Board of Selectmen
Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Notice Agenda – Tuesday, September 11, 2018 at 7:00 p.m.

Meeting Opened
Opening Remarks, Announcements, and Agenda review by Chair

Consent Agenda
- Approval of Minutes of August 21, 2018
- Retroactive Approval of One-Day Liquor License: Workshop 13, Concert Joon, Friday, September 7, 2018
- Special Event Permit: Ware Fair & Flea, Saturday, September 15, 2018
- One-Day Liquor License: Workshop 13, One Mic Live at the Grand Hall, Friday, September 21, 2018
- Special Event Permit: Melha Shriners, Tag Sale/Craft Show, Friday, September 28, and Saturday, September 29, 2018
- Special Event Permit: Trinity Episcopal Church, Pumpkins & Ponies, Saturday, October 6, 2018
- Toll Road: Knights of Columbus, Tootsie Roll Drive, Saturday, October 6, 2018, Rain Date: Sunday, October 7, 2018
- Toll Road: Ware Fire Department, MDA Boot Drive, Sunday, October 14, 2018 or Sunday, October 21, 2018
- Special Event Permit: Proprietors of the Ware Center Meetinghouse, Spooky Stories in the Dark, Saturday, October 20, 2018
- One-Day Liquor License: All Saints Church, Parish Fall Dinner, Saturday, October 27, 2018

Scheduled Appearances
- Discussion with Warren Board of Selectmen of Regional School Planning
- Discussion: Proposed Requirements for Renewal of Class I, II and III Car Dealers

Old Business
- Main Street Update

New Business
- Designate Robert Lemaitre as Special Municipal Employee

Comments and Concerns of Citizens

Town Manager Report

Adjournment

Executive Session: MGL Chapter 30A, Section 21(a) #2 Negotiations, #3 Litigation, #6 Real Estate

The next Board of Selectmen meeting will be held on Tuesday, September 25, 2018 at 7:00 p.m.
Board of Selectmen
Ware Town Hall, Meeting Room, 126 Main Street
Regular Meeting Minutes – Tuesday, August 21, 2018 at 7:00 p.m.

Meeting Opened
Opening Remarks, Announcements, and Agenda review by Chair

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

Consent Agenda
• Approval of Minutes of July 10, 2018, July 24, 2018 and August 15, 2018

Selectman Whitney made the motion to approve the Minutes of July 10, July 24 and August 15, 2018; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Scheduled Appearances

• Discussion with Ruben Flores-Marzan, Director, Community Development & Planning

Mr. Beckley noted that the Board requested more contact with the Director of Community Development & Planning. Mr. Flores-Marzan stated there have been three meetings with farmers to discuss marijuana for recreational, medicinal, hybrid and cultivation. The zoning bylaw is a process, and should be on the November town meeting warrant. The involvement of farmers is complex, but the department has information in the office and on the town website.

Selectman Kruckas asked Mr. Flores-Marzan about a possible moratorium on solar facilities. Mr. Flores-Marzan noted there are regulations for rural residential, and if put in the right places, solar can be very beneficial to the town. The department has been proactive on this issue; solar regulations have been in effect since 2012. Six projects have been approved by the Planning Board, with consideration of the zoning use table, ownership, topographical, wetlands, and land acreage for panel installation is 0.2 % or 43 acres in the town. Mr. Flores-Marzan noted the benefits of taxable land; Mr. Beckley noted that the tax is $14,000 per megawatt. The Monson Turnpike Road project is 1.4 megawatt, equal to $21,000 in taxes.

Selectman Kruckas asked Mr. Flores-Marzan what his main role is: Mr. Flores-Marzan noted his main role is to plan for the future of the Town. He answered that he has written two grants, but also works to attract private development. Mr. Flores-Marzan noted that a grant is one-time dollars, while private investment may bring multi-year revenue and jobs.

Chairman Carroll noted the scheduled public hearing time, and requested Mr. Flores-Marzan remain to continue this discussion after the public hearing.
7:10 p.m. Public Hearing: Application for New Wine & Malt §15 Package Store License, Hans & Hans, Inc. d/b/a Hans Craft Beer & Convenience Mart, 30 West Main Street

Bharat Hans was present for the application. He stated that the proposed convenience store would be located at 30 West Main Street, with craft beer, lottery, cigarettes, convenience items, and EBT. Selectman Opalinski questioned the limited parking. Mr. Hans noted some public parking in front, with anticipated foot traffic. Selectman Kruckas questioned that Mr. Hans’ family owns the Ware Package Store at 51 Main Street; Mr. Hans noted this would be his first time owning a business.

Dan Bruso, manager of Bruso Liquor Mart, Inc. at 144 Main Street, voiced his objections as an abutter, stating that “someone in this room tipped off the applicants”, and the applicants re-did the paperwork just 4 days prior to this hearing. He stated that this application is illegal as Chapter 138, Section 15 notes ownership “directly or indirectly” involved, and asked who leased and negotiated the property. He stated that the mother owns 51 Main Street building. Bharat Hans stated he would be full owner of this business, with his father’s experience to help him get started. Mr. Bruso objected and stated the Board of Selectmen should not approve this application. Mr. Satnam Hans stated his wife is not a director in the 51 Main Street business, and his son deserves to create his own business – his son has a new concept and has visited breweries. Mr. Bruso argued that the applicant must disclose all direct or indirect interests, and by the law cannot own another license. He stated it is obvious these individuals are circumventing the law.

Chairman Carroll recognized Mary Midura to speak to Mr. Bruso’s objections. Ms. Midura stated that Mr. Bruso visited her with his objections, but refused to put his concerns in writing. She informed the applicant of the objections of Mr. Bruso, as the applicant has the right to know of any objections to the application. Ms. Midura stated that she called Mr. Bruso this morning, as a courtesy, to inform him that the paperwork had been changed, but is in proper order and meets the legal advertisement as published. Ms. Midura stated that if Mr. Bruso would like to put his objections in writing, she will be happy to include those objections in the packet if this application is approved tonight and mailed to the Alcoholic Beverages Control Commission (ABCC). Ms. Midura noted that, if the Board does not approve this application, the applicant has the right to appeal the Board’s decision to the ABCC.

Chairman Carroll noted there are several types of businesses in the town, with room for more. Bharat Hans noted his business is only wine & malt, whereas Mr. Bruso’s business has a full liquor license.

Selectman Kruckas made the motion Not to Approve the Application for a New Wine & Malt §15 Package Store License, Hans & Hans, Inc. d/b/a Hans Craft Beer & Convenience Mart, 30 West Main Street. Selectman Kruckas cited his concerns of the conflict of changed paperwork, parking issues, and objections of an abutter; Chairman Carroll asked for a second to the motion. 

There was no second to the motion. The motion failed.

Selectman Whitney made the motion to Approve the Application for a New Wine & Malt §15 Package Store License, Hans & Hans, Inc. d/b/a Hans Craft Beer & Convenience Mart, 30 West Main Street; Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 1 No (Selectman Kruckas).

Selectman Whitney made the motion to Approve 16C for the Application for a New Wine & Malt §15 Package Store License, Hans & Hans, Inc. d/b/a Hans Craft Beer & Convenience Mart, 30 West Main Street; Selectman Opalinski seconded the motion. The motion passed on a vote of 4 Yes, 1 No (Selectman Kruckas).
Discussion with Ruben Flores-Marzan, Director, Community Development & Planning (continued from above)

Mr. Flores-Marzan noted that there has been some animosity regarding solar projects, but the technology has been developing to move panels in certain ways to cause less reflection and respect the rural areas. Ware is at the vanguard for solar development, with the Planning Board doing great in evaluating proposals.

Selectman Kruckas questioned the amount of jobs from a solar facility; Mr. Flores-Marzan noted that short-term jobs are for consignment and installation, while long-term are maintaining the computer data. Selectman Kruckas asked Mr. Flores-Marzan what is being done to bring business into town, address the slum and blight designation, and working on grants. Mr. Flores-Marzan noted that these items are part of CDBG and are team efforts. Selectman Opalinski noted that CDBG has become more competitive and Mr. Flores-Marzan has been very instrumental in this.

Selectman Kruckas questioned why Mr. Flores-Marzan was not at a recent meeting regarding the senior living facility. Mr. Flores-Marzan noted that he is involved with feasibility with the Planning Board. Selectman Opalinski noted that the recent meeting was to promote activities for the senior living facility. Selectman Carroll noted that there was no notice of a cancelled CDA meeting; Mr. Flores-Marzan noted this error.

Selectman Opalinski thanked Mr. Flores-Marzan for his coordination of a Western Mass Developers meeting.

Old Business

Review of Maple Street Properties, Taxes and Permitting

Attorney Dale Kiley, Bourgeois White, LLP represented, Gary Buelow and Cone Buelow were present for the discussion. Attorney Kiley stated that the Maple Street properties have a use of freight and trucking, and do not need permits. He stated that vehicles are stored and moved in and out, and the freight is often stored while processed. Vehicles are processed from third parties, with hundreds moved in and out. Attorney Kiley cited a 2004 case for Citizens United. He noted that APR has a towing permit for 55 East Street, but Maple Street Power LLC is freight and trucking.

Mr. Beckley noted these uses should be confirmed with the Zoning Enforcement Officer. Mr. Buelow noted that Maple Street Power, LLC is not an extension of APR. Attorney Kiley stated they hope to avoid litigation, as they did a Freedom of Information Act request and obtained information that the properties are over-assessed from 2012. The building had no water, heat, power and no value, but has exorbitant assessment. Attorney Kiley cited Chapter 59, section 77 regarding issues with assessment.

Chairman Carroll noted the bylaw regarding unregistered vehicles, and noted that a plan of action is needed. Attorney Kiley stated the vehicles are not unregistered and not owned by Maple Street Power, LLC and are freight. Mr. Buelow noted this is a center hub to store vehicles until moved to their destination, and that they are a transport company and do not need to follow the towing bylaw. Vehicles go from auction to this facility to be transported as cargo. Attorney Kiley noted this could be heard in district court and suggested the Board should issue a Cease & Desist, but the definition of a freight and trucking are not defined in the town’s zoning bylaw. Selectman Opalinski noted the Town Planner should be consulted regarding the definition of freight.
Selectman Kruckas stated that the assessors’ office and building inspector should handle these issues. Selectman Whitney noted that the owners waited a long time to question the assessment. Selectman Opalinski noted that the appraisal was done by a professional company.

- **Sewer Abatement Application: 56 Chestnut Street**
  Ryan Palladino, owner and manager, was present for the application. Mr. Palladino noted that the sillcock in need of repair was not noticed because it was located in the back of the building.

Selectman Kruckas made the motion to approve Sewer Abatement of $352.31; Selectman Opalinski seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

**New Business – Special Event Permit Applications:**
- **Ware Community Theatre presents Heathers, The Musical, August 23-26, 2018**
- **Friends of the Ware Dog Park, 2nd Annual Doggy Dip & Dive, August 26, 2018**
  Brandy Bruno spoke about the event, and wore the new Ware Dog Park shirt.
- **Ware Family Center, Ware Junior Car Show, September 8, 2018**
  David Powers spoke about the event.
- **Melha Shriners, Chicken Barbeque, September 8, 2018**
  - **One-Day Liquor License: Melha Shriners, All-Alcoholic, September 8, 2018**
  - **Grenville Woodland Playground Committee, Nerf War, September 23, 2018**
    David Powers spoke about the event. Adults must be accompanied by a child. The committee must raise at least $50,000 before applying for a grant for the playground.
- **Domestic Violence Task Force, Domestic Violence Awareness Walk, October 6, 2018**
- **Grenville Woodland Playground Committee, Zombie 5K/Run, October 27, 2018**
  David Powers spoke about the event: participants can dress up in costumes, students will perform in costume, and the event is family-friendly.

Selectman Opalinski made the motion to approve the Special Permits and One-Day License; Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

**Comments and Concerns of Citizens**

David Kopacz spoke regarding the high number of pedophiles in the Town of Ware. He stated that a Level 3 offender was released on his own recognizance, with no bail and with only a GPS ankle device, by Judge Patricia Poehler. Mr. Kopacz stated he knocked on every door of the neighborhood of Cherry Street, and some residents did not know a Level 3 offender lived there. Mr. Kopacz questioned why Judge Poehler released this man. Mr. Kopacz stated that Belchertown has 17 such offenders, Hardwick has 9, West Brookfield has 6, while Ware has 50. Mr. Kopacz requested that the Board of Selectmen take a vote of No Confidence of Judge Poehler. Mr. Kopacz questioned what the Board of Selectmen are going to do about this pedophile epidemic in Ware. Mr. Kopacz thanked the Ware Police for doing their job and trying to protect the young children from these predators. Mr. Kopacz stated that a “Residents Task Force” would like to work to solve this “pedophile epidemic.”

Chief Crevier noted that bail was a tool used to make sure an individual shows up to court. Chief Crevier encouraged residents to write to their legislators about this situation. He noted that he has dealt with Judge Poehler quite often and she is an excellent professional. He invited all residents to visit the Ware Police Department to ask questions or express their concerns.
An unidentified woman in the audience gave her own personal story of survival, and she noted that the children must be educated.

Cathy Cascio questioned why Ware is a magnet for these pedophiles, and suggested contacting other towns to find out how they keep these numbers down. Mr. Beckley noted that State law allows all citizens to have rights as to where to live. Several unidentified men in the audience gave personal accounts of survival, and one man noted that “no kids should have to feel like this.”

Selectman Opalinski made the motion for the Board of Selectmen to write a letter expressing disappointment with Judge Poehler’s ruling, and to send the letter to Judge Poehler, the District Attorney, and legislators; Selectman Kruckas seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

Chairman Carroll suggested inviting Judge Poehler to have a conversation, and to work as a group with the resident task force. Resident Brandy Brusko asked in a public forum could be held.

Town Manager Report
Upcoming dates:
August 23-26, Community Theater in Town Hall Auditorium
September 4 – State Primary

Personnel. Water Operator Kevin Lizak has provided two weeks’ notice. The Town will provide DEP a staffing plan by August 25 that provides the required coverage.

Regional School Planning. The Warren Board of Selectmen will attend the September 11 meeting to further discuss.

Roads. The Highway Supervisor, Mr. Niedzwiecki, has created a list of projects that could be accomplished with this year’s Chapter 90 allocation. He is currently working on the required paperwork to submit to Mass DOT. Mr. Beckley gave a list of roads that will be milled or reclaimed and paved, with $350,000 of Chapter 90 funding: Cummings Road, Lois, Laurel, Benham, Marjorie, Pleasant, Crescent, Longview, and Woodland. Smaller projects: Shoreline Drive, Webb Court, Buckley Court, Maple, Grove Street, Kelly Road, Greenwich Plains Road Extension, Fisherick Road, Bondsville Road, River Road, Hutchinson Road, Old Gilbertville Road, Old Poor Farm Road, Osbourne Road.

Main Street. Members of the Board of Selectmen, John Morgan of CHA, and I attended a meeting with Mass DOT staff from Boston and District 2. The discussion focused on retaining parking spaces within the criteria of the Complete Streets program. There appeared little appetite for eliminating the bike lanes, but it appears that with some flexibility 5 spaces may be restored. Four near Town Hall and 1 in front of the library. In order to work further with the bike lanes, it was suggested that a parking study would be necessary. John Morgan is going to send an example of what would meet that requirement.

Selectman Whitney noted that Boston does not understand the needs of the town. Resident Jen McMartin noted this news of the five parking spaces is positive. Resident Jack Cascio asked if the Town could say no to the State project. Mr. Beckley noted that this project is a $2.5 million improvement. Rick Starodoj noted that the improvements from approximately 30 years ago are still in good condition, with traffic lights needing improvement. Selectman Opalinski noted that the roads must also be ADA compliant. Resident Cathy Cascio questioned how to walk away from this project, and for the Town to use its own funds to make improvements.
**National Night Out.** Was a big success. Thank you to the organizations, businesses and Town Departments and residents that attended. Thank you to Officer John Cacela for coordinating. This should become an annual event.

**Grants.** Through the work of Dick Kilhart, the Town received a $37,000 grant to design and permit the repair of another culvert on Old Poor Farm Road.

Mr. Beckley noted that the purchase and sale for 116 Pleasant Street would be completed soon and have a closing date of the first or second week of September. He asked the Board for a motion to allow the Chairman to sign the purchase and sale of $120,000, and to demolish or move the home.

Selectman Opalinski made the motion to Approve the Chairman of the Board of Selectmen to sign the Purchase and Sale of 116 Pleasant Street for $120,000 and to demolish or move the home; Selectman Whitney seconded the motion. The motion passed on a vote of 5 Yes, 0 No.

### Ongoing Issues Update

<table>
<thead>
<tr>
<th>Issue</th>
<th>Description</th>
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<tbody>
<tr>
<td>Main Street</td>
<td>To use State funding, Main Street will require Bike lanes. <em>Main Street project is at 75% design. Decision on lighting will be needed.</em> Right of Way easements need approval from Town meeting and Selectmen prior to January 2019. Scheduled for bidding August, 2019. <strong>May 29 presentation of 75% plans. Follow up with Mass DOT to request waiver for bike lanes. Meeting held on August 14.</strong></td>
</tr>
<tr>
<td>Multifamily Inspections</td>
<td>Inspectors meeting held. Determined that town will be divided into 5 sectors for 5-year inspections. Based on comments from other towns, will be challenged to complete fully. <em>The Building Department online system was made live on July 1.</em></td>
</tr>
<tr>
<td>GPS</td>
<td>6 units installed. Negotiations with unions initiated on appropriate vehicles. Working with Verizon on next order of units. <em>(15 additional units acquired for $15)</em> Budget to include cost of annual fees ($5700). <em>DPW Director's vehicle - GPS installed. Legal response prepared for all unions.</em></td>
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<tr>
<td>Condemned buildings</td>
<td>Town Meeting Article for 73 West Main Street. Community Development Authority proposing use of CDBG funds to assist with removal. Building Inspector to work with owner on sale. Has had 3 discussions with owners.</td>
</tr>
<tr>
<td>Beaver Lake Dam</td>
<td>Waiting to hear from Mass DOT. Beaver Lake Dam will also need repair this Fall. Road closures will need coordination.</td>
</tr>
<tr>
<td>Beavers – Prediville Road</td>
<td>National Grid is reviewing the situation with field crew. Will determine if they have ability to take action under utility laws. <strong>Town will move forward with Conservation Commission permitting. Will coordinate with MA Department of Fisheries and Wildlife and property owner.</strong></td>
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</tbody>
</table>

Selectman Whitney made the Motion to Adjourn Regular Session at 9:41 p.m. to go into Executive Session per MGL Chapter 30A, Section 21 (a) #1 Grievance, #2 Negotiations, NOT TO RECONVENE IN OPEN SESSION; Selectman Kruckas 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√ |

Attest:  
Mary L. Midura, Executive Assistant

*The next Board of Selectmen meeting will be held on Tuesday, September 11, 2018 at 7:00 p.m.*
APPLICATION FOR SPECIAL SERVICE OF
ALCOHOLIC BEVERAGES
MGL CHAPTER 138, SECTION 14
TOWN OF ware

Name: Workshop13 Application Date 08/23/2018

Contact Phone: 413-277-6072 Email: info@workshop13.org

Effective Date(s) of License: 09/07/2018 Every

Hours of Service (In conformity with MGL): 6:30 pm - 10:30 pm

Event (describe activities): Concert (Joop)

Anticipated Attendance: 75

Sponsoring Organization:

For Profit: Beer & Wine (only) Non Profit: All Alcoholic Beer & Wine X

Address (include Street & Number): 13 Church St, Ware, MA

Names of All Servers (bartenders) for this event Lisa DiMarzio, Pat Goudreau
Estimated Number of Attendees 75
Crowd Control Manager Roc Goudreau

I have received, and agree to abide by, all regulations of the Board of Selectmen. Furthermore, pursuant to MGL Chapter 52C, Section 49A, I hereby certify under penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and all state taxes required under law.

Signature of Applicant: Lisa DiMarzio
Social Security # or Federal I.D. #:

Fire Inspection
Date: EFFECTIVE TO 12/31/18

Building Inspection
Date: EFFECTIVE TO 12/31/18

Date Received: 8/23/2018 Insurance Certificate: EFFECTIVE TO 7/9/2019

Application Fee: $30

Action Taken: Approved _Denied Date: 8/29/18

Police Chief Review and Action
Shawn Crevier, Police Chief

2018-16
SPECIAL EVENT PERMIT APPLICATION
(To be posted or made available at event)

Return to: Board of Selectmen, Town of Ware, 126 Main Street, Ware, MA 01082

Application packet must be received no later than 30 days prior to the event.

Event Name: Ware Fair, Flea
Event Producer: ____________________________

Primary Contact Information:
Primary Contact Name: Carol Zins
Fax: _________________________________
Non-Profit Organization / Event: Yes X No __
Day Phone: 413-967-8304
Cell Phone: __________________________
E-mail: czins1@gmail.com
Website: warecenter.meetinghouse.org

Event Information:
Event Address / Location: 295 Selden Road
Starting Date: 9/25
Ending Date: 9/27
Time: 9 AM
Time: 3 PM
Total attendance expected: 300

List any streets to be closed for special event: None

Summary of Event - Please describe the special features of the event within the box below.

Food, live music, historical exhibitions
10x10 and 15x10 tents (40+ vender sites)
Historical exhibition - use of cooking fire
Line music & bands w/ sound equipment
Must get fire by SAR group
RELEASE/HOLD HARMLESS AGREEMENT (REQUIRED FOR USE OF TOWN PROPERTY ONLY):

I. __________________________, a representative from __________________________, does hereby acknowledge that in the course of its use of property owned by the Town of Ware, namely __________________________, located at __________________________, Ware, Massachusetts, for the purpose described above, and more particularly by virtue of the presence of its agents, servants, employees and invitees, (hereinafter collectively referred to as __________________________), in any manner whatsoever shall operate at its own risk on said property of the Town of Ware.

For and in consideration of the use of __________________________, __________________________ does for itself and on behalf of its agents, servants, employees and invitees, hereby, jointly and severally, remise, release and forever discharge the Town, its agents, servants and employees (hereinafter collectively referred to as the “Town”), of and from all debts, demands, actions, and any and all claims or demands whatsoever of any kind for damages or injuries to property or person which may arise by virtue of __________________________.

__________________________ further agrees to defend and indemnify and hold harmless the Town from and against any claims of any nature whatsoever and the cost and expenses, including, but not limited to, attorney fees and legal costs arising out of any claim in connection with its use of __________________________.

Said indemnification shall not include claims arising from intentional malfeasance by the agents or employees of the Town of Ware.

Signed this __________ day of __________________________, __________, on behalf of __________________________ by __________________________.

X

Signature of the agent duly authorized by the Special Event Permit applicant to bind it.

**This application packet (the checklist and the permit application) must be brought in person to each department for sign-offs – Parks & Recreation MUST be approved first. Once all sign-offs have been received, this application packet must be returned to the Town Manager’s Office for final approval by the Board of Selectmen.**

Review & Submission for Sign-Offs Provided By Departments

Please note – Departments may provide additional comments below their sign-off

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<tr>
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<tbody>
<tr>
<td>Parks &amp; Recreation</td>
<td>N/A</td>
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<tr>
<td>Health Department</td>
<td>Betty</td>
<td>8/23/18</td>
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<tr>
<td>Department of Public Works</td>
<td>Ann</td>
<td>8/27/18</td>
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<tr>
<td>Building Inspections</td>
<td></td>
<td>8/28/18</td>
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<tr>
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<td></td>
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<tr>
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# of Officers (if applicable)
APPLICATION FOR SPECIAL SERVICE OF ALCOHOLIC BEVERAGES
MGL CHAPTER 138, SECTION 14
TOWN OF WARE

Name: Workshop13 Application Date 08/23/2018

Contact Phone: 413-277-6072 Email: info@workshop13.org

Effective Date(s) of License: 09/21/2018 FRIDAY

Hours of Service (In conformity with MGL): 6:30 pm - 10:30 pm

Event (describe activities): Open Mic (Live at the Grand Hall)

Anticipated Attendance: 90

Sponsoring Organization:

For Profit: Beer & Wine (only) Non Profit: All Alcoholic Beer & Wine X

Address (include Street & Number): 13 Church St. Ware, MA

Names of All Servers (bartenders) for this event Lisa DiMarzio, Pat Goudreau

Estimated Number of Attendees 90

Crowd Control Manager Roc Goudreau

I have received, and agree to abide by, all regulations of the Board of Selectmen. Furthermore, pursuant to MGL Chapter 51C, Section 49A, I hereby certify under penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and all state taxes required under law.

Signature of Applicant: Lisa DiMarzio

Social Security # or Federal I.D. #:

Fire Inspection
Date: EFFECTIVE TO 12/31/18

Building Inspection
Date: EFFECTIVE TO 12/31/18

Date Received: 8/23/2018

Insurance Certificate: EFFECTIVE TO 7/9/2019

Application Fee: $30

Action Taken: K Approved _Denied Date: 8/27/18

Police Chief Review and Action

Shaw Crevier, Police Chief

2018-17
TOWN OF WARE

SPECIAL EVENT PERMIT APPLICATION
(To be posted or made available at event)

Return to: Board of Selectmen, Town of Ware, 126 Main Street, Ware, MA 01082

Application packet must be received no later than 30 days prior to the event.

Event Name: **TAG SALE/RAFFLE SHOW** Event Producer: **MELHA SHRINES**

Primary Contact Information:

Primary Contact Name: **GARRY SCHEIDT** Fax: _______________________

Non-Profit Organization / Event: Yes ☑ No ___

Day Phone: ______________________ Cell Phone: ______________________

E-mail: ______________________ Website: ______________________

Event Information:

Event Address / Location: **126 W MAIN ST**

Starting Date: **9/28/18** Time: 8:00 a.m. Ending Date: **9/29/18** Time: 8:00 a.m.

Total attendance expected: **300** Rain plan: ______________________

List any streets to be closed for special event: ______________________

Summary of Event - Please describe the special features of the event within the box below.

**TAG SALES IN PACKING LOT**

**50 - 60 TABLES TO BE SOLD**

**HAMBURGERS, HOT DOGS & 4% RISIERS TO BE SOLD**

(AMERICAN)

Revised by Board of Selectmen – August 8, 2017
RELEASE/HOLD HARMLESS AGREEMENT (REQUIRED FOR USE OF TOWN PROPERTY ONLY):

1. __________________________, a representative from MELHA SHARE LLC, does hereby acknowledge that in the course of its use of property owned by the Town of Ware, namely ______________________________________ located at ________________, Ware, Massachusetts, for the purpose described above, and more particularly by virtue of the presence of its agents, servants, employees and invitees, (hereinafter collectively referred to as MELHA SHARE LLC), in any manner whatsoever shall operate at its own risk on said property of the Town of Ware.

For and in consideration of the use of __________________________, does for itself and on behalf of its agents, servants, employees and invitees, hereby, jointly and severally, remit, release and forever discharge the Town, its agents, servants, and employees (hereinafter collectively referred to as the “Town”), of and from all debts, demands, actions, and any and all claims or demands whatsoever of any kind for damages or injuries to property or person, which may arise by virtue of __________________________ use of __________________________.

further agrees to defend and indemnify and hold harmless the Town from and against any claims of any nature whatsoever and the cost and expense, including, but not limited to, attorney fees and legal costs arising out of any claim in connection with its use of __________________________.

Said indemnification shall not include claims arising from intentional malfeasance by the agents or employees of the Town of Ware.

Signed this ____________ day of ____________, 20__, on behalf of __________________________ by ____________

Signature of the agent duly authorized by the Special Event Permit applicant to bind it __________________________

Date: ____________

**This application packet (the checklist and the permit application) must be brought in person to each department for sign-offs – Parks & Recreation MUST be approved first. Once all sign-offs have been received, this application packet must be returned to the Town Manager’s Office for final approval by the Board of Selectmen.**

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<td>Health Department</td>
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<td>Fire Department</td>
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<tr>
<td>Police Department</td>
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</table>

# of Officers (if applicable) __________________________
Application packet must be received no later than 30 days prior to the event.

Event Name: Pumpkins & Ponies
Event Producer: Trinity Episcopal Church

Primary Contact Information:
Primary Contact Name: Edie Kirk
Fax: NA

Non-Profit Organization/Event: Yes  No

Day Phone: 636-219-4190
Cell Phone: 636-219-4190

E-mail: ediekirk@comcast.net

Event Information:
Event Address/Location: Grenville Park near Pavilion

Starting Date: 10/6/18 Time: 9:00 AM Ending Date: 10/6/18 Time: 3:00 PM

Total attendance expected: 150 Rain plan: Rain or Shine

List any streets to be closed for special event: None

Summary of Event - Please describe the special features of the event within the box below.

Pumpkins and Ponies

The event will run from 10-2, with set up from 9-10 and clean up 2-3 pm. There will be pony rides, a bounce house, games for children, crafts for children, food, and pumpkins for sale to paint or carve with adults. Pony rides will be free for first ride.

This is a fundraiser for Trinity Episcopal Church. The event will be held at Grenville Park. The Parks and Recreation Board approved the proposed plan at its Aug 6th meeting.
RELEASE/HOLD HARMLESS AGREEMENT (REQUIRED FOR USE OF TOWN PROPERTY ONLY):

1. Ed K. Kirk, a representative from Trinity Episcopal Church, does hereby acknowledge that in the course of its use of property owned by the Town of Ware, namely
   Givensville Park, located at W. Ware, Massachusetts, for the purpose described above, and more particularly by virtue of the presence of its agents, servants, employees and invitees, (hereinafter collectively referred to as "Trinity Episcopal Church"). in any manner whatsoever shall operate at its own risk on said property of the Town of Ware.

For and in consideration of the use of Givensville Park, does for itself and on behalf of its agents, servants, employees and invitees, hereby, jointly and severally, remise, release and forever discharge the Town, its agents, servants and employees (hereinafter collectively referred to as the "Town"), of and from all debts, demands, actions, and any and all claims or demands whatsoever of any kind for damages or injuries to property or person, which may arise by virtue of Givensville Park, further agrees to defend and indemnify and hold harmless the Town from and against any claims of any nature whatsoever and the cost and expense, including, but not limited to, attorney fees and legal costs arising out of any claim in connection with its use of Givensville Park.

Said indemnification shall not include claims arising from intentional malfeasance by the agents or employees of the Town of Ware.

Signed this 17th day of August, 2018, on behalf of Trinity Episcopal Church.

Signature of the agent duly authorized by the Special Event Permit applicant to bind it.

**This application packet (the checklist and the permit application) must be brought in person to each department for sign-offs — Parks & Recreation MUST be approved first. Once all sign-offs have been received, this application packet must be returned to the Town Manager's Office for final approval by the Board of Selectmen.**

Review & Submission for Sign-Offs Provided By Departments
Please note — Departments may provide additional comments below their sign-off

<table>
<thead>
<tr>
<th>Department</th>
<th>Signature</th>
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<tbody>
<tr>
<td>Parks &amp; Recreation</td>
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<tr>
<td>Health Department</td>
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<tr>
<td>Licensed Kitchen @ Trinity - all food prepared @ church</td>
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<tr>
<td>Department of Public Works</td>
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<td>8/27/18</td>
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<tr>
<td>Building Inspections</td>
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<td>8/27/18</td>
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<tr>
<td>Anna S. Marques, Building Inspector</td>
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<td>Fire Department</td>
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<td>8/27/18</td>
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<tr>
<td></td>
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<td># of Officers (if applicable) 20</td>
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Revised by Board of Selectmen – August 8, 2017
August 30, 2018
To:
Board of Selectmen
Town of Ware
Ware, MA

Trinity Episcopal Church of Ware requests approval to host an event titled “Pumpkins and Ponies”, to be held Saturday, October 6, 2018 from 10 am – 2 pm at Grenville Park, with set up beginning at 9 am and cleanup following the event to conclude no later than 4 pm. All setup and cleanup will be completed by members of Trinity Episcopal Church. On August 6, I met with John Piechota and the Parks Commission to request approval for use of Grenville Park for this event and the Commission gave its approval and directed me to go forward with the Town of Ware Special Event Permit form.

The event will include:
1) Pony rides will be provided by Nikki Beltrandi, Welsh Creek Farm Adventures, 260 Russellville Road, Westfield, MA 01085, 413-374-0680. Nikki provides pony rides at the Easthampton Farmer’s Market and is very well received. The first pony ride for all children will be free. There will be a modest charge for additional rides.

2) Pumpkins will be for sale to be painted. Paints and decorations will be provided free.

3) A variety of games and activities involving pumpkins. Some games will be free and other games will have a small charge. There will be games for anyone from 3 yrs old and up.

4) Face painting will also be offered for a small charge.

5) The Town of Ware Board of Health approved sale of commercially purchased food including hot dogs and buns for this event. In addition, the Board of Health approved selling baked goods made in the Trinity Episcopal Church kitchen. (The Trinity Episcopal Church kitchen is a Board of Health certified kitchen).

There is no charge for the event, although as mentioned, some activities will require purchase of a pumpkin or an activity ticket. Proceeds will be used to support ministries of Trinity Episcopal Church including the Jubilee Diaper Ministry. Trinity Episcopal Church members are looking forward to sponsoring this event for the community, and we hope the Ware Selectmen will approve our request to host this event.

Respectfully submitted by:
Mrs. Edie Kirk,
Trinity Episcopal Church
Pumpkin and Ponies Event Coordinator
Cell 636-219-4904
TOWN OF WARE
BOARD OF SELECTMAN

APPLICATION FOR THE CONDUCT OF A "TOLL ROAD"

Knights of Columbus #183
Name of Organization
PO Box 88 Ware
MEETINGS AT 17 North St. Ware
Address
Date Organization Established

Chairperson/Person in Charge:

Name: Bryan Rheaume
Title: Grand Knight
Address: 16 Elm St. Ware
Telephone #: 912-222-0534
Email: b_rheaume@yahoo.com
Date Requested: 10/6/18 Sat
Alternate Date: 10/7/18 Sun
Time Requested: 8 to 12
Purpose: To collect donations for the "Tootsie Roll Drive"

Number of Participants: 12
(Please attach a separate paper listing names, addresses and ages of all participants.)

Attached herewith is a certificate of insurance for the event which designates the Town of Ware as an additional named insured for the event.

I have been provided with a copy of the "Toll Road Policy and Map" and am aware of the requirements associated with its provisions of conduct.

Signature of Chairperson/Person in Charge: ____________________________ Date: 9/4/18

Application Approved by Board of Selectmen on ____________________________

Clerk to Board of Selectmen

cc: Toll Road Approved Applications File
Police Department
Fire Department
**CERTIFICATE OF LIABILITY INSURANCE**

**PRODUCER:** Gaudreau Fountain Insurance Agency, Inc.

**INSURED:** Ware Knights of Columbus Council 183

**COVERAGES**

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<tr>
<th>TYPE OF INSURANCE</th>
<th>SURD</th>
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<th>EXP DATE</th>
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<tr>
<td>EXCESS LIABILITY</td>
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</tbody>
</table>

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES:**

- NON-PROFIT ORGANIZATION

**CERTIFICATE HOLDER**

**CANCELLATION**

- SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**AUTHORIZED REPRESENTATIVE**

© 1988-2015 ACORD CORPORATION. All rights reserved.
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brian Rheuame</td>
<td>16 Elm St. Ware</td>
<td>38</td>
</tr>
<tr>
<td>Joseph Harper</td>
<td>13 Church St</td>
<td>39</td>
</tr>
<tr>
<td>Robert Chartier</td>
<td>36 Berkshire Circle Ware</td>
<td>65</td>
</tr>
<tr>
<td>Gerald Fountain</td>
<td>116 Fisherick Rd Ware</td>
<td>60</td>
</tr>
<tr>
<td>Michael Fountain</td>
<td>116 Fisherick Rd Ware</td>
<td>34</td>
</tr>
<tr>
<td>Paul Harper Jr</td>
<td>132 Bacon Rd</td>
<td>60</td>
</tr>
<tr>
<td>Raymond Wyszynski</td>
<td>102 Long Hill Rd West Brookfield</td>
<td>53</td>
</tr>
<tr>
<td>Peter A Millet Jr</td>
<td>Po Box 363 Warren</td>
<td>33</td>
</tr>
<tr>
<td>Rick Russell</td>
<td>11 Otis Ave</td>
<td>52</td>
</tr>
<tr>
<td>Donald Dunbar</td>
<td>81 Osborne Rd Ware</td>
<td>38</td>
</tr>
<tr>
<td>Peter Lessard</td>
<td>136 Pierce Rd West Brookfield</td>
<td>68</td>
</tr>
<tr>
<td>Paul Boynton</td>
<td>114 Glendale Cir Ware</td>
<td>67</td>
</tr>
</tbody>
</table>
TOWN OF WARE
BOARD OF SELECTMAN

APPLICATION FOR THE CONDUCT OF A “TOLL ROAD”

Ware Fire Department
Name of Organization
200 West St
Address

Date Organization Established

Chairperson/Person in Charge:

Name Jacob Person
Title Firefighter/EMT
Address 317 Palmer Rd
Telephone # 413-544-3777
Email Person913@gmail.com

Date Requested 10/14/18
Alternate Date 10/21/18
Time Requested 8 a.m. to 12 p.m.
Purpose MDA Boot drive

Depending on how many people possibly need both intersections.

Number of Participants Unknown (Please attach a separate paper listing names, addresses and ages of all participants.)

Attached herewith is a certificate of insurance for the event which designates the Town of Ware as an additional named insured for the event.

I have been provided with a copy of the “Toll Road Policy and Map” and am aware of the requirements associated with its provisions of conduct.

[Signature]
Signature of Chairperson/Person in Charge

Application Approved by Board of Selectmen on

Date

Clerk to Board of Selectmen

cc: Toll Road Approved Applications File
    Police Department
    Fire Department

Adopted May 6, 2009
SPECIAL EVENT PERMIT APPLICATION
(To be posted or made available at event)

Return to: Board of Selectmen, Town of Ware, 126 Main Street, Ware, MA 01082

Application packet must be received no later than 30 days prior to the event.

Event Name: *Bookey Stories in the Dark*
Event Producer: *WCMH Producers*

Primary Contact Information:
Primary Contact Name: Carol Z. Os
Fax: ____________________________
Non-Profit Organization / Event: Yes x No ___
Day Phone: 413 967 8304
Cell Phone: ______________________
E-mail: __________________________
Website: __________________________

Event Information:
Event Address / Location: 295 Belchertown Rd, Ware
Starting Date: 10/20 Time: 6:00 P.M
Ending Date: 10/20 Time: 9:00 P.M
Total attendance expected: 50 per show
Rain plan: __________________________
List any streets to be closed for special event: __________________________

Summary of Event - Please describe the special features of the event within the box below.

Reading Stories to children by battery powered candle light
RELEASE/HOLD HARMLESS AGREEMENT (REQUIRED FOR USE OF TOWN PROPERTY ONLY):

I, ____________________________________________________________, a representative from ____________________________________________________________, does hereby acknowledge that in the course of its use of property owned by the Town of Ware, namely ____________________________________________________________, located at __________________________________________, Ware, Massachusetts, for the purpose described above, and more particularly by virtue of the presence of its agents, servants, employees and invitees, (hereinafter collectively referred to as ___________________________________________), in any manner whatsoever shall operate at its own risk on said property of the Town of Ware.

For and in consideration of the use of ____________________________________________, ____________________________________________, does for itself and on behalf of its agents, servants, employees and invitees, hereby, jointly and severally, remise, release and forever discharge the Town, its agents, servants and employees (hereinafter collectively referred to as the "Town"), of and from all debts, claims, actions, and any and all claims or demands whatsoever of any kind for damages or injuries to property or person, which may arise by virtue of ____________________________________________, use of ____________________________________________, further agrees to defend and indemnify and hold harmless the Town from and against any claims of any nature whatsoever and the cost and expense, including, but not limited to, attorney fees and legal costs arising out of any claim in connection with its use of ____________________________________________.

Said indemnification shall not include claims arising from intentional malfeasance by the agents or employees of the Town of Ware.

Signed this ________ day of ________________, 20____, on behalf of ____________________________________________, by ____________________________.

X ____________________________

Signature of the agent duly authorized by the Special Event Permit applicant to bind it

Date: __________/____/____

**This application packet (the checklist and the permit application) must be brought in person to each department for sign-offs – Parks & Recreation MUST be approved first. Once all sign-offs have been received, this application packet must be returned to the Town Manager’s Office for final approval by the Board of Selectmen.**

Review & Submission for Sign-Offs Provided By Departments

Please note – Departments may provide additional comments below their sign-off

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</table>

| Health Department |
|--------------------|--------|
| ________________   | Date: 8/21/18 |
| No food involved   |         |

| Department of Public Works |
|-----------------------------|----------|
|                             | Date:    |
|                             |          |

| Building Inspections       |
|-----------------------------|----------|
| ___________________________ | Date:    |
|                             |          |

| Fire Department            |
|-----------------------------|----------|
| ___________________________ | Date: 8-21-18 |

| Police Department          |
|-----------------------------|----------|
| ___________________________ | Date: 08/21/2018 |

# of Officers (if applicable) __________
APPLICATION FOR SPECIAL SERVICE OF
ALCOHOLIC BEVERAGES
MGL CHAPTER 138, SECTION 14
TOWN OF WARE

Name: ALL SAINTS CHURCH  Application Date: 09/05/2018
Contact Phone: 413-867-4863  Email: allsaintsware17@gmail.com
Effective Date(s) of License: SATURDAY, OCTOBER 27, 2018
Hours of Service (in conformity with MGL): 5 - 8 P.M.
Event (describe activities): PARISH FALL DINNER
Anticipated Attendance: UP TO 150 MEMBERS OF THE CHURCH
Sponsoring Organization: ALL SAINTS CHURCH
For Profit: Beer & Wine (only)  Non Profit: All Alcoholic  Beer & Wine
Address (include Street & Number): 17 NORTH ST, WARE, MA 01082
Names of All Servers (bartenders) for this event: BRIAN SCHA

Estimated Number of Attendees: 100
Crowd Control Manager:

I have received, and agree to abide by, all regulations of the Board of Selectmen. Furthermore, pursuant to MGL Chapter 51C, Section 49A, I hereby certify under penalties of perjury that to the best of my knowledge and belief, have filed all state tax returns and all state taxes required under law

Signature of Applicant:
Social Security # or Federal I.D. #: 09-7439378

Fire Inspection
Date: TB COMPLETED

Insurance Certificate:

Date: 09-05-18

Police Chief Review and Action

Shawn Crevier, Police Chief
Dear Licensee:

The Board of Selectmen invite you to attend the September 11, 2018 meeting at 7:00 p.m. in the Selectmen’s meeting room at Ware Town Hall. At this meeting, the Board will conduct a discussion of proposed requirements (tabled from December 19, 2017) for renewal of Class I, II and III Car Dealer licenses.

Any new requirements approved by the Board of Selectmen would be added to the renewal documents that will be mailed to you in November 2018.

Your attendance and comments would be greatly appreciated. If you cannot attend this meeting, but would like to submit comments, you are welcome to email me at mmidura@townofware.com. Your submitted comments will be considered during the September 11, 2018 discussion.

You may also contact me at 413-967-9648, extension 101.

Sincerely,

Mary L. Midura
Executive Assistant to Town Manager

Enclosure
Amend Ware's Class I, II, III renewal process(es) to include:

1) **Interior schematics** can be hand-drawn must be to scale include North & South Directions and dated:

   Interior Schematic Show:
   - Plumbing & kitchen locations
   - Flammable locations
   - Fire extinguisher locations
   - Liquid drainage areas
   - Customer waiting area
   - Spray painting area
   - Lift area
   - Fireproof cabinet for paint storage location
   - Ingress and Egresses

2) **Exterior schematics** can be hand-drawn must be to scale include North & South Directions and dated:

   Exterior Schematic Show:
   - Ingress and Egress from property
   - Designate and show location of # customer parking spaces
   - Designate and show location of # customer ADA parking spaces
   - Designate and show location of # vehicles for sale parking spaces
   - Designate and show location of # repair vehicles parking spaces
   - Designate and show location of # employee(s) parking spaces
   - Designate and show location of # tow truck drop off spaces
   - Square footage & location of parts space

3) # of (new or resale) units sold in said year
4) if owner has misdemeanor or felony
5) If Compliant with MA DOT standards if located on state road
September 7, 2018

To : Board of Selectmen

From : Stuart Beckley, Town Manager

Attached are revised plans for the Main Street Signalization project. The Plans show the restoration of 5 parking spaces – 4 by Town Hall and one in front of the library.

Additionally, at the meeting, a cost estimate for the project excluding the paving will be discussed.
September 7, 2018

To: Board of Selectmen

From: Stuart Beckley, Town Manager

Subject: Special Municipal Employee

The Town Attorney has requested the assistance of Robert LeMaitre, Surveyor, on several cases. He, therefore suggests that Mr. LeMaitre in the position of “Consultant on Legal Matters” be approved as a Special Municipal Employee so that he may also continue his private work that may come before Town boards.

Thank you.