned why Mr. Beckley was not in the room at the last Planning Board meeting; Mr. Beckley noted he was in the hall due to the crowded room.

Resident Kristen Rosenbeck noted the Main Street Stroll on December 8 from 10 am – 2 pm. with events at Main Street businesses for kids, decorations and Santa.

### **Consent Agenda**

- **Retroactive Approval: One-Day Liquor License: St. Mary's Church, Saturday, November 17, 2018**
- **Special Event Permit: Holiday Flair, Friday, November 23, 2018**
- **Approval of One-Day Liquor Licenses: Workshop 13, Saturday, December 1, Sunday, December 16, and Friday, December 21, 2018**
- **Special Event Permit: Ware Tree & Wreath Stroll, Saturday, December 8 & Sunday, December 9, 2018**

**Selectman Whitney made the motion to approve the consent agenda; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.**

### **Scheduled Appearances**

- **Chief Crevier: FT Police Officer Appointment**

Chief Crevier introduced Officer Corey Rogowski.

**Selectman Whitney made the motion to approve the appointment of Officer Rogowski to Full Time Police Officer; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.**

Chief Crevier noted that the parking ban is now in effect. Sidewalks must be shoveled; two officers have been assigned duty to ticket violators of the sidewalk bylaw.

**Old Business - none**

**New Business**

- **Green Communities Annual Report Signature**

Mr. Beckley stated five categories for permitting, solar, wind, efficiency, and stretch code for new lights, Quaboag Connector vehicles. Mr. Sydla and the Town Accountant compiled the report. Selectman Opalinski questioned open space; Mr. Beckley noted Grenville Park and Memorial Field. He stated the goal is 20% within 5 years, including waste water plant and schools, with designs by February 2019, boilers replaced in summer 2019, and windows in summer 2020. Selectman Carroll thanked Mr. Sydla for his extensive work on this project.

Selectman Opalinski made the motion to approve the annual report of Green Communities; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Appointment to Ware Cultural Council: Christina J. Higney, Term to Expire November 20, 2021**

Selectman Opalinski made the motion to approve the appointment; Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Recommendations: Plowing and Sanding Unfinished Subdivision Roads – Winter 2018-2019**

Selectman Opalinski made the motion to approve the expenditure of Town funds and to direct the DPW to manage sanding and snow and ice removal on the private section of Walter Drive and on the private roads Coldbrook Drive, King George Drive, Hillside Terrace, Lee Road and Williston Drive during the winter of 2018/19; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Selectman Whitney made the motion that, **UPON THE REMOVAL OF OVERGROWN BRUSH**, to approve the expenditure of Town funds and to direct the DPW to manage sanding and snow and ice removal on the private roads within the Isabella Ridge subdivision (Wildflower Drive and Briar Circle) during the winter of 2018/19, provided that in the event that icing on the roadway occurs, the DPW is directed to stop snow and ice removal operations at which point the owner of the private road shall be fully responsible for all snow and ice removal operations; and furthermore that the Town accepts no responsibility or liability with regard to the modified drainage structure at 12 Wildflower Drive; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Selectman Kruckas made to motion to direct the DPW to **NOT** perform any sanding, snow, or ice removal operations on Belair Drive and High Meadow Lane during the winter of 2018/19 unless sufficient repairs are made to the satisfaction of the DPW Director; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Purchase and Sale, South Street School**

Mr. Beckley presented the agreement, including a reverter agreement. The projected closing will be November 30, 2018

Selectman Whitney made the motion to approve the Purchase and Sale; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Host Community Agreement:**
  - **Retail: Herbal Pathways, LLC**
  - **Retail: Curaleaf Massachusetts, Inc.**
  - **Retail: NewCann Group, LLC**
  - **Cultivation & Manufacturing: Stoddard**

Selectmen first considered Cultivation & Manufacturing – Andrew Stoddard represented Primo Co., LLC, and stated the company hopes to open at 44 East Main Street. There will be no retail operations, but manufacturing only with infusion products, in a very controlled setup. The hope is to expand following CCC guidelines, bring jobs and revenue to the Town. The location is near the present Berkshire Blanket. The number of employees hired will be dependent on approval from CCC, with approximately 20 parking spaces. Mr. Beckley noted this would help the infrastructure of the mill yard.

**Selectman Whitney made the motion to approve the HCA with Primo Co., LLC; Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 1 No (Selectman Carroll).**

Selectmen heard from the following proposed Retail applicants:

#### Herbal Pathways, LLC

Ken Crowley, Ann Marie Belair represented the company, a woman-owned, operated, managed with approximately 12 employees located at 14 West Street. For the proposed opening, arrangements would be made to shuttle people from parking lots. Other locations in operation are in Washington, Colorado, Maine and Massachusetts.

Resident Kim Ring questioned the location and parking, and the building is not handicapped accessible. Resident Cathy Cascio noted there are many other possible locations with better parking.

#### Curaleaf Massachusetts, Inc.

Patrik Jonsson, Steve Chaisson represented the company and distributed a printout overview. Curaleaf is based in Wakefield, MA with 29 sites operating in 12 states, including 2 medical stores. The proposed location is 124 West Street with amenable parking and to employ 20, including security guards. Mr. Jonsson has reached out to police chiefs in other towns regarding operations and detailed rules. Delivery would be GPS tracked twice a week. The company plans to partner with the Town to help veterans and has donated to Angels for Answers and annual donations to local organizations.

#### NewCann Group, LLC

David Rabinovitz, Beth Goldstein, David Coffey, Dr. Edward Kaiser represented the company. The company does not yet have a proposed location. The proposal includes incubator, economic development, small business and a social equity program to differentiate from others. The company has discussed possible locations with Ruben Flores-Marzan, Director of Planning and Development, and with Chief Crevier. The location size may be determined if the incubator is for Ware or regional. The focus would be on retail with small manufacturing staff.

Resident William St. Croix objected to revenue leaving this state.

Selectman Kruckas noted that the Director of Planning and Development should have attended this meeting. Selectman Opalinski stated that one company is more organized with a very clear agreement. Selectman Kruckas stated that more research should be done with the Town Planner.

**Selectman Whitney made the motion to table to December 4, 2018; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.**

## **Comments and Concerns of Citizens**

Resident Cathy Cascio noted that the Board had a big choice to make, and stated her interest in the Planning Board meetings of November 26 and December 5.

Resident William St. Croix questioned the cultivation rights of Section 3 of state law and conflict with town bylaws. He noted restrictive rules and 22 points of definition, and he questioned why the Planning Board does not consult Cannabis Control Commission.

Selectman Kruckas stated that the December 5 meeting should be attended by the Planning Director. Mr. Beckley noted that the zoning amendment process includes comments at a public hearing, and then based on what is proposed will be what goes to Town Meeting. Mr. Beckley noted the CCC website is very informative. Selectman Kruckas stated the need to bring in those who would buy local. Mr. Beckley noted that the Zoning bylaw is a tool of the Master Plan vision of the Town. Planning Board Chairman Rick Starodoj noted that a public hearing is scheduled, as there was no Fall Town Meeting.

## **Town Manager Report**

Upcoming dates:

November 23 – Ware Flair, 5:30 Main Street

December 4 - Tax Classification Hearing

December 8- Downtown Stroll, 10-2

The Town Clerk's office oversaw a very successful Election Day. Thank you to all who voted. The Town will complete paperwork to recoup the cost of two weeks of Early Voting.

The DPW has mailed the quarterly water bills. Though short-staffed, this was completed successfully with the assistance of other departments and the Senior Volunteer Program.

33 Vigeant Street. The Town, with the assistance of PVPC, received an acceptable quote for the removal of the debris at 33 Vigeant Street. With Block Grant funds, the project was awarded to Associated Building Wreckers and should be completed within 2-3 weeks. The cost is just under \$25,000.

Lee Road. Attached is a plan and an agreement for the Selectmen to consider and approve. This plan provides for approved lots along Lee Road, a public way, which does not provide access suitable for Town maintenance and plowing. Under the agreement, the property owner will provide \$14,000 for the Town to use on materials and equipment to prepare a road for access. At the DPW Director's recommendation, drainage and plowing easements and utility easements are also provided. Work would be completed next Spring.

Planning Board. The Planning Board will hold a meeting on Monday, November 26 to clarify and possibly reconsider their vote on the solar project off Monson Turnpike. The Planning Board will also hold a public hearing December 5 on the proposed zoning bylaw changes related to solar, agricultural marijuana, language changes, and use table amendments.

The Bylaw review committee will hold a meeting on December 4.

Thank you to the many workers under the guidance of the Rotary Club and Decorating committee who help install the holiday decorations for this Friday.

Selectman Kruckas questioned the progress of the solar project at the old landfill; Mr. Beckley noted the repair of leachate and the 2.39 megawatt project may be reduced to 2 megawatt, and if credits, to be built in Spring 2019. Selectman Kruckas questioned the proposed solar behind Teresa's Restaurant and two others, and would these have tax or PILOT programs; Mr. Beckley noted investors prefer PILOT programs. Selectman Opalinski noted that some communities outsource collections for tax and water and sewer bills. Selectman Kruckas questioned the DPW Director position; Mr. Beckley noted the job posting is on the Town website and hopes to have a new Director by the end of January 2019.

**At 8:51 p.m., Selectman Whitney made the motion to Adjourn Regular Session to go into Executive Session per MGL Chapter 30A, Section 21(a) #2 Negotiations, #3 Litigation, NOT TO RECONVENE IN OPEN SESSION; Selectman Fountain 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 Alay G. Whitney	Yes✓

Attest:   
Mary L. Midura, Executive Assistant

*The next Board of Selectmen meeting will be held on Tuesday, December 4, 2018 at 7:00 p.m.*