

Town Manager: Stuart Beckley  
sbeckley@townofware.com



**Board of Selectmen  
Ware Town Hall, 126 Main Street, Meeting Room  
Regular Meeting Minutes  
Tuesday, September 5, 2017**

**Regular meeting opened at 6:30 p.m.**

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

Selectman Whitney moved to Adjourn Regular Session at 6:30 p.m. to move into Executive Session per MGL Chapter 30A, Section 21 (a) #2 Negotiations , TO RECONVENE IN OPEN SESSION; Selectman Opalinski seconded the motion. The motion passed on a Roll Call Vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll):

|                     |        |
|---------------------|--------|
| Nancy J. Talbot     | Yes√   |
| Alan G. Whitney     | Yes√   |
| Tracy R. Opalinski  | Yes√   |
| John E. Carroll     | Absent |
| Michael P. Fountain | Yes√   |

Selectman Opalinski moved to Adjourn Executive Session at 7:00 p.m., TO RECONVENE IN OPEN SESSION; Selectman Whitney seconded the motion. The motion passed on a Roll Call Vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll):

|                     |        |
|---------------------|--------|
| Nancy J. Talbot     | Yes√   |
| Alan G. Whitney     | Yes√   |
| Tracy R. Opalinski  | Yes√   |
| John E. Carroll     | Absent |
| Michael P. Fountain | Yes√   |

**Regular Meeting Minutes  
Tuesday, September 5, 2017 at 7:00 p.m.  
The Board of Selectmen reconvened in Open Session at 7:00 p.m.**

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

Chairman Talbot noted that the Tax Rate Analysis will be discussed on October 17, 2017. The dedication of the new 9/11 memorial will be held on Sunday, September 10, 2017 at 11 a.m. at the Ware Fire Station – all residents are invited to attend!

## Consent Agenda

- **Approval of Meeting Minutes of August 22, 2017**
- **Special Event Permit Application: Ware Family Center Presents The Ware Jr. Car Show, September 9, 2017**
- **Special Event Permit Application: Proprietors of the Ware Center Meeting House – Ware Fair & Flea, September 16, 2017**

Selectman Opalinski noted corrections to be made in the minutes of August 22, 2017.

Selectman Opalinski moved approval of the minutes of August 22, 2017 with corrections; Selectman Whitney seconded the motion. After Comments and Concerns of Citizens, Selectman Opalinski moved to approve the two Special Event applications; Selectman Whitney seconded the motion. The motions passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

## Comments and Concerns of Citizens

Resident Bill Jackson thanked Mr. Beckley for the improved shrubs near Rite Aid. He also questioned the design and engineering funding for the Main Street project. Mr. Beckley noted that these funds are from Chapter 90 and Mass DOT funding. Mr. Beckley also noted that the hearing regarding Main Street had great input from residents, and the Board is committed to hold additional hearings; the State seems open to comments, in particular, those comments about the loss of parking spaces. Mr. Jackson questioned if bump outs would be used; Selectman Opalinski stated there is a science to the design.

Resident Carol Zins noted the wonderful events taking place in Ware on September 16 – Ware Center Meeting House Fair & Flea, Trinity Church Block Party, and Car Show; these events blend faith, history and family in Ware.

Resident Darlene Popec stated her concerns about the 44% proposed increase in water & sewer rates. Ms. Popec showed Board members photos on her phone of the rusty water her family experiences daily. Selectman Fountain questioned Mr. Beckley about the faulty streetlight near the Post Office; Mr. Beckley will investigate this situation.

## Scheduled Appearances

- **Water & Sewer Rates, Request for Increase – Dick Kilhart, DPW Director**

Dick Kilhart, DPW Director, explained the proposed water and sewer rate increases using the Water & Sewer Rate Study done by Wright-Pierce in December 2016. Mr. Kilhart stated that 100 cubic feet = 748 gallons. The price per gallon is .078. Mr. Kilhart noted that this gives the Town to come up with the increases, but does not hit the resident all at once. The USDA borrowing is at a very good rate with no prepayment penalty. Mr. Kilhart noted that residents bring samples and photos often to the DPW similar to those Ms. Popec showed to the Board a few moments ago.

Selectman Talbot noted funds must be kept aside for emergencies and repairs. Mr. Kilhart noted that the increases would not be on the bills for a full three-month cycle, but would begin with the February 2018 billing. The design and construction portion will incur costs before the loan begins.

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Selectman Opalinski questioned the loan schedule and allocation of funds; Mr. Kilhart noted that the DPW intends by these increases to lessen the impact by incurring over three years. Selectman Opalinski questioned the Capital Plan and where this schedule fits in; Mr. Kilhart noted that the request is broken into several categories. Mr. Beckley noted this could be broken down more clearly.

Resident Keith Krukas questioned whether old pipes would be fixed and replaced; Mr. Kilhart stated that some pipes date back to 1886 – 1896 and must be replaced. The Town allocates approximately \$200,000 per year for repairs. The goal is to first eliminate the legacy sediment to eliminate the problem at the source.

Mr. Beckley noted that sewer rates must be increased as reserves for sewer are not as high as water reserves. Selectman Opalinski questioned if the rate increases would go before Town Meeting; Mr. Beckley noted the next step is to set a Public Hearing for these proposed rates. Mr. Kilhart explained that the State has new regulations which must be met; for example, the Waste Water Treatment Plant needs significant upgrades. The Town produces 600,000 gallons of water per day. There are sewer lines dating to 1889 with significant infrastructure repairs to eliminate infiltration. Drains and lines must be replaced. The DPW has projects and plans to make repairs over a long period of time. The Wright-Pierce report discusses the change to ultraviolet disinfection. The Waste Water Treatment Plant was built in 1964, upgraded in 1983, and now needs new upgrades.

Resident Dar Sojka stated her agreement with the water rates, but disagreed with increases in the sewer rates at the same time. Ms. Sojka noted the Slum and Blight Designation showed most residents with income \$40,000 or less. Ms. Sojka stated that most residents cannot withstand these increases in their bills.

Resident Keith Krukas questioned the harm to businesses on Main Street; Chairman Talbot noted that Main Street is state funded, with only design costs from Chapter 90 funds.

Resident Bill Jackson compared the upgrade of the Waste Water Treatment Plant to the previous Kanzaki treatment plant upgrades. Mr. Kilhart noted that the upgrades would take 6 – 18 months. Mr. Beckley asked that a public hearing be scheduled to further discuss these proposed increases.

**Selectman Whitney moved to set a Public Hearing for Proposed Water and Sewer Rate Increases for the Town of Ware on Tuesday, October 3, 2017 at 7:10 P.M.; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).**

Resident Bill Jackson questioned the amount of enterprise funds; Mr. Beckley noted that, at the end of FY2017, the Water Enterprise amount was approximately \$770,000 and Sewer Enterprise amount was approximately \$200,000. The Master Plan is on the town website under DPW.

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Resident Denis Ouimette questioned the use of USDA grants; Mr. Kilhart noted that the USDA uses a percentage of median household income to base its' funding.

Selectman Opalinski inquired about flood mitigation; Mr. Beckley noted that Deputy Fire Chief Wloch is in charge of emergency management plans.

- **Loan Resolution, Water Treatment Plant**

Selectman Whitney moved to approve the loan resolution for the Water Treatment Plant; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

**Old Business**

- **Tabled from August 22, 2017 - Planning & Community Development: Request for Loan Forgiveness**  
**Request to Table to September 19, 2017**

Selectman Opalinski moved to table to September 19, 2017; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

- **Tabled from August 22, 2017 – Application for Appointment to Zoning Board of Appeals: Andrew Choquette or Elizabeth Calvert, Term to Expire June 30, 2019**

Selectman Opalinski moved to appoint Elizabeth Calvert to the ZBA; Selectman Fountain seconded the motion. The motion passed on a vote of 3 Yes, 1 No (Selectman Whitney), 1 Absent (Selectman Carroll).

Mr. Choquette was present and asked why he was not recommended; Chairman Talbot noted the Board decides the best interests and does not need to give a reason. Mr. Choquette continued to question the decision; Chairman Talbot offered to discuss this with Mr. Choquette at another time.

**New Business**

- **Affirmation of Vote of March 7, 2017 – Removal of Deed Restriction, Workshop 13**

Selectman Opalinski moved to reaffirm the vote of March 7, 2017 to remove the deed restriction for 13 Church Street (Section B, Book 11148, Page 111) per Article 4 of the May 8, 2017 Special Town Meeting; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

- **Set Public Hearing for Proposed License Fee Increases: Liquor, Common Victualler, Lodging, Entertainment, Automatic Amusement Device, One-Day Liquor and Car Dealer Licenses**

Selectman Whitney moved to set a Public Hearing for September 19, 2017 at 7:15 p.m. for Proposed License Fee Increases: Liquor, Common Victualler, Lodging, Entertainment, Automatic Amusement Device, One-Day Liquor and Car Dealer Licenses; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

- **Set Public Hearing for Application for New All Alcoholic Restaurant License, Common Victualler License, and Entertainment License: Wicked Wings Ware, Inc., 136 Pleasant Street, Ware**

Selectman Whitney moved to set a Public Hearing for September 19, 2017 at 7:10 p.m. for Application for New All Alcoholic Restaurant License, Common Victualler License, and Entertainment License: Wicked Wings Ware, Inc., 136 Pleasant Street, Ware; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

- **Request for Approval of Proposal, Solar Facility, Robbins Road**

Mr. Beckley presented the recommendation to award the solar array contract to ForeFront Power. Selectman Opalinski questioned details of the contract, noting that it should be reviewed by the town attorney, and questioned the bond. Mr. Beckley noted the Planning Board required the bond as part of the special permit, and the current design did not allow for space for rail trail access. Mr. Beckley will meet with ForeFront to discuss integration. All costs are the responsibility of the maintenance company.

Selectman Opalinski moved to award the contract for solar array to ForeFront Power, with provision for Rail Trail access; Selectman Whitney seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

- **Review of Social Media Policy Draft**

Mr. Beckley presented a draft using material from Sturbridge and Easton policies; the draft will be sent to department heads and town counsel for comments.

Selectman Opalinski moved to table to September 19, 2017; Selectman Fountain seconded the motion. The motion passed on a vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll).

### **Town Manager Report**

Mr. Beckley noted on October 14, 2017 at 1:00p.m. the Domestic Violence Awareness Walk will be held. The Town is currently searching for custodians for the Senior Center and Police Department, a part-time assessors' assistant, and a water system operator. Mr. Beckley and Mr. Kilhart have interviewed and will offer the Deputy Director position to an individual soon. As Mr. Tworek has retired, Mr. Beckley will ask the Board to appoint a temporary tree warden for public hearings.

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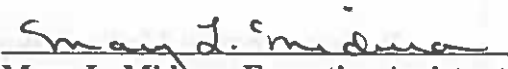
Mr. Beckley asked the Board to consider hiring part-time v. full-time employees for positions; the hiring of part-time employees saves on benefits, but full-time employees give more opportunity for longer term. Selectman Whitney asked Mr. Beckley to chart the advantages/disadvantages and present to the Board.

The Senior Center parking lot quotes are due September 7, 2017. The bids for WWTP concrete aerator repairs are due September 14, 2017. Quotes are being reviewed and permitting software will be installed this Fall. Mr. Beckley is seeking funds from the Finance Committee for engineering repairs to the senior center walls.

Capital requests have been submitted by Department heads. The Capital Planning Committee will meet in September to review the requests and recommend additions to the plan. Selectman Opalinski requested a longer term snapshot of capital plan, with current list of all assets. Mr. Beckley noted that Town Accountant Tracy Meehan keeps a very detailed list of all assets. Selectman Opalinski requested asset list be shared with Capital Planning Committee, and that Capital Planning Committee consider a 10 year viewpoint.

**Selectman Opalinski moved to Adjourn Regular Session at 8:26 p.m. to move into Executive Session per MGL Chapter 30A, Section 21 (a) #2 Negotiations , NOT TO RECONVENE IN OPEN SESSION; Selectman Fountain seconded the motion. The motion passed on a Roll Call Vote of 4 Yes, 0 No, 1 Absent (Selectman Carroll):**

|                            |               |
|----------------------------|---------------|
| <b>Nancy J. Talbot</b>     | <b>Yes</b> ✓  |
| <b>Alan G. Whitney</b>     | <b>Yes</b> ✓  |
| <b>Tracy R. Opalinski</b>  | <b>Yes</b> ✓  |
| <b>John E. Carroll</b>     | <b>Absent</b> |
| <b>Michael P. Fountain</b> | <b>Yes</b> ✓  |

Attest:   
Mary L. Midura, Executive Assistant