Board of Selectmen
Ware Town Hall, 126 Main Street, Meeting Room

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

Regular Meeting Notice Agenda
Tuesday, December 5, 2017 at 7:00 p.m.

Meeting Opened

Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda

Comments and Concerns of Citizens

Scheduled Appearances

Old Business

New Business


- Appointment to Community Development Authority: John E. Carroll

- Amend Language of Water Regulations

- Request from Citizen for Reimbursement

- To Be Presented at Community Development Authority Meeting of December 11, 2017 – Proclamation: David C. Gravel

Town Manager Report

Adjournment
Memo

To: Board of Selectmen

From: Mary L. Midura

Date: December 5, 2017


Dear Selectmen,

I submit to you the attached list for 2018 Renewals. Please make the following motions:

1) **Motion** to Approve Renewal of all Liquor Licenses for 2018, including License #3731 Wicked Wings Ware, Inc., which was approved by the A.B.C.C. on November 11, 2017 (projected opening date January 2018).

   (Licensees listed on pages 2-4 have a deadline of December 15, 2017 to return renewal documents. I can provide an updated list on December 19, 2017.)

2) **Motion** to approve all listed Common Victualler, Lodging, Entertainment, Automatic Amusement Devices, Class I, II and III Car Dealer licenses, contingent upon return of all renewal documentation, with the exception of Class II Car Dealer #1 Gillespie Car Care 1.

3) **Motion** to NOT RENEW Class II #1 Gillespie Car Care 1.

Thank you for your consideration,

Mary L. Midura
Executive Assistant to Town Manager
<table>
<thead>
<tr>
<th>License #</th>
<th>License Type</th>
<th>Licensee</th>
<th>Renewal Does Returned</th>
<th>All Paperwork In Order?</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>AA Club</td>
<td>Aspen Street Rod &amp; Gun Club</td>
<td>11/29/17</td>
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</tr>
<tr>
<td>2</td>
<td>AA Rest</td>
<td>Gabryel Narutowicz, Inc.</td>
<td>11/27/17</td>
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</tr>
<tr>
<td>9</td>
<td>AA Rest</td>
<td>Teresa's Restaurant of Ware, Inc.</td>
<td>11/15/17</td>
<td>Yes</td>
</tr>
<tr>
<td>11</td>
<td>AA Rest</td>
<td>Debbie Wong Restaurant #4, Inc.</td>
<td>11/14/17</td>
<td>Yes</td>
</tr>
<tr>
<td>12</td>
<td>W&amp;M Rest</td>
<td>Suzanne Karanikis d/b/a Astronaut Pizza House</td>
<td>11/28/17</td>
<td>Yes</td>
</tr>
<tr>
<td>15</td>
<td>AA Pkg</td>
<td>Satkartar and Sons, Inc. d/b/a Ware Package</td>
<td>11/9/17</td>
<td>Yes</td>
</tr>
<tr>
<td>16</td>
<td>AA Pkg</td>
<td>Bruso Liquor Mart, Inc.</td>
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<td>18</td>
<td>W&amp;M Pkg</td>
<td>Westborough Bev. Corp/Walmart</td>
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<td>22</td>
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<td>Brookside Mart, Inc.</td>
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<td>34</td>
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<td>35</td>
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<td>Ware Council Home Association, Inc. (Knights of Columbus)</td>
<td>11/30/17</td>
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<td>36</td>
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<td>Asian Garden Restaurant</td>
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<td>38</td>
<td>AA Rest</td>
<td>Garlic, Inc. d/b/a Mexicali Grill</td>
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<td>39</td>
<td>W&amp;M Rest</td>
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<td>40</td>
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<td>41</td>
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<td>43</td>
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<tr>
<td>3731</td>
<td>AA Rest</td>
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<td>11/30/17</td>
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<tr>
<td>License #</td>
<td>License Type</td>
<td>Licensee</td>
<td>Renewal Does Returned</td>
<td>All Paperwork In Order?</td>
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<tr>
<td>1</td>
<td>CV</td>
<td>McDonald's Restaurant</td>
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<td>2</td>
<td>CV</td>
<td>Astronaut Pizza</td>
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<tr>
<td>3</td>
<td>CV</td>
<td>Lazer's Pizza</td>
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<td>4</td>
<td>CV</td>
<td>T &amp; W Subway</td>
<td>11/15/17</td>
<td>Yes</td>
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<tr>
<td>5</td>
<td>CV</td>
<td>Janine's Frosteet</td>
<td>11/30/17</td>
<td>Yes</td>
</tr>
<tr>
<td>6</td>
<td>CV</td>
<td>Debbie Wong Restaurant #4, Inc.</td>
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<td>7</td>
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<td>Crystal Springs Dairy Bar</td>
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<td>8</td>
<td>CV</td>
<td>Villa's Pizza</td>
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</tr>
<tr>
<td>9</td>
<td>CV</td>
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<td>11/15/17</td>
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<tr>
<td>10</td>
<td>CV</td>
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<td>CV</td>
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<td>11/21/17</td>
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<td>15</td>
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<td>16</td>
<td>CV</td>
<td>Ying Xuan Chen d/b/a New United China #1</td>
<td>11/14/17</td>
<td>Yes</td>
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<tr>
<td>17</td>
<td>CV</td>
<td>Christina Christodoulou d/b/a Niko's Pizza</td>
<td>11/27/17</td>
<td>Yes</td>
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<tr>
<td>18</td>
<td>CV</td>
<td>JRZ Enterprise, Inc./Hanna Devines Rest &amp; Bar</td>
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<td>CV</td>
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<td>CV</td>
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<td>CV</td>
<td>Big Y Foods, Inc. (Ware)</td>
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<td>Cumberland Farms</td>
<td>11/22/17</td>
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<td>Charter Foods North, LLC d/b/a Taco Bell #32588</td>
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<td>CV</td>
<td>Wicked Wings Ware, Inc.</td>
<td>11/30/17</td>
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## LICENSES TO BE APPROVED FOR 2018 RENEWAL
BY BOARD OF SELECTMEN DECEMBER 5, 2017

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<tr>
<th>License #</th>
<th>License Type</th>
<th>Licensee</th>
<th>Renewal Does Returned</th>
<th>All Paperwork In Order?</th>
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<td>1</td>
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<td>Corrine &amp; Edward Campbell</td>
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<td>2</td>
<td>Lodging</td>
<td>Bed &amp; Breakfast at Bird Hill Farm</td>
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<td><strong>ENTERTAINMENT LICENSE</strong></td>
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<td>1/30/17</td>
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<td>3</td>
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<td>St. Mary's Parish</td>
<td>11/29/17</td>
<td>Yes</td>
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<td>6</td>
<td>Ent</td>
<td>Weir River Social Club, Inc.</td>
<td>11/22/17</td>
<td>Yes</td>
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<td>7</td>
<td>Ent</td>
<td>Janine's Frostee</td>
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<td>Yes</td>
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<td>8</td>
<td>Ent</td>
<td>Workshop 13</td>
<td>11/16/17</td>
<td>Yes</td>
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<td>9</td>
<td>Ent</td>
<td>JRZ Enterprise, Inc./Hanna Devines Rest &amp; Bar</td>
<td>11/29/17</td>
<td>Yes</td>
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<td>10</td>
<td>Ent</td>
<td>Wicked Wings Ware, Inc.</td>
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<td><strong>AUTOMATIC AMUSEMENT DEVICES</strong></td>
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<td>1</td>
<td>Class I</td>
<td>Richard Guzik</td>
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<tr>
<td>1</td>
<td>Class II</td>
<td>Gillespie Car Care 1</td>
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<td>2</td>
<td>Class II</td>
<td>Scotts Auto Body</td>
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<td>Apex Automotive LLC</td>
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<td>Joseph Barrett</td>
<td>11/20/17</td>
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<td>Cookies Car Connection</td>
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<td>Richard O'Riley &amp; Joan O'Riley d/b/a</td>
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<td>Class III</td>
<td>Michael Balicki</td>
<td>11/22/17</td>
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Memo

To: Board of Selectmen
From: Mary L. Midura

Date: December 1, 2017
Re: Recommendation to NOT RENEW a license

It is my recommendation that the Board of Selectmen NOT RENEW the Class II Car Dealer license for Gillespie Car Care 1, located at 319 Palmer Road, Ware.

On November 1, 2017, with all license renewals, I mailed copies of the renewal documents both certified mail and regular mail to three addresses on file with the Town Clerk for these owners.

With the renewal documents, I included the attached letter and information. Mr. Daniel Hersey signed the green card of the certified mail on November 3, 2017 (copy attached). I have had no further response from the owners.

I have also attached an email of concerns received this summer from Richard Steward, Senior Investigator, regarding this dealer.

Thank you for your consideration,

Mary L. Midura
November 1, 2017

Daniel Hersey
157 Maxwell Road
Monson, MA 01057

Dear Mr. Hersey:

Attached is copy of information I sent to you on September 1, 2017. When you return your renewal documents to this office, we must address this issue. If this is not resolved, it is my intention to recommend to the Board of Selectmen that your Class II Car Dealer license is not renewed for 2018.

If you have any concerns or questions, please feel free to call or visit me. My phone number is 413-967-9648 ext. 101, and my office hours are Monday – Friday, 8:00 a.m. – 2:30 p.m.

Sincerely,

Mary L. Midura
Executive Assistant to Ware Town Manager

Enclosures

Gillespie Car Care 1
319 Palmer Road
Ware, MA 01082
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<tr>
<th>SENDER: COMPLETE THIS SECTION</th>
<th>COMPLETE THIS SECTION ON DELIVERY</th>
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<td><strong>1. Article Addressed to:</strong></td>
<td><strong>A. Signature</strong></td>
</tr>
<tr>
<td>D. AYRTHERSEY</td>
<td>X [Agent]</td>
</tr>
<tr>
<td>1087 SOUTH MA W STREET</td>
<td>[Addressee]</td>
</tr>
<tr>
<td>PALMRE, MA 01069</td>
<td></td>
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<tr>
<td><strong>2. Article Number</strong></td>
<td><strong>B. Received by (Printed Name)</strong></td>
</tr>
<tr>
<td>(Transfer from service label)</td>
<td>C. Date of Delivery</td>
</tr>
<tr>
<td>7016 2970 0001 6238 3484</td>
<td>11/17</td>
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<td><strong>3. Service Type</strong></td>
<td><strong>D. Is delivery address different from item 1?</strong></td>
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<tr>
<td>□ Certified Mail</td>
<td>□ Yes</td>
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<tr>
<td>□ Registered</td>
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<tr>
<td>□ Insured Mail</td>
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<td>□ Express Mail</td>
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<tr>
<td>□ Return Receipt for Merchandise</td>
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<tr>
<td>□ C.O.D.</td>
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<td><strong>4. Restricted Delivery? (Extra Fee)</strong></td>
<td>□ Yes</td>
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PS Form 3811, February 2004 Domestic Return Receipt 102585-02-M-1540
September 1, 2017

Daniel Hersey
157 Maxwell Road
Monson, MA 01057

Dear Mr. Hersey:

Enclosed is copy of an email received at this office on August 31, 2017. I am writing to request that you, as the original approved licensee, provide to this office a signed letter with your acknowledgement and agreement to this request.

I have also provided a timeline regarding the issuance of this license.

I will be sending renewal documents to all licensees on November 1, 2017. The Board of Selectmen are presently scheduled to review and approve license renewals in December 2017. Your prompt attention to the above request will be very important in consideration of renewal of your Class II Car Dealer license.

If you have any concerns or questions, please feel free to call or visit me. My phone number is above, and my office hours are Monday – Friday, 8:00 a.m. – 2:30 p.m.

Sincerely,

Mary L. Midura
Executive Assistant to Ware Town Manager

Enclosures
August 4, 2015 – Public hearing for Class II Car Dealer License to Gillespie Car Care 1. Daniel Hersey, individual owner; license approved by Board of Selectmen.

March 22, 2016 – Request to add Brian Gillespie to license approved by Board of Selectmen.

October 18, 2016 – Request to add Emily Tenzer to license approved by Board of Selectmen:

- Request for addition to Class II License, Gillespie Car Care
  Selectman Talbot moved approval to add Ms. Tenzer to the license, pending written request by the licensee; Selectman Whitney seconded. The motion passed unanimously (5-0).

(It appears that there was no follow-up for the written request by the licensee – October 18, 2016 minutes of the Board of Selectmen were transcribed on February 13, 2017 and approved by the Board of Selectmen on March 7, 2017)

August 31, 2017 – Email request received with request to remove Ms. Tenzer.

September 1, 2017 – Letter sent to licensee for written acknowledgement and agreement to the August 31, 2017 email request.
To whom it may concern.

I am writing to you to request that I, Emily Tenzer be removed from the Used Car Dealer’s License Class II. for Gillespie Car Care 1. I have recently relocated out of state and have no other affiliations with the business. I have attached a written statement from Brian Gillespie acknowledging and agreeing with the removal of my name.

Thank you for your time,
Emily Tenzer
725-221-2375
I return on the 1st of the 6th.

All the best until the language

Yr. 18-24-17

Barangay
November 1, 2017

Gillespie Car Care
Daniel Hersey
319 Palmer Road
Ware, MA 01082

Dear Class I, II, III License Holders.

Enclosed please find documents for your 2018 license renewals. The following documents are included in this packet:

2018 License Renewal Form (which shows total amounts due to this department)
Workers’ Compensation Insurance Affidavit
Town By-Law passed 11/24/1997

Please provide copy of your current Surety Bond, Certificate of Insurance Policy, good standing/signoff from Tax Collector and Department of Public Works, and a copy of your Business Certificate from Town Clerk.

In cooperation with the Tax Collector’s office, Board of Health, Building Inspector, Fire Safety Inspector, Department of Public Works, and Police Department, any licensee owing taxes, fees, water/sewer and other liens to the Town of Ware will not be issued licenses.

Please complete and return all documents to this office by December 15, 2017 at 12:00 p.m.
If you have any questions or concerns, please call me at 413-967-9648, extension 101.

Sincerely,

Mary L. Midura
Executive Assistant

Enclosures
Town of Ware, MA
2018 LICENSE RENEWAL FORM
Please check license(s) that you are renewing

License Type
☑ Class I - New Motor Vehicles
☑ Class II - Second Hand Motor Vehicles
☐ Class III - Junk Yard

Fee $200 each

Total $ Amount Enclosed for Renewal Fees $ 200

CORPORATE NAME

D/B/A NAME

OWNER OR PRESIDENT

MANAGER (if different than Owner/President)

BUSINESS ADDRESS

MAILING ADDRESS (if different than Business Address)

BUSINESS TELEPHONE NUMBER

EMAIL ADDRESS, IF AVAILABLE

DESCRIPTION OF PREMISES: Map Lot Zone

DAYS/HOURS OF OPERATION:

<table>
<thead>
<tr>
<th>DAY</th>
<th>OPEN</th>
<th>CLOSE</th>
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<tbody>
<tr>
<td>SUNDAY</td>
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<td>MONDAY</td>
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<td>SATURDAY</td>
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INSURANCE:

Workers Compensation Affidavit and copy of Certificate of Insurance Policy, prior to issuance of license.

Bond - The licensee shall obtain a surety bond, or equivalent proof of financial responsibility, satisfactory to the municipal licensing authority in the amount of $25,000 executed by a surety company authorized by the insurance department to transact business in the commonwealth.
TOWN DEPARTMENTS' GOOD STANDING/SIGNOFFS:

- **Tax Collector** – Confirmation that all taxes are paid and up to date.
- **Town Clerk** – Confirmation that a valid business certificate is on file.
- **Department of Public Works** – Confirmation that all water/sewer and other liens are paid and up to date.

Have any complaints been filed with the following?:

<table>
<thead>
<tr>
<th>Department</th>
<th>Yes</th>
<th>No</th>
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<tr>
<td>Board of Health</td>
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<tr>
<td>Fire Department</td>
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<td>Building Department</td>
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<td>Police Department</td>
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If yes, please give date and explain the violation:

<table>
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<tr>
<th>Date</th>
<th>Explanation</th>
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Do you have repair facilities on premise? ___ Yes ___ No

If NO, please provide a copy of contract with who will provide repairs (Required by M.G.L., Chapter 90 §7N1/4)

Pursuant to M. G. L., c. 62C, s. 49A, I certify under the penalties of perjury that I have, to my best knowledge and belief, complied with the law of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support. Pursuant to M.G.L.C. 152, s. 25A, I certify under the penalties of perjury that I have, to my best knowledge and belief, complied with the law of the Commonwealth relating to Worker's Compensation Insurance.

In cooperation with the Tax Collector’s office, Board of Health, Building Department, Fire Department, Police Department, any licensees owing taxes, including water and sewer and other liens, to the Town of Ware will not be issued licenses. A written agreement of a payment plan with the Tax Collector will be considered acceptable to issuance of licenses for 2018.

Federal Identification Number

Signature of Individual

Date

Corporate Officer and Title (if applicable)
Good Morning, Mary:

Just returning from a week of pure sunshine on a Rockport Beach. How poetic for the rain to come this morning as I made my way from the green hilltop of my home to the realities of my position in the buildings' canyon of Springfield.

Very good to hear, though, that there is cogent plan to deal with the used car licensing in your Town. One of the projects I have agreed to do for our “Auto Group” in Boston is to write a paper detailing the now antiquated method of regulating car sales. With the incredible complexities of being a Selectman in the modern era (something I personally experienced), the replacement of career RMV police officers with itinerant State Police, the rise of the Internet, and the RMV’s ancient computing system, the framework of the regulatory process is like the rusted out hull of an ancient steamer. Smoke still rises from the through the ship’s funnel, but this boat isn’t going anywhere.

As to our friend Mr. Gillespie, he may have some trouble coming his way from Ludlow, his previous berth. I have received information on at least one sale he initiated through the Internet that uses his old Ludlow location as the place of business. I informed the authorities from that Town before I left on vacation last week. I will let you know what I can about that turn of events.

Thank you for your efforts. If you need anything from me, just let me know.

Best Regards,

Richard

Richard – I have noted the concerns of your emails. My plan is to address this particular dealer, along with all our Class II dealers, when I send out renewal documents in November. I will include requirements that all dealers provide Workers’ Compensation, Surety Bond (current), Certificate of Insurance Policy, as well as good standing, and questions regarding any complaints and who will provide repairs per MGL, c.90, sec 7N1/4. This way, we are giving a level playing field to all our dealers, while checking on their operational status and obtaining their written answers. I will pay particular attention to the answers I obtain from this dealer. Our Board of Selectmen have the final vote for renewal of licenses in early December, and I can recommend scrutiny of any licensees at that time.

Please let me know if you are agreeable to this plan. I will keep you informed of my findings.
To: Midura, Mary
Subject: RE: Gillespie Car Care Class II license

Good Morning:

Thank you very much for this and your continuing effort. Let me bring you up to date on some information I have received which may or may not involve the Town of Ware.

As reported earlier, State agents with the Division of Professional Licensure went to the 319 Palmer Road location and did not find anyone present, nor the appearance of standard used car sale operations. I was told that, subsequently, a man who identified himself as Mr. Gillespie contacted the Springfield Mayor’s Office of Consumer Information (MOCI). MOCI is one of numerous agencies throughout the Commonwealth that receives a grant from the Attorney General to operate as a Local Consumer Program (LCP) aiding consumers through mediation of complaints. MOCI services the consumers of Hampden County. Ware consumers are serviced by the Northwestern District Attorney’s Office in Northampton. However, consumers may also file complaints with the LCP where a business is located.

It may be that previously being in business in Ludlow of Hampden County, Mr. Gillespie was more familiar with MOCI. In any event, the caller, probably Gillespie, left a voice mail wanting to know who was looking into whether he was still in business in Ware. MOCI’s Director, Milagros Johnson, of course, had nothing to tell him. She reported his call to me. When Ms. Johnson returned the call, she said she reached a voice mail service identified as “GCC Towing.” A limited Internet search that I had time to make, shows the address for this company as GCC Towing at 407 West Street, Ludlow.

Is there any such company licensed to operate in Ware? I am now wondering about the report from DPL of the cars at the rear of the Ware location being cars not appearing to be used cars for sale. I also noted that Gillespie’s lease does not allow him to use the property behind the building. This makes the situation all the more curious.

In any event, we can discuss this some more after the Holiday. I am not certain if I will be here Monday.

Thank you,

Richard Steward,
Senior Investigator
413 523-7720
Fax: 413 784-1244

From: Midura, Mary [mailto:mmidura@townofware.com]
Sent: Thursday, June 29, 2017 11:15 AM
To: Steward, Richard (AGO) <RICHARD_STEWARD@MassMail.State.MA.US>
Subject: Gillespie Car Care Class II license

Mr. Steward – I have attached information regarding Gillespie Car Care Class II license with the Town of Ware. In the attachments are the requests to add Brian Gillespie and to add Emily Tenzer. Please note that I came to this position in November 2016, and the meeting minutes that are attached were minutes that I transcribed via watching videos of the meetings.

My supervisor, Town Manager Stuart Beckley, has returned today to the office from a 3-day training. As soon as I am able, I will update him on the situation regarding this license, and I will advise you of what steps the Town of Ware will consider taking to handle this.
THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF WARE

USED CAR DEALER'S LICENSE -- CLASS II
FOR THE SALE OF SECOND-HAND MOTOR VEHICLES

In accordance with the provisions of chapter 140 of the General Laws with amendments thereto

GILLESPIE CAR CARE 1
Daniel Hersey/Brian Gillespie/Emily Tenzer

is hereby licensed to buy and sell second-hand motor vehicles at No. 319 Palmer Road, WARE
on premises described as follows:

THE PROPERTY LOCATED AT: 319 PALMER ROAD, FRONT LAWN AND PARKING AREA
(NOT LAND BEHIND THE PARKING AREA)
(MAP 9, LOT 138)

December 5, 2017

Signed..............................................................

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THIS LICENSE EXPIRES JANUARY 1, 2018

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE UPON THE PREMISES.
Midura, Mary

From: Steward, Richard (AGO) <richard.steward@state.ma.us>
Sent: Friday, December 01, 2017 7:56 AM
To: Midura, Mary
Subject: Re: Gillespie Car Care

Good Morning, Mary:

Thank you so much for your continued interest in this matter. If there is anything further I can do to aid in the review process and to support your position, just let me know.

Thank you,

Richard Steward, Senior Investigator
Massachusetts Attorney General
Western Mass Regional Office
1441 Main Street, Suite 1200
Springfield, MA 01103
413 784-1240, ext. 7720
413 523-7765 (Fax)

PLEASE NOTE OUR NEW ADDRESS AND FAX NUMBER

From: Midura, Mary <mmidura@townofware.com>
Sent: Friday, December 1, 2017 7:49 AM
To: Steward, Richard (AGO)
Subject: RE: Gillespie Car Care

Richard – I will submit license renewals to the Board of Selectmen on December 5, 2017. Based on our previous correspondence, and no response from many attempts and certified letters sent (green card signed and returned to me) to the owners of Gillespie Car Care, I am recommending to the Board that the Class II license NOT BE RENEWED for 2018. I will attach this email from you to the packet that I present to the Board regarding this licensee. I can confirm the action of the Board of Selectmen to you on December 6, 2017.

From: Steward, Richard (AGO) [mailto:richard.steward@state.ma.us]
Sent: Thursday, November 30, 2017 6:02 PM
To: Midura, Mary
Subject: Gillespie Car Care

Good evening:
I have only now noticed that November has gone by! I was wondering what you have done relative to the renewal of the Gillespie Car Care Class 2 License in light of the information and discussion we shared this past summer.

As you will recall, I noted that Mr. Gillespie appears to have slipped in under a subterfuge of "partnership" with another party, now removed. As a consequence, he does not appear to have completed the background information on other regulatory actions, nor have been the subject of a CORI check.

There have also been some issues that arose during the past year over which consumers filed complaints. In one instance, it appears that Mr. Gillespie may have used his Ware license to continue to conduct business in Ludlow, a Town that revoked his license.

Could we set up a time to have a phone conversation, or a meeting, or both if appropriate?

Thank you,

Richard Steward, Senior Investigator  
Massachusetts Attorney General  
Western Mass Regional Office  
1441 Main Street, Suite 1200  
Springfield, MA 01103  
413 784-1240, ext. 7720  
413 523-7765 (Fax)

PLEASE NOTE OUR NEW ADDRESS AND FAX NUMBER
Memo

To: Board of Selectmen

From: Mary L. Midura

Date: December 1, 2017

Re: Class III renewal

Attached to this memo is copy of a letter regarding Ware River Auto.

Thank you for your consideration,

[Signature]

Mary L. Midura
Tuesday, November 28, 2017

Ms. Anne Krasnecky
6 River Road
Ware, MA 01082

RE: 17 River Road

Ms. Krasnecky:

On October 26, 2016 the Town of Ware Zoning Board of Appeals met to hear your request to appeal the decision of the Town of Ware Building Commissioner’s decision regarding a cease and desist order for 17 River Road Ware. At that time the board found against the Commissioner’s decision and proposed that an area 40 feet wide along the northern property line is allowed by preexisting nonconforming use to store 40 vehicles.

On March 6, 2017 the Building Commissioner started a process of communication with Mr. Wayne Henrichon of 17 River Road, Ware to comply with the findings of the Zoning Board. The process and the timetable for compliance is completely under the purview of the Building Commissioner. I, as the Building Commissioner, will continue working with Mr. Henrichon to seek compliance.

In regards to your email mentioning a “variance” made by the Zoning Board of Appeals, I would like to point out that the variance process was not utilized in this case. Your apparent misconception of the processes is evident. I would suggest that you contact your Attorney for explanation of the procedures involved.

I am currently in contact with Mr. Henrichon who is working diligently to meet compliance. Upon final inspection and compliance of this site I will send you a copy of the inspection results.

Sincerely,

Christopher Rice
Building Commissioner

cc: Stuart B. Beckley – Town Manager, Mary L. Midura – Administrative Assistant to the Town Manager and the Board of Selectmen, Ruben Flores-Marzan – Director of Planning and Community Development, Judith Mosso – Assistant to the Director of Planning and Community Development and Zoning Board of Appeals, File
THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF WARE

MOTOR VEHICLE JUNK LICENSE – CLASS III

In accordance with the provisions of chapter 140 of the General Laws with amendments
WAYNE HENRICHON- D/B/A THE BIG BOYS TOYS
Is hereby license to buy second-hand motor vehicles for the purpose of remodeling, taking apart or
rebuilding the same, or the buying or selling of parts of second-hand motor vehicles or tires, or the
assembling of motor vehicles parts at No. 17 RIVER ROAD, WARE on premises described as follows:
The Northerly portion of 17 River Road depicted as Parcel “A” on the plan attached hereto.

Subject to the following conditions:
1) Not more than 40 vehicles to be stored on said property at any one time.
   2) The existing earth berm with existing trees, brush etc. shall be maintained so
      as to shield the view of Parcel “A” from River Road.

December 5, 2017

Signed.................................................................

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THIS LICENSE EXPIRES JANUARY 1, 2018

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE UPON THE PREMISES.
Memo

To: Board of Selectmen

From: Mary L. Midura

Date: December 1, 2017

Re: Class II and Class III renewals

Attached to this memo is information received at this office from Mr. Krasnecky on November 29, 2017, regarding RT's Welding Fabrication & Auto Repair, Inc. (11 pages total).

Also, attached are emails received during October and November from both parties.

Thank you for your consideration,

Mary L. Midura
From Robert and Anne Knoonckley
To Board of Selectman Ware
Entered in for 12/5/2017 meeting
1. Letter from Knoonckley's
2. Mass General Auditing Law
3. RT's Welding Business site advertised
4. BDS Article from Home Rule Charter

RECEIVED
NOV 29 2017
TOWN OF WARE
SELECTMEN OFFICE
To The Ware Board of Selectman  
November 27, 2017  
Re: Renewal License RT’S Welding 730 Belchertown Rd

Idling of trucks: Video available if needed but you can request video from RT’S Welding surveillance camera. 10/23/2017 Hampshire Towing arrived after 10pm, dropped a jeep off within 3 minutes but left truck idling and lights on facing across the street until 11:35 PM after the Ware Police arrived. Email forwarded to you when this event happened. RT’S Welding and Hampshire Towing should have been fined, given a citation or given a warning. But the Town of Ware failed to do so. We are thankful to Officer Scott Lawrence for knowing his job since he was the one who told us over the phone after 45 minutes of the truck idling we contacted the Ware Police to see what they thought of the situation. The board of selectman told us that we have to put up with trucks dropping off vehicles between 9PM and 7AM. Are we now suppose to put up with trucks idling for over an hour just to stand around and shoot the bull with Randy Letourneau. Idling of trucks for over 1-2 hours has always been an issue but unfortunately this is the first time we were informed of the Mass General Idling Law. FYI: Bob spoke with Stuart Beckley on November 11, 2017 3:36 PM to see if the Town is all set with the Mass General Idling Law because the car carrier at RT’S Welding has been idling for a long period of time. At that time the answer was no but Stuart would call the garage himself. We are recommending that the Board of Selectman express to RTS Welding business to comply with Mass General Idling Law all day and especially the of hours between 9PM and 7AM.

Video available if needed but you can request video from RT’S Welding surveillance camera. An employee from RT’S Welding. A red truck that has been broke down for long period time was parked behind auto garage building in front of our house. October 10, 2017 as we were getting ready to go to bed, an employee at 9:56 PM began to try to start the truck, eleven (11) times the person sat in the truck and kept trying to start it. Then after all those attempts two workers came out and tried pushing the truck to the front of the building. That is when the Ware Police arrived. If you can find logic to this of why all of a sudden this had to happen after 10PM I would like to hear your reasoning. That is definitely one poor mechanic.

Selectman Olpalinski brought up two issues at the July 25, 2017 BOS meeting: Shelving unit higher then the buildings and can be seen both Route 9 and River Rd and the mess in front of the garage building at Route 9 of vehicles everywhere. Then at the following meeting when Attorney Donohue confronted the board of this, it was quickly dismiss. The shelving unit is still there. According to meeting in 2016 and a map was entered in of the area, the front area is designated for Class II vehicles. There are none in that area that are for sale (no sale signs), vehicles are customers, employees, visitors, unregistered. This is the same thing that Randy Letourneau brought up at the meeting when Selectman Olpalinski first wanted some answers, except at that time he only had 3 cars for sale and the rest of the vehicles were not for Class II area. The employees are also parking multiple unregistered and registered vehicles at the residential area of 734 Belchertown Rd. Specific designated areas are not being enforced by the Town of Ware so the right recommendation would be to not renew the Class II or cut down the amount of vehicles that can be there. As Selectman Olpalinski stated it looks like a parking lot. It is over 12 months and you do not see the amount of vehicles for sale that they asked for.

RT’S Welding towing in and out of 730 Belchertown Rd between 9PM and 7AM. They are not a towing company, towing at late hours is for crash victims and they do not work on crashed vehicles. After 10 PM why would a loader have to be towed at that hour. The garage employees tow in junk vehicles and unregistered vehicles. We have brought this up at several meetings. Why do the employees at RT’S Welding make the choice to tow after 9PM and not during the day, towing regular vehicles should not be our problem to have to put up with the noise. Towing between 9PM and 7AM are accident
emergency ordered by Police for towing only. No pickups for regular customers. You as the board have a right to limit the license.

It was agreed that all doors and windows be closed at the regular garage hours by 6pm. This is still happening after 6pm with the door being left open, when they see us outside then they close it. On this the agreement is not being kept.

Number of vehicles in the junk yard has never been established.

Welding and Fabrication, making kettle corn poppers was not grandfathered in and should have been brought up at Town meeting that they are adding to what is not on the license. Welding and Fabrication goes on all through the late hours which is not on the license. Should be stopping by 6PM.

What we hear from members of the Board is that we need to revitalize the Town of Ware. What you do not seem to keep in mind is the location of RT'S Welding is at the gateway to Ware and in a pristine area of the Quabbin Reservoir. How many new families travel into Ware and see all of this. A house up the road from us is still not sold maybe this is the reason.

We might only be one house that has complained of all the problems we had but I think even if multiple houses complained it would be the same outcome. Keep in mind that as you the Board of Selectman, have not done anything to help us with the issues we have brought forward. We did not asked for the fence or the bushes. This was brought up by you. We have being asking for 20 months to live in our home with peace. When you do renew the licenses Class II and Class III 2018, we would like to recommend a 90 day revisited meeting due to these on going problems.

Bob and Anne Krasnecky
6 River Rd Ware

"There is nothing more frightful than ignorance in action."

Johann Wolfgang von Goethe
under the Town Manager, solely through the Town Manager, and neither the Board of Selectmen nor any member of the Board of Selectmen shall give orders or directions to any such officer or employee, either publicly or privately.

3-3 Appointments
The Board of Selectmen shall appoint a Town Manager.

The Board of Selectmen shall appoint all other positions and multiple member bodies and any other position, committee or board unless otherwise provided for in this Charter.

3-4 Licensing Authority
The Board of Selectmen shall be the licensing authority of the Town and shall have the power to issue licenses as otherwise authorized by law, to make all necessary rules and regulations regarding the issuance of such licenses, to attach conditions and to impose restrictions on any such license, as it deems to be in the public interest, and to enforce all laws relating to all businesses for which it issues any license.

Article 4: TOWN MANAGER

4-1 Appointment, Qualification, Term
The Board of Selectmen shall appoint a Town Manager to serve for a term fixed by contract. The Town Manager shall be appointed solely on the basis of education and experience in the accepted competencies and practices of local government management as well as on the basis of demonstrated executive and administrative qualifications. A Town Manager need not be a resident of the Town or of the Commonwealth at the time of appointment, and residency is not a requirement of this position at any time.

The Board of Selectmen shall annually fix the compensation for such person within the amount appropriated for such purpose.

The Town Manager shall not have served in an elective office in Ware's government for at least twelve months prior to appointment. The Town may, by by-law, establish such additional qualifications as necessary and appropriate.
appears in the records of the clerk of the meeting.

Article 3: BOARD OF SELECTMEN

3-1 Board of Selectmen
There shall be a Board of Selectmen consisting of five (5) members elected at large for terms of three (3) years each so arranged that the term of office of nearly an equal number of members as possible shall expire each year.

If there is a failure to elect or if a vacancy occurs in the office of selectman and more than one hundred and eighty days remain before the next regular Town election will occur, the remaining selectmen shall call a special election to fill the vacancy. The Board of Selectmen shall also call a special election to fill a vacancy in the office of selectman if less than one hundred and eighty days remain before the next regular Town election will occur upon the request in writing of two hundred voters, provided, however, that no such special election shall be held within one hundred and twenty days of a regular Town election.

3-2 General Powers and Duties
All executive powers of the Town, except as otherwise provided in this Charter, shall be vested in the Board of Selectmen, which shall be deemed to be the Chief Executive Officers of the Town.

a. The Board of Selectmen shall serve as the chief policy making agency and shall exercise control over Town affairs by recommending major courses of action to the Town Meeting. The Board shall have the power to enact rules and regulations for the establishment of Town policies, not otherwise governed by statute or this Charter. Whenever an expenditure shall be necessary to implement such action, the vote of the Board shall be effective only if such appropriation has been made by Town Meeting.

b. The Board of Selectmen shall be responsible for the formulation and promulgation of policy directives and guidelines to be followed by all Town agencies. The Board of Selectmen and its members shall deal with the officers and employees serving
The Massachusetts Anti-Idling Law

Massachusetts General Law (MGL), Chapter 90, Section 16A, 310 Code of Massachusetts Regulation (CMR), Section 7.11 and MGL, Chapter 111, Sections 142A – 142M

The Statute, MGL, Chapter 90, 16A says:
“No person shall cause, suffer, allow, or permit the unnecessary operation of the engine of a motor vehicle while said vehicle is stopped for a foreseeable period of time in excess of five minutes. This section shall not apply to:

• Vehicles being serviced, provided that operation of the engine is essential to the proper repair thereof, or
• Vehicles engaged in the delivery or acceptance of goods, wares, or merchandise for which engine assisted power is necessary and substitute alternate means cannot be made available or,
• Vehicles engaged in an operation for which the engine power is necessary for an associated power need other than movement and substitute alternate power means cannot be made available provided that such operation does not cause or contribute to a condition of air pollution.”

The Regulation, 310 CMR 7.11, tracks this language.

Note: the regulation applies to all motor vehicles.

Penalties
• Penalties can range from $100 (MGL Chapter 90, Section 16A) to as much as $25,000 (MGL Chapter 111, Section 142A);
• Drivers and/or companies can be held responsible for paying the fine;
• Local police have the authority to enforce the law, as do health officials or other officials who hold enforcement authority.

The goal of the Massachusetts Anti-Idling law is to improve air quality by reducing unnecessary air pollution from idling vehicles. The law limits unnecessary engine idling to five minutes. Drivers sometime wonder when idling might be considered necessary. The following questions and answers are intended to help drivers determine when engine idling could be considered necessary and when they should shut the engines down.

Why is there an anti-idling law?
It’s basic common sense: there is already too much pollution in the air. Massachusetts consistently has days when air pollution exceeds ozone standards.

Is all engine idling prohibited?
No. While the law does prohibit unnecessary idling, it also recognizes that there are times when idling is simply unavoidable and lists three specific exemptions: when an
engine is being repaired and operating the engine is necessary for the repair; when a vehicle is making deliveries and associated power is necessary; and when the engine is used to provide power to another device.

**What are some examples of how the exemptions work?**
The two more common situations facing most drivers are the exemptions allowed for making deliveries and to run a device that does not have its own power. Common sense will help drivers determine whether engine idling is necessary or not.

- **Deliveries:** School buses that must run their engines to operate flashing lights while picking up or dropping off passengers are a good example of necessary idling. State law requires the operation of flashing lights while loading and unloading children at school or on regular school bus routes. With no other power source to operate the lights other than running the engine, idling the engine is necessary.

- **Additional devices, or auxiliary power units:** Refrigerator units on trucks with perishable goods or vehicles operating special equipment, such as a lift on the back of a truck to move goods in and out of the truck or wheelchair lifts in buses or vans that may require engine power to operate are common examples of equipment that are operated with the engine power. Another example might include "bucket" trucks that allow a worker to reach wires on telephone poles or tree branches for trimming.

**Are there other times when it's OK to idle not listed in the law?**
The law prohibits unnecessary idling, then lists three exemptions to that rule. So there are other times when idling is permitted as long as the idling is absolutely necessary.

For example, running the engine to operate the windshield defroster to clear a windshield of ice on an extremely cold day is a good example of necessary idling. It's a safety problem if you cannot see where you're going and if the windshield is not warm enough to melt snow and freezing rain while driving. Running the engine while actively clearing snow and ice off the vehicle and to warm the windshield and interior of the vehicle is necessary idling.

Our common sense also tells us that heaters and air conditioning units almost always bring the vehicle's interior into a comfortable range in a short time. We also know that heaters and air conditioning units work faster when the vehicle is being driven, not when it is left idling. So most vehicles, most of the time, will reach a comfortable temperature within the first five minutes of driving. Some heavy vehicles, such as buses or trucks, may need some additional time to bring interior temperatures into a comfortable range.

**What are a few examples of unnecessary idling?**

- Sitting in your car in a parking lot with the engine on during mild-to-cool weather is unnecessary. The interior of your car will stay warm for 5 to 10 minutes or all but the coldest days.

- Leaving the vehicle running while unattended to let the heater warm it or the air conditioner cool it for extended periods of time is unnecessary idling (it is also in
violation of motor vehicle law). Five minutes should be the maximum amount of time unless weather conditions are extreme, and the engine should not be left running while the vehicle is unattended for any length of time.

• Operating devices not related to transporting passengers or goods. Letting the engine run for an hour or more to play a movie or to charge a cell phone causes unnecessary pollution, is a nuisance for others nearby and puts excessive wear and tear on the engine.

Am I causing more pollution by stopping and starting the engine?
No. Once the engine has warmed up, an idling engine causes more pollution by running than by stopping and starting up again. Studies indicate that the trade-off for light- and medium-duty gasoline powered vehicles is about 10 seconds (i.e. the vehicle will produce more pollution idling longer than 10 seconds than it will by shutting down and restarting the engine). The time trade-off on medium- and heavy-duty diesel engines is about 30 seconds.

Won't I wear out my starter if I keep stopping and starting the engine?
Fleet managers of companies with strict anti-idling policies report that they do not replace starters in their vehicles more frequently than vehicles that are left running for extended periods. In fact, more damage occurs to engines that are left idling over long periods of time.

Who would I complain to if I see a vehicle idling unnecessarily?
The best place to start is your local Board of Health. Other possibilities include local police, DEP or the EPA. Enforcement personnel cannot respond to every complaint about idling vehicles, and there are instances when it is not obvious why a vehicle needs to idle longer than five minutes.

But many of the complaints about excessive idling are about the same vehicles in the same locations routinely left idling, many times out of habit. For people living or working near those vehicles the exhaust that they are subjected to is not just a nuisance, it's a real health problem.

Where would I find copies of the law and regulation?
The law is Massachusetts General Law (MGL) Chapter 90, Section 16A and the regulation is 310 Code of Massachusetts Regulation (CMR) 7.11. The wording is the same for both the law and the regulation. Enforcement authority and fine structures differ somewhat between the law and the regulation.

Do the Anti-idling law and regulation apply to all vehicles?
The law and regulation apply to all motor vehicles. All motor vehicles contribute to air pollution and can create a nuisance if the exhaust is affecting others. Why should people be allowed to pollute the air unnecessarily?

Source: Massachusetts Department of Environmental Protection, 2007 Idling Reduction Toolkit.
To: Board of Selectmen

11/28/17

Comments of Chantel Bleau writing on Bob w/ gun and driving Durango in our yard. Total Fabrication and Conflicting Police Reports

This meeting on December 5, 2017 is for License Class II & Class III only. It has nothing to with the Krasneckys.

It is about RT's welding business: Idling Trucks, Hours of Operation, Parking is wrong areas.

This again has nothing to do w/ Robert and Anne Krasnecky.

Conflicting stories on police report & Chantel Bleau's observation of what happen. Again NOTHING TO DO WITH THE HEARING.

This shows the town of loose of what kind of Characters are in business and the level of intelligence.

Thank you
Anne & Robert Krasnecky
We offer a wide variety of welding and fabrication services. Nothing is impossible.

We can custom make anything, just like this Kettle Corn Popper!

We can custom make bumpers for any vehicle!

We can make you a custom flat bed!
Go check out our customer Troy with his all new Kettle Corn 1/4 cooker that we made for him. Custom Fabrication and welding. He's set up at the Hadley Flea market today on route 47. Swing on by and try some delicious kettle corn! Give us a call with any of your welding or fabrication needs: 413-277-6736

Randy Leboumeau
Trevor Bleau

RT's Welding, Fabrication, & Auto Repair

Like
Comment
Share

Top Comments

11 shares

Write a comment

RT's Welding, Fabrication, & Auto Repair Swing on by and see the guys!
413-277-6736 Check us out on Instagram and head on over to the website!

www.rtswelding.com
Randy from RTs called to let us know that Mr. Krasnecky is driving a vehicle around his house and also taking pictures of RTs workers in the junkyard.
Good Morning,

Randy received a call from Mr. Beckley on Thursday, November 9, 2017 around 4:15pm. Mr. Beckley had received a call from Mr. Krasnecky complaining about our tow truck idling in our yard. The tow truck was parked in the corner of the Route 9/River Road area of our lot. I felt I needed to address this issue due to the timing of this complaint and the swiftness of our receiving a telephone call.

I was at the shop Thursday afternoon and I tried reaching someone in the town hall for approximately 2 hours. I called repeatedly over this 2 hour period; the tax collector's office was called 4 times, and I left one message; the town manager's office was called once, and I left a message; the operator was called 4 times and it kept getting sent to Mary's extension which I had already left a message at; and finally the town clerk's office was called and a person answered the telephone and transferred me to the tax collector's office, where I was able to get some of my questions answered. I then left the shop. Both Randy and I walked out of the shop at the same time. He went to the tow truck and started it, I went to my personal vehicle and left. My clock in my vehicle read 4:08pm as I was driving out of the yard. I took notice of the time because I had to meet someone in Belchertown at 4:15, so I wanted to be sure I wouldn't be late. At 4:24 by the clock in my vehicle Randy called me to tell me about the telephone call he received from Mr. Beckley regarding Mr. Krasnecky complaining about the tow truck idling for more than 20 minutes.

This complaint is a total fabrication! The truck had been running for 16 minutes between when it was started and when Randy called me to tell me about his conversation with Mr. Beckley. And, why is it that it took approximately 2 hours for me to get through to the town hall when Mr. Krasnecky was able to get through and we got a telephone call from the Town Manager in less than 20 minutes? Plus, at the time of the complaint call it was still well within our business hours and, once again, the Massachusetts anti-idle laws do not apply to vehicles in the delivery or pick up of goods, which the tow truck was being warmed up to go pick up a customer vehicle.

As I stated in my email regarding the last complaint from Mr. Krasnecky, I fully believe that the Krasnecky's are trying to "build a case" prior to our re-licensing.

Chantal
Hello Anne,

I did hear from Chief Crevier. The enforcement of the anti-idling law is new to the department, so he is looking into how they will make citations. The tow truck driver was not cited in this case.

Stuart

From: Anne Krasnecky [mailto:aek792@aol.com]
Sent: Friday, October 27, 2017 1:02 PM
To: Beckley, Stuart <sbeckley@townofware.com>
Subject: Follow up

Hello,

I was checking if you had a response yet from Chief Crevier on RT’S Welding with the truck idling and Mass General Laws 5 minute idle. From the response letter that I just received from Chantel Bleau, she even put the times down that the truck was idling. This is not 5 minutes and not just a drop off.

Thank you,
Anne Krasnecky
Selectmen – Please see the email below from the licensee regarding the noise complaint received in this office on 10/24/2017.

From: RT's Welding [mailto:rtsweldingfab@yahoo.com]
Sent: Wednesday, October 25, 2017 3:36 PM
To: Midura, Mary
Subject: Recent noise complaint

Good Afternoon Mary,

I have checked on the recent noise complaint you received from Mrs. Krasnecki regarding a customer’s vehicle that was dropped off at our shop Monday night. This is the section of the Massachusetts General Laws relating to engine idle:

--MGL, Chapter 90, Section 16A. No person shall cause, suffer, allow or permit the unnecessary operation of the engine of a motor vehicle while said vehicle is stopped for a foreseeable period of time in excess of five minutes.

“This section shall not apply to (a) vehicles being serviced, provided that operation of the engine is essential to the proper repair thereof, or (b) vehicles engaged in the delivery or acceptance of goods, wares, or merchandise for which engine assisted power is necessary and substitute alternate means cannot be made available, or (c) vehicles engaged in an operation for which the engine power is necessary for an associate power need other than movement and substitute alternate power means cannot be made available provided that such operation does not cause or contribute to a condition of air pollution.”

Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars for the first offense, nor more than five hundred dollars for each succeeding offense. --

The middle section in quotes is where it clearly states that this section of the MGL does not apply to commercial vehicles making deliveries or picking up goods. It also does not apply to when we are working on vehicles needing to be left running for us to be able to diagnose and fix them. That, along with the fact that we do not leave vehicles idling for hours, let alone leave them idling behind our building.
I have also searched the MGL for the quote Mrs. Krasnecki included in her email, but there is no such section of the MGL, meaning there is no section containing those exact words quoted.

The tow truck from Hampshire Towing, a company that delivers customer vehicles to us occasionally but we are not in control of the actions of, arrived at our shop at 10:20pm after being called by our customer because the customer’s son was in an accident. The tow truck that was here was a 2017 Kenworth with a whisper exhaust, meaning that even at idle the truck noise is nearly inaudible when standing next to it. At 11:25pm the Ware police arrived and were here in conversation for 15 minutes. As I said above, the customer called the towing company and made the arrangements for the vehicle to be brought to us. We had no idea it was coming here until it arrived, so therefore, we would like to know how we could be charged with or cited for disturbing the peace. We would also like to know what it is that causes the Krasnecky’s to constantly single out Randy Letourneau, when this is a corporation, not a sole proprietorship.

As for the pictures of “diesel smoke” that were brought up by Mr. Krasnecki at the meetings we have attended, it was shown at the meetings that these pictures were in fact actually the fog rolling in from the Quabbin, not diesel smoke.

Please make the board aware of our response to this completely unfounded complaint. We are sure that this is just the Krasnecki’s way of having so called “evidence” against us for the upcoming renewal of our licensing in December.

Thank you,

Chantel Bleau
Accountant

RT’s Welding, Fabrication & Auto Repair, Inc
730 Belchertown Road
Ware, MA 01082

Office: 413-277-0379
<table>
<thead>
<tr>
<th>Call Number</th>
<th>Time</th>
<th>Call Reason</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>17-19931</td>
<td>23:15</td>
<td>Phone - Motor Vehicle Violation</td>
<td>NO POLICE SERVICE NECESS</td>
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</tbody>
</table>

Call Taker: DANIEL J CLARK  
Location/Address: 6 RIVER RD  
Calling Party: KLASHECKY, ROBERT ANTHONY  
6 RIVER RD - WARE, MA 01082  
413-967-6662  

**Narrative:**  
CALLER REPORTING THAT THERE WAS BEEN A TOW TRUCK PARKED AND IDLING AT RT'S.  
0-8 TO CHECK ON SAME.  
0-8 ADVISED THAT THERE WAS A TOW TRUCK ON SCENE BUT 0-8 ADVISED THAT THE NOISE FROM THE TRUCK WAS NO MORE AUDIBLE THAN THE TRAFFIC ON RT.9.
Selectmen – Please see the email below.

From: Anne Krasnecky [mailto:ae792@aol.com]
Sent: Tuesday, October 24, 2017 9:57 AM
To: Crevier, Shawn; Beckley, Stuart; Midura, Mary; Rice, Chris
Subject: Noise complaint

Good morning,

Last night around 10pm RT’S Welding had a jeep dropped off by a large tow truck. The truck parked in front of the building at Route 9 facing towards us, after 45 minutes of the truck idling and the lights being left on, we contacted the Ware Police to see if this would be a noise complaint, we were told yes and we were also informed that by Mass State Law you can only idle an automobile no more then 5 (FIVE) minutes. The Ware Police came and at 11:35 PM the truck left 5 minutes after the Ware Police went to RT’S Welding 730 Belchertown Rd. We would like to know two things. What happen to Randy Letourneau for disturbing the peace and was a citation given to Randy Letourneau and the driver of the truck. I hope that trucks dropping off and bringing automobiles would be aware of the Mass State Law and since they do not seem to have any respect either for being in a residential area, and if they are aware of the law then they should also be fined.

This is just a small piece out of the Mass State Law “many of the complaints about excessive idling are about the same vehicles in the same locations routinely left idling. For people living or working near those vehicles the exhaust that they are subjected to it not just a nuisance, it’s a real health problem”. This ties in with the complaints that Bob has brought up about the diesel smell and pictures, employees at RT’S Welding idle the trucks behind the building in front of our house for up to 2 hours at a time. We are pleased to now be aware of this law.

Mary could you please forward this email to all the members of the Ware Board of Selectman.

Thank you,
Anne Krasnecky
6 River Rd
THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF WARE

USED CAR DEALER'S LICENSE -- CLASS II
FOR THE SALE OF SECOND-HAND MOTOR VEHICLES

In accordance with the provisions of chapter 140 of the General Laws with amendments thereto
RT's WELDING FABRICATION AND AUTO REPAIR, INC.
is hereby licensed to buy and sell second-hand motor vehicles at No. 730 BELCHERTOWN ROAD,
WARE on premises described as follows:
GARAGE, FRONT DISPLAY AREA BORDERING ROUTE 9 WEST OF THE INTERSECTION OF RIVER
ROAD - AREA IN FRONT OF GARAGE
Subject to the following conditions:
Not more than 35 vehicles to be stored on said property at any one time.
Hours: Monday To Friday, 8 Am To 6pm, Saturday 8am To 2pm

December 5, 2017

Signed.................................................................

.................................................................

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THIS LICENSE EXPIRES JANUARY 1, 2018

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE UPON THE PREMISES.
THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF WARE

MOTOR VEHICLE JUNK LICENSE – CLASS III

In accordance with the provisions of chapter 140 of the General Laws with amendments
RT's WELDING FABRICATION AND AUTO REPAIR, INC.
Is hereby license to buy second-hand motor vehicles for the purpose of remodeling, taking apart or
rebuilding the same, or the buying or selling of parts of second-hand motor vehicles or tires, or the
assembling of motor vehicles parts at 730 Belchertown Road, WARE on premises described as follows:

The rear property line shall be delineated by survey and a six-foot solid fence shall be installed along the
property line.

Hours: Monday to Friday, 8 a.m. to 6 p.m., Saturday 8 a.m. to 2 p.m.

December 5, 2017

Signed

December 5, 2017

THIS LICENSE EXPIRES JANUARY 1, 2018

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE UPON THE PREMISES.
Town of Ware
Application for Appointment to
Boards and Committees

Name: John Carroll
Address: 77 Church St, Ware, MA
Email: jecwales@comcast.com
Home Phone: N/A Work: N/A Cell: 413-333-0414
Occupation: Regional Manager Years lived in Ware: 50
Ware Resident: Yes No

Please indicate the Committee(s) you have interest in serving on: (Appointment subject to vacancies)

<table>
<thead>
<tr>
<th>Committee</th>
<th>Ware Cultural Council</th>
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<tr>
<td>Ware Agricultural Commission</td>
<td>Finance Committee</td>
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<tr>
<td>ADA Commission</td>
<td>Historical Commission</td>
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<tr>
<td>Board of Registrars</td>
<td>Open Space Committee</td>
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<tr>
<td>Capital Planning Committee</td>
<td>Tax Increment Financing (TIF) Committee</td>
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<td>Community Development Authority</td>
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<tr>
<td>Conservation Commission</td>
<td>Zoning Board of Appeals</td>
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<td>Council on Aging</td>
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What skills and experience will you bring to this Board/Committee:
(attach additional sheet or resume if desired)

20 plus years of government experience

Are you currently serving or have you served on any Town committee: Yes No
(if yes, please state what committee) Board

Required: Please read the following. By signing below, you state that you understand and agree:
The filing of this form does not guarantee my appointment. An application is kept on file for two (2) years. Being appointed to a committee, board or commission means that I am considered a Municipal Employee under M.G.L. Chapter 268A and thereby subject to Conflict of Interest Law M.G.L. Chapter 268A, Financial Disclosure Law M.G.L. Chapter 268B, as well as Open Meeting Law. I understand that I will take the conflict of interest test after being appointed and that I also must be sworn in by the Town Clerk. IMPORTANT: Once this form is submitted, it becomes a public document. If there is information you do not want open to the public, please do not include it on this form!

Signature: John Carroll Date: 11-8-2017

Please return this form to Stuart Beckley, Town Manager, 126 Main Street, Ware, MA 01082 or email to stbeckley@townofware.com.

7/25/2017
Stuart Beckley  
126 Main Street  
Ware, MA 01082  

RE: Service Line Regulation Changes  

Water Service Line Definition  

“Service” shall mean pipe, fittings, and appurtenances from the connection at the water main to the curb stop & box located on or about the property line. “Service” shall also mean pipe, fittings, and appurtenances from the curb stop through the valve and meter, including meter pits.  

Services shall be maintained by the Town of Ware from the water main through the curb stop. Services shall be maintained by the property owner from the property side of the curb stop through the valve and meter at the premises.  

New Water Service Definition  

All costs associated with the installation, connection, operation of said new service, including but not limited to excavation within the public way and repair of the same, are the sole responsibility of the person requesting new service to the property. New services also require the appropriate fee as listed in the schedule of fees.  

Sewer Service Line Definition  

“Service” shall mean pipe, fittings, and appurtenances from the connection at the sewer main through the property foundation “clean out”. All general maintenance including sewer plugs/blockages are the responsibility of the property owner to maintain. Should the sewer service be compromised structurally i.e. cracked, separated, collapsed within the Town right of way to the property line, the Town of Ware will schedule and make that repair at the Town’s expense.
Services shall be maintained by the Town of Ware from the sewer main to the property line for structural repairs only. This does not include plugs/blockages. Services shall be maintained by the property owner from the property line through property foundation/clean out this includes plugs/blockages.

New Sewer Service Definition

All costs associated with the installation, connection, operation of said new service, including but not limited to excavation within the public way and repair of the same, are the sole responsibility of the person requesting new service to the property. New services also require the appropriate fee as listed in the schedule of fees. Sewer services must be separated horizontally by 10 feet from the domestic water line.
Mr. Beckley,

Good morning, Looking for input as how to proceed to get reimbursed for work done by the DeSantis Brother on the water leak that occurred on Clinton St. a week or so ago. I watched the selectman’s meeting last Tuesday when they rescinded the by law of 2015 having the home owner to be responsible for water problems in the street. My experience with the water department, workers and new dept head, to get my problem resolved before the meeting was held, was very informative, personable, and amiable. They gave me a list of contractors to contact, did so, and got the Desantis bothers to do the work. When all was ready, the department came, repaired the problem, had their banana bread and departed. I received the contractor’s bill for excavating, refilling the excavation, packing the dirt, and putting black top down. This work was done, off and on, over a period of a week or so. The bill for the work done was and is $3000 which was paid to them by check. Now, I would like to be reimbursed as the town is now responsible for the problem, I believe.
I have written a THANK YOU to Mr. Carroll, have his and Mrs. Talbot’s E mail. Would you please E mail the other members E mail addresses to me. Thank you.
Thank you to you and the board for serving the town. Do not always agree with some of the decisions but that is the way things go I have lived, with the exception of service time, in Ware all of my life. I worked for the town for a few years and enjoyed it immensely. I have seen many changes in Ware in those years, some good, some not so good. The population of the town in 1950 was about 9500 give od take. About the same or less now ??? Did not intend to go on like this, ergo will shut up. Looking for advice.
Thank you, to you and yours a happy holiday season,
Paul Deslauriers