



Board of Selectmen

Ware Town Hall, Meeting Room, 126 Main Street

Regular Meeting Notice Agenda – Tuesday, October 16, 2018 at 7:00 p.m.

Chairman Carroll opened the meeting at 6:30 p.m.

6:30 p.m. Executive Session: MGL Chapter 30A, Section 21(a) #2 Negotiations, #3 Litigation

Selectman Whitney made the Motion to Adjourn Regular Session at 6:30 p.m. to go into Executive Session per MGL Chapter 30A, Section 21 (a) #2 Negotiations, #3 Litigation, **TO RECONVENE IN OPEN SESSION AT 7:00 P.M.**; 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 Alan G. Whitney	Yes√

Selectman Whitney made the Motion to Adjourn Executive Session at 7:02 p.m. to go into Executive Session per MGL Chapter 30A, Section 21 (a) #2 Negotiations, #3 Litigation, **TO RECONVENE IN OPEN SESSION AT 7:05 P.M.**; 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 Alan G. Whitney	Yes√

Regular Meeting Opened by Chairman Carroll at 7:05 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 Stanley Ciukaj.

Opening Remarks, Announcements, and Agenda review by Chair

Officer Diana Gliniecki explained that **Vested Interest in K9s, Inc.** is holding a contest to win a new Chevy Tahoe police cruiser. Officer Gliniecki and Sampson are in the finals. Voting is from October 1 through October 31. The cruiser is valued at \$50,000. Residents can vote through the website www.vik9s.org/suvgiveaway or through Facebook.

Consent Agenda

- **One-Day Liquor License Applications, Workshop 13:**
 - **Feel Good Drift Concert, Friday, October 12**
 - **Open Mic, October 19**
 - **Steal Head Concert, Friday, November 2**
 - **Welcome Home (Veterans' Play), Saturday, November 10**
 - **Welcome Home (Veterans' Play), Sunday, November 11**
 - **Open Mic, Friday, November 16**
- **Special Event Permit Application: Ware Children's Halloween Parade, Friday, October 26**
- **Application for Toll Road: Ware Rotary Club, Saturday, November 3 and Sunday, November 4, or Saturday, November 10 and Sunday, November 11**
- **Special Event Permit Application and One-Day Liquor License Application: Melha Shriners, Melha Smoker, Friday, November 9**
- **One-Day Liquor License Application: Earle F. Howe American Legion Post 123, Veterans' Day Parade, Sunday, November 11, 2018 (Parade at 1:00 pm)**

Selectman Whitney made the motion to Approve the Consent Agenda; Selectman Fountain seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Scheduled Appearances - none

Old Business

- **School Regionalization Update**

Mr. Beckley noted the Board had requested the costs of steps 3 through 5. The School Committee will discuss the recommendations on October 17, 2018.

- **Water System Update**

Mr. Beckley noted that DEP requires Level 2 assessment, and the results are acceptable. The new readings should prevent future boil water orders. The flow is redirected at Barnes Street facility with new equipment at 116 Pleasant Street for the DEP Level 2 assessment. Water department has confirmed that equipment is in place and the pumps are at full capacity. The final report has been sent to DEP. Long term steps include additional testing. Selectman Kruckas questioned the communication; Mr. Beckley noted 3,500 calls were sent out as emergency notice, and the Town Facebook page has become more active and includes relevant news and updates. Selectman Opalinski inquired about the automatic shutoff; Mr. Beckley noted the interlock system, and he stated that the problem was not with chlorine levels but was at the groundwater. This is now analyzed with two pumps and secondary system. Discoloration of water occurred while balancing the water levels.

New Business

- **Host Community Agreement: B'leaf Wellness Centre LLC, 60 Main Street**

Mr. Beckley presented the Host Community Agreement between the Town of Ware and B'Leaf Wellness Centre, LLC. This is the first step for a recreational retail marijuana facility; the business will submit the HCA to the Cannabis Control Commission. The HCA contains the basic 3% impact fee, plus a \$1,000 fee for legal review. The town attorney has noted that the Board may consider additional impacts. Selectman Whitney agreed with Mr. Beckley that fees

could come out of the 3% fee. Selectman Opalinski stated that \$10,000-\$15,000 should go to substance abuse prevention; Selectman Whitney noted that was not required of liquor stores. Selectman Opalinski noted that managers should have background checks. Mr. Beckley noted that Colorado revenues of \$1million generates \$60,000).

Ezra Parzybok, consultant for B'Leaf Wellness Centre, LLC introduced Megan and Lori Sinclair, who both reside in Ware, and this will be their first woman-owned enterprise. Mr. Beckley noted this HCA is the first step to obtain a State license from Cannabis Control Commission, the next step is a Special Permit. Selectman Opalinski asked about parking; Mr. Parzybok stated the positive impact on the town as consumers will use municipal and street parking which creates pedestrian traffic. The business will be first floor and less than 1,000 sf.

Chairman Carroll inquired about the product. Mr. Parzybok noted the product comes from licensed cultivators or manufacturers, tracked as sold, consumers must provide proof of age 21 and over, consumer names are entered into the system, purchasing is confidential, the State tracks all purchases, the business retains customers. There are no customer deliveries. The Federal traffic model averages 20-25/200 per day. Gross sales prediction is \$2-3million annually.

Selectman Kruckas questioned if the monies can be directed to road work; Mr. Beckley noted the 3% will be for Town use. Chairman Carroll questioned if the business were to move location; Mr. Beckley noted the HCA and license are for this location only.

Selectman Kruckas made the motion to approve the Host Community Agreement for B'Leaf Wellness Centre, LLC; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 1 No (Selectman Carroll).

Mr. Parzybok noted that education will be a big part of the business, with evidence that dispensaries show a decrease in opiate use. The B'Leaf Wellness Centre, LLC will hold a community outreach meeting on November 1, 2018 at 62 Main Street.

Chairman Carroll requested that the HCA be signed by Vice Chairman Whitney.

- **Host Community Agreement: Herbal Pathways, LLC , 2 Vernon Street – postponed as no parties were present**

- **Appointment to Community Development Authority: ~~Carl Waal~~**

Mr. Beckley explained that a member did seek reappointment, but we were not notified until October 16.

We have apologized to Mr. Waal, and he has applied for a position on the Council on Aging.

Selectman Kruckas made the motion to Reappoint Brenda Cooper to the Community Development Authority, Term to Expire June 30, 2021; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

- **Bargaining Unit Contract Approval - postponed**

- **Special Town Meeting**

Mr. Beckley noted that a Fall Special Town Meeting was not needed. The Assessors will present the Tax Rate Hearing in November.

Selectman Kruckas made a motion to place a Solar Moratorium on the next Special Town Meeting; Selectman Opalinski seconded the motion for purposes of discussion.

Mr. Beckley suggested the Board of Selectmen forward a letter to the Planning Board for a public hearing on solar moratorium for 6 or 9 months.

Selectman Opalinski made the motion to send a letter to the Planning Board for a public hearing on a solar moratorium of 9 months; Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Comments and Concerns of Citizens - none

Town Manager Report

Upcoming dates:

October 17 – Forum on Rail Trail, Senior Center, 6 p.m.

- Planning Board
- School Committee
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Personnel. DPW Administrative Assistant Jennifer Shaw has resigned. Firefighter Myles Mason has also resigned. Current postings are: Admin Assistants in the DPW and Assessors. To be filled: DPW Director, WWTP operator, P/T customer service help in the Tax Collector's office.

On October 17 the Open Space Committee and East Quabbin Land Trust will hold a public forum at the Senior Center to provide updates on the Ware River Valley Rail Trail. This forum will provide information on the southern and northern sections of the trail. Trail abutters were directly notified.

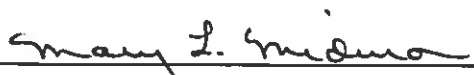
Installation of LED streetlights will begin in November.

The Town has acquired the attached property on East Main and Maple streets through tax taking. The building inspector is working with Bob Lemaitre to establish boundaries and rights of way.

The Town will operate Leaf and Brush drop-off days for six consecutive weeks as suggested by the Board. This will commence this Saturday, October 20 and run through Saturday, November 24. The hours will be from 9 am to 2 pm with some Saturdays and Sundays. The location is Robbins Road. This will be posted on the website.

The Halloween parade will be Friday, October 26 and Trick or Treating will be Sunday, October 28. The hope will be to establish a Halloween weekend.

Selectman Whitney made the motion to adjourn Regular Session at 8:10 p.m.; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Attest: 
Mary L. Midura, Executive Assistant

The next Board of Selectmen meeting will be held on Tuesday, October 30, 2018 at 7:00 p.m.