



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Minutes – Tuesday, November 5, 2019 at 7:00 p.m.

Meeting Opened by Chairman Whitney.

Present: Selectman Alan G. Whitney, Selectman John E. Carroll, Selectman Keith J. Kruckas, Selectman Tracy R. Opalinski, Selectman Nancy J. Talbot, Town Manager Stuart B. Beckley, Clerk Mary L. Midura.

Opening Remarks, Announcements, and Agenda review by Chair

It was noted that the Veterans' Day Parade will be on Monday, November 11, 2019 at 1:00 p.m.

Consent Agenda

- **Approval of Meeting Minutes of October 15, 2019**
- **Special Event Permit: Holiday Flair, Friday, November 29**
- **Special Event Permit: Ware Tree & Wreath Festival, Saturday, December 7 and Sunday, December 8**

Selectman Carroll 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

- **7:05 p.m. Public Hearing: Street Acceptance of Wildflower Drive and Briar Circle**

Attorney Ryan O'Hara, Bacon Wilson, PC, representing Berkshire Bank, was present. The Board discussed the history of these streets and it was noted that town counsel should be contacted to review.

Selectman Carroll made the motion to continue to a further date. Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **7:10 p.m. Regional Animal Control Facility Information**

Eric Weiss, Chief of Palmer Police John Janulewicz, and ACO Sydney Plante were present to ask the Board for support at Town Meeting. Selectman Opalinski questioned full operational costs.

- **Review November 18, 2019 Special Town Meeting Warrant Articles with Moderator and Finance Committee**

Mr. Beckley noted that Moderator Kathleen Coulombe was required to work tonight. Finance Committee members Denis Ouimette, Devin Peterson, Lynn Nenni were present. All warrant articles were reviewed.

Old Business

- **Winter Parking Lot Rules December 1, 2019 – March 31, 2020**

Chief Crevier was present. The new rules will help the police to clarify what is and is not allowed in the parking lots on Pleasant Street and Parker Street. The fee will become an annual fee; previously the fee was only for parking during the winter parking ban.

Selectman Carroll made the motion to approve the Winter Parking Lot Rules, \$30 annual fee, with a \$10 discount for Veterans; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Right of First Refusal, Chapter Land, 313 Palmer Road**
Bill Moryl, owner, and John Motta, Dynamic Energy were present.

Selectman Carroll made the motion to approve the Waiver of Right of First Refusal. Selectman Talbot seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Right of First Refusal, Chapter Land, Greenwich Road**

Selectman Carroll made the motion to approve the Waiver of Right of First Refusal. Selectman Talbot seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Update: Water Treatment Plant**
Interim DPW Director Gilbert St. George-Sorel was present. Mr. Beckley noted the project is behind schedule and the USDA financing is not complete. Attorney Wojcik is reviewing proof that the Town owns the property. Mr. Carroll and Mr. Beckley met with a USDA representative. Mr. St. George-Sorel noted the flushing of water took six weeks and has improved the water flow.

New Business

- **Appointment of Police Officers**

Selectman Carroll made the motion to approve the appointment of Grant Murtaugh and Dan Harper as new police officers. Selectman Kruckas seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Abstention (Selectman Talbot).

- **Application for Appointment to Council on Aging: Cheryl Haigh**

Selectman Carroll made the motion to approve the appointment of Cheryl Haigh to Council on Aging, Term to Expire June 30, 2022. Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Approval of New Appointment to Ware Cultural Council: Carol Brundige, Term December 1, 2019 – November 30, 2022**

Selectman Talbot made the motion to approve the appointment of Carol Brundige to Ware Cultural Council, Term to Expire November 30, 2022. Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Approval of Reappointment to Ware Cultural Council: Elena Palladino, Term December 1, 2019 – November 30, 2022**

Selectman Talbot made the motion to approve the reappointment of Elena Palladino to Ware Cultural Council, Term to Expire November 30, 2022. Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Vote to Send Letter of Default for STA Agreement Obligations: G & G Medical Products, LLC**

Selectman Talbot made the motion to Send Letter of Default for STA Agreement Obligations to G & G Medical Products, LLC. Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Vote to Accept Disclosure Letter of Police Chief**

Selectman Kruckas made the motion to Accept Disclosure Letter of Police Chief Crevier. Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Abstention (Selectman Talbot).

- **Board of Selectmen 2020 Meeting Dates**

Selectman Talbot made the motion to accept the Board of Selectmen 2020 Meeting Dates, excepting March 3 and September 1, 2020. Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Set Public Hearing for 7:05 p.m. Tuesday, November 19, 2019 for Application for License to Store Flammables: ReEnergy Holdings, LLC, 198 East Street**

Selectman Opalinski made the motion to set the Public Hearing for 7:05 p.m. Tuesday, November 19, 2019 for Application for License to Store Flammables: ReEnergy Holdings, LLC, 198 East Street. Selectman Talbot seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Acknowledgement of Open Meeting Law Complaints**

Selectman Carroll made the motion to acknowledge the Open Meeting Law Complaints and send the complaints to labor counsel. Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Abstention (Selectman Talbot).

Comments and Concerns of Citizens

Resident Cathy Cascio questioned the issues discussed at the November 4, 2019 hearing. She noted the importance of what is good for the town.

Resident Kim Mongeau noted a guy wire at 76 Pulaski Street, and water flowing into the road at 59 Pulaski Street.

Selectman Opalinski questioned the use of a kennel in Ware; Mr. Beckley noted that a State Inspector must review conditions of the kennel.

Mr. Beckley thanked Palmer Police Chief Janulewicz and Lt. Burns for conducting police candidate interviews.

Town Manager Report

November 11 – Veterans Day Parade, 12:45 p.m.

November 18 – Special Town Meeting, 6:30

November 19 – Tax Classification hearing

Main Street – Bids are due to Mass DOT this week.

Properties – Under the direction of the Building Inspector and Treasurer, the house at 65 West Street was secured and cleaned up. The hurdle at 73 West Main Street is the demolition cost. The Building Inspector and I are applying for the Attorney General grant program for the work.

The Tax Collection department has been very productive and successful with property owners in making payments on past due accounts. Please see the attached memo for an explanation of their success.

The conversion and installation of the LED streetlights is complete with a small punch list of repairs and replacements. Thank you to Mr. Sydla for working with the installation team. The Town will post a procedure on line for notification of streetlights that are out or damaged. The Town has started looking at next year's Green Communities projects that may include lights at the schools, Boilers for DPW, and weatherization for several town buildings.

The Historical Commission, Planning Director and Building Inspector have selected an architect to work on the Town Hall Study. This will be approved by Massachusetts Historical and work will begin soon. The final study will be completed in mid-February which will allow time to apply for a grant to implement recommendations.

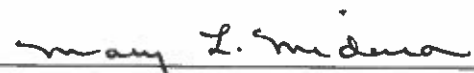
The Planning Department, Parks, and DPW looked at best methods to improve the southern rail trail section, working with the Massachusetts Recreational Trails grant. This project will proceed once the State has signed the contract.

The Dog Park construction is underway on Pleasant Street.

Selectman Carroll made the motion to Adjourn Regular Session at 9:10 p.m. to go into Executive Session: M.G.L. c30A, Section 21 (a) #1 To Discuss the Reputation, Character, Physical Condition or Mental Health, Rather Than Professional Competence, of An Individual, or to Discuss the Discipline or Dismissal of, or Complaints or Charges Brought Against, a Public Officer, Employee, Staff Member or Individual. The Individual to Be Discussed in Such Executive Session Shall Be Notified in Writing by the Public Body at Least 48 Hours Prior to the Proposed Executive Session; Provided, However, That Notification May Be Waived Upon Written Agreement of the Parties, RE: Police Officer Rogowski, NOT TO RECONVENE IN OPEN SESSION.

Selectman Kruckas seconded the motion. The motion passed on a roll call vote of 4 Yes, 0 No, 1 Abstention (Selectman Talbot).

Selectman John E. Carroll	Yes√
Selectman Keith J. Kruckas	Yes√
Selectman Tracy R. Opalinski	Yes√
Selectman Nancy J. Talbot	Abstention√
Selectman Alan G. Whitney	Yes√

Attest: 
Mary L. Midura, Executive Assistant to
Town Manager