

**COMMONWEALTH OF MASSACHUSETTS**

**TOWN OF BELLINGHAM**

**WARRANT FOR ANNUAL TOWN MEETING**

Norfolk, ss:

To either of the Constables of the Town of Bellingham, in the County of Norfolk;

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs to meet at the

**HIGH SCHOOL AUDITORIUM**

At 60 Blackstone Street in said Bellingham, on Wednesday, the twenty-second day of May 2019, at 7:30 p.m., then and there to act on the following articles:

**ARTICLE 1. OPERATING EXPENSES AND SALARIES**

To see what sums the Town will vote to raise and appropriate by taxation, by transfer from available funds and/or otherwise, for the following purposes, to include determining the expenses and salaries of the various elected and appointed Town Officials for the period commencing July 1, 2019 through June 30, 2020; or act or do anything in relation thereto

<u>Account #</u>	<u>Account</u>
114	Town Meeting Moderator
122	Board of Selectmen
123	Town Administrator
131	Finance Committee
132	Reserve Fund
135	Chief Financial Officer
137	Assessors
145	Treasurer & Collector
151	Town Counsel
152	Human Resources
154	Management Information System
156	Tax Title Foreclosure

161	Town Clerk
162	Elections
163	Board of Registrars
171	Conservation Commission
172	Planning Board
173	Zoning Board of Appeals
183	Commission on Disability
189	Public Buildings Maintenance
190	OTJ Injury for Deductible
193	Property & Liability Insurance
194	Retirement Assessment
195	Medicare/Employer Share
196	Town Reports
197	Physical/Occupational Health
198	Insurance Deductible
210	Police Department
220	Fire Department
251	Town Inspector
252	Sealer of Weights & Measures
253	Inspector of Plumbing & Gas
255	Electrical Inspector
292	Animal Control
294	Tree Warden
299	Auxiliary Police
300	School Department
302	Blackstone Valley Vocational Tech School
303	School Transportation
421	Highway Administration
422	Highway Construction/Maintenance
423	Snow and Ice Removal
424	Street Lighting
425	Highway Maintenance
426	Gas & Oil
439	Sanitary Landfill
490	Stormwater Management
491	Cemetery Committee
510	Board of Health
541	Council on Aging
543	Veterans Services
549	Veterans Grave Agent
610	Library
630	Park & Recreation
650	Historical Commission
651	Arts Cultural Commission
660	Memorial Day/Veterans
750	Debt Service

990                      Workers Compensation Trust Fund  
991                      Unemployment Insurance Trust Fund  
992                      Group Insurance Claims Trust Fund

(By: Board of Selectmen)

## ARTICLE 2. TRASH ENTERPRISE

To see what sums the Town will vote to raise and appropriate by taxation, by transfer from available funds, or otherwise, for the Trash Enterprise for the period commencing July 1, 2019 through June 30, 2020; or act or do anything in relation thereto.

(By: Board of Selectmen)

## ARTICLE 3. WATER ENTERPRISE

To see what sums the Town will vote to raise and appropriate by taxation, by transfer from available funds, or otherwise, for the Water Enterprise for the period commencing July 1, 2019 through June 30, 2020; or act or do anything in relation thereto.

(By: Board of Selectmen)

## ARTICLE 4. SEWER ENTERPRISE

To see what sums the Town will vote to raise and appropriate by taxation, by transfer from available funds, or otherwise, for the Sewer Enterprise for the period commencing July 1, 2019 through June 30, 2020; or act or do anything in relation thereto.

(By: Board of Selectmen)

## ARTICLE 5. CONVEYANCES AND EASEMENTS

To see if the Town will vote to authorize the Board of Selectmen to accept by gift and/or purchase conveyances or easements for sewers, water lines, retaining walls and streets, and to raise and appropriate by taxation, by transfer from available funds, by borrowing or otherwise, a sum of money to carry out said purposes; or act or do anything in relation thereto.

(By: Board of Selectmen)

## **ARTICLE 6. PURCHASE OF SURPLUS EQUIPMENT**

To see if the Town will vote to raise and appropriate by taxation, by transfer from available funds, by borrowing or otherwise, a sum of money and to authorize the DPW Director, in conjunction with other Town Departments, to purchase surplus government equipment for the Town; or act or do anything in relation thereto.

(By: Board of Selectmen)

## **ARTICLE 7. TOWN PROPERTY AUCTION**

To see if the Town will vote to authorize the Board of Selectmen to sell at public auction any of the property which the Town may have acquired or may hereafter acquire through proceedings based upon non-payment of taxes or under proceedings for the sale of lands of low value, to impose upon the property so sold such restrictions, reservations or conditions as shall be deemed expedient, and to execute quitclaim deeds and other instruments thereto; or act or do anything in relation thereto.

(By: Board of Selectmen)

## **ARTICLE 8. HIGHWAY CONSTRUCTION**

To see if the Town will vote to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of funds allotted by the State under authorization of Chapter 90 of the General Laws, (as pertaining to Highway Funds) for the construction, reconstruction, and improvement of Town roads, said funds to be borrowed in anticipation of State Revenue; and expended under the direction of the DPW Director; or act or do anything in relation thereto.

(By: DPW Director)

## **ARTICLE 9. AMEND FY2019 ANNUAL OPERATING BUDGET**

To see if the Town will vote to amend Article 1 of the 2018 Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into items within Article 1; or act or do anything in relation thereto.

(By: Board of Selectmen)

#### **ARTICLE 10. AMEND FY2019 TRASH ENTERPRISE BUDGET**

To see if the Town will vote to amend Article 2 of the 2018 Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into items within Article 2; or act or do anything in relation thereto.

(By: Board of Selectmen)

#### **ARTICLE 11. AMEND FY2019 WATER ENTERPRISE BUDGET**

To see if the Town will vote to amend Article 3 of the 2018 Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into items within Article 3; or act or do anything in relation thereto.

(By: Board of Selectmen)

#### **ARTICLE 12. AMEND FY2019 SEWER ENTERPRISE BUDGET**

To see if the Town will vote to amend Article 4 of the 2018 Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into items within Article 4; or act or do anything in relation thereto.

(By: Board of Selectmen)

#### **ARTICLE 13. CAPITAL OUTLAY**

To see if the Town will vote to raise and appropriate a sum of money and to determine how such appropriation shall be raised, whether by taxation, by transfer from available funds, by borrowing or otherwise, and if by borrowing to authorize the issuance and sale of general obligation bonds or notes of the Town therefore for the purpose of financing the purchase, lease/purchase, construction, reconstruction and/or engineering costs associated with various capital outlay items or improvements proposed by Town Departments, Boards or Committees; and to authorize contracts for such purposes for terms of up to or in excess of three years; or act or do anything in relation thereto.

(By: Board of Selectmen)

#### **ARTICLE 14. NON-CAPITAL OUTLAY EXPENDITURES** (Expenditures of Less Than \$50,000)

To see if the Town will vote to raise and appropriate a sum of money and to determine how such appropriation shall be raised, whether by taxation, by transfer from available funds, by borrowing or otherwise, and if by borrowing to authorize

the issuance and sale of general obligation bonds or notes of the Town therefore for the purpose of financing the purchase of various non-capital outlay items or improvements proposed by Town Departments, Boards or Committees; or act or do anything in relation thereto.

(By: Board of Selectmen)

#### ARTICLE 15. REVOLVING FUNDS

To see if the Town will vote to authorize the total expenditures for the following revolving funds pursuant to Chapter 44, Section 53E½ of the General Laws for the fiscal year beginning July 1, 2019 to be expended in accordance with the bylaws with such expenditure limits to be in place from fiscal year to fiscal year unless amended by Town Meeting prior to July 1 for the ensuing fiscal year; or act or do anything in relation thereto.

<u>FUND</u>	<u>SPENDING LIMIT</u>
Bellingham Public Library Trustees	\$15,000
D.P.W.	\$20,000
Board of Health	\$35,000
Board of Health	\$20,000
Commission on Disability	\$10,000
Bellingham Police Department	\$40,000
Bellingham Conservation Commission	\$15,000
Board of Selectmen	\$25,000
School Committee	\$50,000

(By: Library Trustees, D.P.W., Board of Health, Commission on Disability, Police Department, Conservation Commission, Board of Selectmen, School Committee)

#### ARTICLE 16. AMENDMENT OF ZONING BYLAWS XXVIII

To see if the Town Of Bellingham will vote to amend Article XXVIII of the Town's Zoning By-Law by including the following described real estate as part of the 55+ Active Adult Overlay District, to wit:

The land in Bellingham in the County of Norfolk, Commonwealth of Massachusetts, bounded and described as follows:

Southerly by Hartford Avenue, eight hundred-fifty-seven (857) feet; Westerly by land now or formerly of Angelo Perri; Northwesterly and Northerly by land now or formerly of Fabyn Woolen Co., et al, called Beaver Pond, an artificial pond; and

Easterly two hundred seventy-eight and 65/100 (278.65) feet; Southeasterly three hundred fourteen and 20/100 (314.20) feet; Southerly one hundred fifty-five and 70/100 (155.70) feet; Easterly five hundred ninety-six and 80/100 (596.80) feet by land now or formerly Sabra Clark.

All of said boundaries, except the street line and line of Beaver Pond, are determined by the Land Court to be located as shown on a plan drawn by Henry W. Gaskill, Surveyor, dated December 1919, as modified and approved by said Court, filed in the Land Registration office as No. 10416A, a copy of portion of which is filed in Norfolk Registry District with Certificate No. 14928, Volume 75.

(By: Petitioner Raymond Dirany, Manager)  
DIRANY REAL ESTATE, LLC

#### **ARTICLE 17. ZONING BYLAW AND ZONING MAP AMENDMENT – MAPLE STREET**

To see if the Town will vote to amend its Zoning Bylaw and Zoning Map in accordance with Attachment 1 and as follows:

Amending the zoning district at the following addresses from the Industrial District to the Suburban District:

240 Maple Street Parcel 37 Lot 4, Parcel 37 Lot 5, 244 Maple Street Parcel 37 Lot 4-3, Parcel 37 Lot 4-4, 260 Maple Street Parcel 37 Lot 4-1, 306 Maple Street Parcel 37 Lot 6A, Parcel 37 Lot 6B, Parcel 37 Lot 4-3C, Parcel 47 Lot 3; or act or do anything in relation thereto.

(By: Petitioner Art Paturzo)

#### **ARTICLE 18. CHARLES RIVER GROVE BELLINGHAM DRAINAGE AND ROADWAY EASEMENTS & PARCEL ACQUISITION**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, and/or take by eminent domain the fee to and/or permanent and temporary easements, for all purposes for which public ways are used and for the purpose of constructing, installing, maintaining, improving, repairing, relocating and abandoning in place storm drainage systems located in First, Second, Third, Fourth, and Middle Avenues, in, on and under parcels of land abutting or near said roadways, including the parcels of land shown on Assessor's Map 40 as Parcels 82, 109 and 110, all as shown on plans titled "Charles River Grove Bellingham Drainage and Roadway Easements" prepared by Borderland Engineering, Inc., dated January 22, 2019, copies of which will be on file with the Town Clerk's Office 14 days before the Town Meeting; and further to raise and appropriate or transfer from available funds a sum of money for the purposes of this Article including any incidental and related expenses; or act or do anything in relation thereto.

(By: DPW Director)

## **ARTICLE 19. LAKEVIEW AVE PERMANENT EASEMENT SWAP**

To see if the Town will vote to transfer the care, custody and control of a portion of Town-owned property, which property is described in a deed recorded with Norfolk Registry of Deeds in Book 4886, Page 195 and which portion is shown on a plan titled "Easement Plan Located at 137 Lakeview Avenue Bellingham MA, Owned by Town of Bellingham & Paul D. Clarkin Prepared for the Town of Bellingham" prepared by Land Planning, Inc., dated June 21, 2017, recorded in Plan Book 673, Page 33, to the Board of Selectmen for the purpose of conveying an easement in said portion and for the landfill purposes, for which purpose the property is currently held by the Selectmen, and to authorize the Board of Selectmen to grant a roadway and slope easement on such terms and conditions and for such consideration, which may be nominal consideration, as the Board of Selectmen deems appropriate, said grant being in exchange for the easements already granted to the Town on the parcels of land shown on said plan; or act or do anything in relation thereto.

(By: DPW Director)

## **ARTICLE 20. BOX POND DRIVE PERMANENT ROADWAY EASEMENTS**

To see if the Town will vote to accept Box Pond Drive as a public way as laid out by the Board of Selectmen, and to authorize the Board of Selectmen to acquire by gift, purchase, and/or take by eminent domain permanent roadway, drainage, utility and related easements, all as shown more particularly on plans titled "Box Pond Layout Plans, Bellingham MA" prepared by Norfolk County Engineering Department, dated April 12, 2019; copies of which will be on file with the Town Clerk's Office 14 days before the Town Meeting; and to raise and appropriate or transfer from available funds a sum of money for the purposes of this Article including any incidental and related expenses; or act or do anything in relation thereto.

(By: DPW Director)

## **ARTICLE 21. USED CAR LICENSES**

To see if the Town will vote to amend Chapter 216, Vehicles and Traffic of the Bellingham Code of Bylaws by amending to the following:

### **Article VII. Used Car Licenses**

No more than 26 Class II used-car licenses, as contemplated and described under M.G.L. ch. 140, §§ 57-59, may be issued by the Selectmen. If at the time of the effective date of this bylaw more than 26 Class II licenses exist, no new licenses may be issued until the number of issued licenses falls below 26. Notwithstanding the foregoing, each license existing as of the effective date of this bylaw may be renewed, if compliant with laws, rules, regulations and standards applicable to renewal.



### **§ 216-13. Standards for issuance of used-car licenses.**

In addition to any other applicable provision of law, when determining whether to issue a Class II license or renewal thereof, the Selectmen may take into consideration any concerns regarding health, safety and welfare of the residents of Bellingham, as well as any legitimate planning or environmental concern. The Selectmen may impose conditions on the issuance or renewal of any Class II license; or act or do anything in relation thereto.

(By: Petitioner Bruce W. Lord for Bellingham Sunoco)

### **ARTICLE 22. APPROPRIATION OF FUNDS – SEWAGE DISPOSAL SYSTEMS, FUEL STORAGE TANKS & DE-LEADING DWELLINGS**

To see if the Town will vote to raise and appropriate the sum of \$300,000 for the purpose of remediating failing residential subsurface sewage disposal systems, underground fuel storage tanks and de-leading dwellings with dangerous levels of lead, pursuant to Chapter 111, Section 127B½ and Chapter 80 (Betterments) of the General Laws, and to assess betterments therefor; and, further, to determine how such appropriation should be raised, whether by taxation, transfer of available funds, borrowing or otherwise, and if

by borrowing, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Sections 7 or 8 or Chapter 111, Section 127B½ of the General Laws, or any other enabling authority, and issue bonds or notes of the Town therefor, whether at one time or from time to time; or act or do anything in relation thereto.

(By: Board of Health)

### **ARTICLE 23: BOND PROCEEDS GENERAL AUTHORIZATION**

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied; or act or do anything in relation thereto.

(By: Chief Financial Officer)

#### **ARTICLE 24: RESCISSION OF UNISSUED BORROWING AUTHORITY**

To see if the Town will vote to rescind the following amounts that have been authorized to be borrowed, but which are no longer needed for the purposes for which they were initially approved ; or act or do anything in relation thereto.

<u>Unissued Amount</u>	<u>Date of Approval</u>	<u>Original Purpose</u>
\$50,000	5/14/1995	Remediated Sewers
\$47,217	5/25/2011	Middle School Boiler Replacement

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Total - \$97,217

(By: Chief Financial Officer)

#### **ARTICLE 25. COLLECTIVE BARGAINING AGREEMENT FUNDING**

To see if the Town will vote to raise and appropriate from taxation and/or transfer from available funds in the treasury a sum of money to fund and implement the cost-items of the first and second years of collective bargaining and employee contract agreements between the Town and various town unions and employees covering the period of July 1, 2019 to June 30, 2022; or act or do anything in relation thereto.

(By: Board of Selectmen)

#### **ARTICLE 26. ACCEPTANCE OF LAND**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, and/or eminent domain, and upon such terms and conditions as the Selectmen deem appropriate, for general municipal purposes, which purposes shall include public way purposes, the fee or lesser interest in that portion of the land located at 160 High Street in the Town depicted more or less as "Parcel A" on that plan entitled "160 High Street, Bellingham, Massachusetts, Approval Not Required Plan" dated July 25, 2017, prepared by Kelly Engineering Group, Inc., recorded with the Norfolk County Registry of Deeds in Plan Book 662, Page 43, and being a portion of the premises described in a deed recorded in Book 35485, Page 110; and further, to raise and appropriate and/or transfer from available funds a sum of money to fund such acquisition and any and all costs incidental and related thereto; or act or do anything in relation thereto.

(By: Board of Selectmen)

#### **ARTICLE 27. WELKER WAY, STREET ACCEPTANCE**

To see if the Town will vote to accept as a Public Way a road, together with the easements and improvements appurtenant thereto, and the Deed thereto, identified as WELKER WAY being shown on a Plan entitled, "Strawberry Estates, Definitive Subdivision, 135 & 143 Hartford Avenue, Bellingham, MA 02019. Applicant: Quality Homes, Inc. 1 Stallbrook Road, Milford, MA 01757, Dated September 30, 2014, Scale 1" = 80 feet; Prepared by Andrews Survey & Engineering, Inc., P. O. Box 312, 104 Mendon Street, Uxbridge, Massachusetts 01569-0312" duly recorded with the Norfolk County Registry of Deeds as Plan No. 65 in Plan Book 637 of 2015, and as more particularly described in a deed on file at the Office of the Town Clerk and to authorize the Board of Selectmen to accept the deed thereto; or act or do anything in relation thereto.

(By: Petitioner Country Home Builders, Inc.  
Brad Wright, President)

#### **ARTICLE 28. NOTICE OF DATE OF FALL TOWN MEETING**

To see if the Town will vote to replace the existing provision of Section B Chapter 205-2 "Dates of Town Meetings" of the General Bylaws with the provisions set forth below; or on continued dated thereafter; or act or do anything in relation thereto.

B. All business of an obligatory Fall Special Town Meeting shall be considered at a meeting to be held not later than the third Wednesday of November at 7:30PM, or on continued dates thereafter.

(By: Board of Selectmen)

#### **ARTICLE 29. ESTABLISH WATER STABILIZATION FUND**

To see if the Town will vote to establish a stabilization fund for the Water Department for the purpose of meeting capital needs, as authorized by Chapter 40, Section 5B of the General Laws; or act or do anything in relation thereto.

(By: DPW Director/Chief Financial Officer)

#### **ARTICLE 30. TRANSFER TO WATER STABILIZATION**

To see if the Town will vote to transfer a sum of money from Water Surplus Revenue to the Water Stabilization Fund; or act or do anything in relation thereto.

(By: DPW Director/Chief Financial Officer)

### **ARTICLE 31. TRANSFER TO COMPENSATED ABSENCES TRUST**

To see if the Town will vote to raise and appropriate the sum of \$100,000 from Free Cash and to transfer said sum to the Compensated Absences Fund; or act or do anything in relation thereto.

(By: Chief Financial Officer)

### **ARTICLE 32. RE-ACCEPT PROVISIONS OF CHAPTER 32B SECTION 20 OF THE GENERAL LAWS FOR OPEB TRUST FUND**

To see if the Town will vote to:

- Reaccept the provisions of Chapter 32B, Section 20 of the General Laws as amended by Chapter 218, Section 15 of the Acts of 2016 (the "Act"), under which the Town has established an Other Post-Employment Benefits Liability Trust Fund (the "OPEB Fund"), for which the Treasurer serves as Custodian ("Custodian");
- designate the Treasurer/Custodian as the Trustee of the OPEB Fund, with all the powers and responsibilities identified under the Act and this vote;
- authorize the Treasurer/Custodian, as Trustee, to employ investment consultant(s), as well as outside custodial service(s) to hold the monies in the Fund, and to pay for those services from the OPEB Fund;
- authorize the investment of the OPEB Fund under the prudent investor rule established under Chapter 203C of the General Laws;
- authorize the Treasurer/Custodian, as Trustee, to execute any and all documents necessary to utilize outside custodial service(s) and/or investment consultant(s), including but not limited to trust agreements, participation agreements, investment agreements, and administrative services agreements; and
- designate the Treasurer/Custodian as the "Plan Administrator", as may be necessary to utilize outside custodial service(s) and authorize the Treasurer/Custodian acting as Plan Administrator to take any other actions permitted or required by law; or act or do anything in relation thereto.

(By: Chief Financial Officer)

### **ARTICLE 33. UNPAID BILLS**

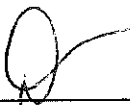
To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, or otherwise for the payment of certain unpaid bills; or act or do anything in relation thereto.

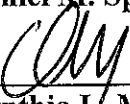
(By: Chief Financial Officer)

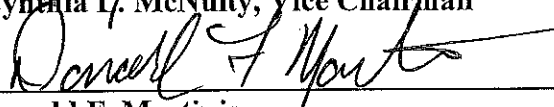
And you are directed to serve this Warrant, by posting attested copies thereof at Town Hall and in other municipal buildings throughout Town sixty days, at least, before the time and place of meeting as aforesaid.


Hereof, fail not and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this 18th day of March in the year of our Lord, Two Thousand Nineteen.

  
\_\_\_\_\_  
Daniel M. Spencer, Chairman

  
\_\_\_\_\_  
Cynthia L. McNulty, Vice Chairman

  
\_\_\_\_\_  
Donald F. Martinis

  
\_\_\_\_\_  
Michael J. Connor

BOARD OF SELECTMEN

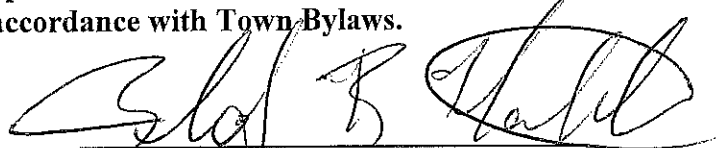
## RETURN ON THE WARRANT

Norfolk, ss:

Pursuant to the within Warrant, I have notified and warned the inhabitants of the Town of Bellingham by posting attested copies of the same at Town Hall and in other municipal buildings throughout Town, in accordance with Town Bylaws.

3-18-2019

Date

A handwritten signature in black ink, appearing to read 'Glad B. Harold', written over a horizontal line.

Constable of Bellingham