

**REPORT AND RECOMMENDATIONS
OF THE
FINANCE COMMITTEE**

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF BELLINGHAM**



SPECIAL TOWN MEETING
Wednesday, October 8, 2014
7:30 p.m.

BELLINGHAM HIGH SCHOOL

September 24, 2014

FINANCE COMMITTEE

John Allam, Chairman
Joseph E. Collamati, Jr., Vice Chairman
Judith Cibelli
Sean Coyle
Alexander J. Elliott
Matthew J. Fernandes
Raymond J. Szczepan

**CAPITAL IMPROVEMENT
COMMITTEE**

Roland A. Lavallee, Chairman
Judith Cibelli
Joseph E. Collamati, Jr.
Jerald A. Mayhew
Raymond J. Szczepan

MODERATOR

Richard Singleton

TOWN CLERK

Ann L. Odabashian

BOARD OF SELECTMEN

Michael J. Connor, Chairman
Daniel Spencer, Vice Chairman
Donald F. Martinis
Jerald A. Mayhew
Michael J. Soter

SCHOOL COMMITTEE

Daniel Raneri, Chairman
Michael Carr, Vice Chairman
Jennifer L. Altomonte
Kimberley Jennings
Kimberly J. Jennings
Michael J. Reed, Jr.

TOWN ADMINISTRATOR

Denis C. Fraine

CHIEF FINANCIAL OFFICER

Christopher Laviolette

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TOWN MEETING GLOSSARY

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|------------------------|--|
| CHERRY SHEET | A financial statement from the State that itemizes State aid and assessments to the Town. |
| ENTERPRISE FUND | A fund where expenditures are restricted for operating, capital and debt costs of a particular service (such as water, sewer and trash). It allows a community to recover the total costs of a service through user fees or the user fees may be supplemented by taxation. The budget for an enterprise fund is not autonomous, it must be voted annually at Town Meeting. An enterprise fund balance can be carried over from year to year. |
| FISCAL YEAR | The Town operates on a fiscal year that begins on July 1 and ends on June 30. |
| FREE CASH | Funds certified by the state as appropriated in previous years but not expended. It can result from higher than anticipated revenue receipts and/or lower than anticipated expenditures. |
| OVERLAY RESERVE | A Board of Assessors fund used to cover tax abatements and statutory exemptions. |
| RESERVE FUND | A Finance Committee fund used for extraordinary and unforeseen expenditures during the year. |
| REVOLVING FUND | A fund created to allow specific programs to use fees collected to defray the expenses of the program. A revolving fund does not have to be appropriated each year. However, the fund does have to be reauthorized annually at Town Meeting. |

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF BELLINGHAM**

**THE FINANCE COMMITTEE'S RECOMMENDATIONS TO TOWN
MEETING**

ARTICLE 1. AMEND ARTICLE 1 - FY 2014 BUDGET

To see if the Town will vote to amend Article 1 of the 2014 May 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)

***RECOMMENDED by the Finance Committee and funding as listed below:
Vote: 5/0***

| | Department | Amount Requested | Transfer from: |
|---|---------------------------------------|-------------------------|-----------------------|
| A. | Veteran's Services - Expenses | \$42,500.00 | Free Cash |
| <i>These funds are being requested as there has been an increase in the number of veterans and their families</i> | | | |
| B. | Municipal Buildings - Expenses | \$4,320.00 | Free Cash |
| <i>This amount is the annual assessment/compliance paid to DEP regarding the Brownfield site (contaminated) at the Pearl Street Mill.</i> | | | |
| C. | Fire Department - Expenses | \$4,800.00 | Free Cash |
| <i>The amount requested is to relocate the Mobile Training Structure.</i> | | | |
| D. | Town Inspector - Salaries | \$12,000.00 | Free Cash |
| <i>This amount will cover salary costs for absences, zoning enforcement and administration as the Department is part-time.</i> | | | |

ARTICLE 2. AMEND ARTICLE 2 – TRASH ENTERPRISE

To see if the Town will vote to amend Article 2 of the 2014 May Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into Article 2; or act or do anything in relation thereto.

(By: Board of Selectmen)

RECOMMENDED by the Finance Committee as listed below:
Vote: 4/0/1 (Raymond Szczepan recused himself)

| | Department | Amount Requested | Transfer from: |
|--|------------------------------------|--------------------|----------------------|
| A. | Trash Enterprise - Expenses | \$75,000.00 | Trash Surplus |
| <i>These funds are requested as an increase in the budget was necessary. The estimated balance in the Surplus Account is \$161,963.23.</i> | | | |

ARTICLE 3. AMEND ARTICLE 3 – WATER ENTERPRISE

To see if the Town will vote to amend Article 3 of the 2014 May Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into Article 3; or act or do anything in relation thereto.

(By: Board of Selectmen)

*The Finance Committee recommends **PASSING OVER** this Article.*

ARTICLE 4. AMEND ARTICLE 4 – SEWER ENTERPRISE

To see if the Town will vote to amend Article 4 of the 2014 May Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into Article 4; or act or do anything in relation thereto.

(By: Board of Selectmen)

RECOMMENDED by the Finance Committee as listed below:
Vote: 5/0

| | Department | Amount Requested | Transfer from: |
|---|------------------------------------|--------------------|----------------------|
| A. | Sewer Enterprise - Expenses | \$21,677.50 | Sewer Surplus |
| <i>This amount is to cover the cost of Bellingham's wastewater going to the Woonsocket Wastewater Facility. The estimated balance in the Surplus account is \$537,458.23.</i> | | | |

ARTICLE 5. CAPITAL OUTLAY – (Expenditures \$50,000 & Over)

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 transfer of available funds, by taxation, 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, construction, reconstruction and/or engineering costs associated with various capital outlay items or improvements proposed by Town Departments, Boards or Committees; or act or do anything in relation thereto.

(By: Board of Selectmen)

*Finance Committee's recommendations are listed below:
Capital Improvement Committee's ("CIC") recommendations are listed below:*

| | DEPARTMENT | CAPITAL REQUEST | AMOUNT | FUNDING |
|--|-----------------------------------|--|---------------------|----------------------|
| A. | Fire Department | Tower Ladder Truck 102 ft Rear Mount | \$940,000.00 | Borrowing |
| <p><i>This request is to replace the 1995 Ladder Truck. It will take approximately one year to build and deliver the truck to the Town once the order is issued. Manufacturer selected is KME Kovatch, Pennsylvania.</i></p> <p><i>Recommended by the Capital Improvement Committee. Vote: 4/0.</i></p> <p><i>Recommended by the Finance Committee. Vote: 5/0.</i></p> | | | | |
| B. | IT Department | Phone System Replacement | \$140,000 | Free Cash |
| <p><i>This request is to replace the Town/School's phone system. The town currently is using multiple systems. \$140,000 is the initial cost with the yearly cost being \$55,352. DSCI was the lowest bid and there is a 5-year contract which includes maintenance.</i></p> <p><i>Recommended by the Capital Improvement Committee. Vote: 3/0</i></p> <p><i>Recommended by the Finance Committee to pay DSCI. Vote: 5/0</i></p> | | | | |
| C. | Parks Department | Six Wheel Plow Dump Truck | \$66,000.00 | Free Cash |
| <p><i>This truck will replace a 1990 DPW truck.</i></p> <p><i>Recommended by the Capital Improvement Committee. Vote: 3/0</i></p> <p><i>Recommended by the Finance Committee. Vote: 5/0</i></p> | | | | |
| D. | Department of Public Works | Mechanic Street (Crystal Way) Sewer Pump Station Improvements | \$65,000.00 | Sewer Surplus |
| <p><i>This amount is requested for the analysis, planning and design of the replacement of the 1991 sewer pumps at the pump station. These pumps are showing wear and there is an odor coming from the station at times.</i></p> <p><i>Recommended by the Capital Improvement Committee. Vote 4/0</i></p> <p><i>Recommended by the Finance Committee. Vote 5/0.</i></p> | | | | |
| E. | Department of Public Works | Six Wheel Plow/Dump/Patch Truck | \$66,000.00 | Free Cash |
| <p><i>This truck will replace a 1997 truck.</i></p> <p><i>Recommended by the Capital Improvement Committee. Vote: 3/0</i></p> <p><i>Recommended by the Finance Committee. Vote: 5/0</i></p> | | | | |
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| F. | Department of Public Works | Salt Storage Shed | \$500,000.00 | Borrowing |
| <p><i>This is for the construction of a 5,000 ton (60 x 120) Hi-Arch Gambrel Salt Storage Shed to be located behind the existing Department of Public Works shed.</i></p> <p><i>Recommended by the Capital Improvement Committee. Vote: 3/0</i></p> <p><i>Recommended by the Finance Committee. Vote: 5/0</i></p> | | | | |
| G. | Department of Public Works | Pulaski Blvd (Norfolk Street to Auclair Street) | \$150,000.00 | To be determined |
| <p><i>This project was voted and funded at the 2014 May Town Meeting with funding by borrowing. The request is to amend the funding from borrowing to water surplus account. This project is a priority and would replace the 6" water main to 8". This project was recommended by the Capital Improvement Committee at the 2014 Town Meeting.</i></p> <p><i>Recommendation by the CIC will be made on the Town Meeting Floor.</i></p> <p><i>Recommendation by the Finance Committee will be made on the Town Meeting Floor.</i></p> | | | | |
| H. | Department of Public Works | Cross Street Water Main (Lake Street to Blackmar Street) | \$165,000.00 | Water surplus |
| <p><i>This project is to install a new 12" water main to connect to Lake Street and Cross Street water mains.</i></p> <p><i>Recommended by the Capital Improvement Committee. Vote 3/0.</i></p> <p><i>Recommended by the Finance Committee. Vote 5/0.</i></p> | | | | |
| I. | Department of Public Works | Locust to Wrentham Road Water Main Loop | \$60,000.00 | Water Surplus |
| <p><i>This project will install an 8" water main between the end of Locust Street and Wrentham Road. This will provide a 70% improvement to fire flow. This amount is for planning/design. An additional \$270,000 will be requested for construction in 2016.</i></p> <p><i>Recommended by the Finance Committee will be made on the Town Meeting Floor.</i></p> <p><i>Recommendation by the CIC will be made on the Town Meeting Floor</i></p> | | | | |
| J. | Department of Public Works | Pine Grove Avenue Sewer Station Construction (Abandon Sewer Siphon) | \$105,000.00 | Sewer Surplus |
| <p><i>This sewer siphon is a pipe system that runs under Peters River. The pipes are starting to back up as the pipes are old and settling. A pump station will be needed. The Conservation Commission and DEP will be involved. The \$105,000 is for planning, land acquisition and partial construction. An additional amount of \$100,000 will be requested in the future to complete the project.</i></p> <p><i>Recommended by the Capital Improvement Committee for the entire project. Vote: 3/0</i></p> <p><i>Recommended by the Finance Committee for the FY2015 request of \$105,000. Vote: 5/0</i></p> | | | | |
| K. | School Department | Technology Program | \$185,669.17 | Free Cash |

*This is the 5th year funding for the five-year plan for the School's Technology Program.
This year's plan is to purchase the following:*

260 iPad Classroom, remote learning, testing

240 iPad Cases

9 iPad carts-mobility, security, app. Distribution

8 Macbook Pro-course development, app. Distribution, management

20 Macbook Pro-New BHS Art Department program

Adobe software Suite - New BHS Art program

18 Aruba wireless access points.

Recommended by the Capital Improvement Committee. Vote: 3/0

Recommended by the Finance Committee. Vote 6/1

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| L. | School Department | Replace AP Room Gym Floor at Middle School | \$70,000.00 | Free Cash |
|-----------|------------------------------|---|--------------------|------------------|

This project is requested because of a student safety issue. The floor requested is vinyl rubber and has a 20-year guarantee. The cost covers the removal, replacement and re-lining.

Recommended by the Capital Improvement Committee. Vote: 3/0.

Recommended by the Finance Committee. Vote: 7/0.

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| M. | School Department | Bathroom Floor Replacement at BHS | \$60,000.00 | Free Cash |
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This project is a student safety issue and requested to remove the old floors and replace with new mosaic tiles. The floors to be replaced are 2 staff rest rooms, 3 boys' rest rooms and 2 girls' rest rooms.

Recommended by the Capital Improvement Committee. Vote: 3/0

Recommended by the Finance Committee. Vote: 7/0.

ARTICLE 6. 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 transfer of available funds, by taxation, 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)

Finance Committee's recommendations are listed below:

| | <u>DEPARTMENT</u> | <u>CAPITAL REQUEST</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|-----------|----------------------------|---|----------------------|-------------------------------|
| A. | Fire Department | Chevrolet Tahoe/Explorer Vehicle | 44,610.00 | Ambulance Receipts |

This request is to replace a 10 year old vehicle.

Recommended by the Finance Committee. Vote: 5/0.

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|-----------|--------------------------|----------------------------------|---------------------|------------------|
| B. | Police Department | 3 Marked Utility Vehicles | \$125,275.86 | Free Cash |
|-----------|--------------------------|----------------------------------|---------------------|------------------|

3 new vehicles will replace 2 older vehicles and add 1 new vehicle. The cost for each vehicle is: Vehicle: \$33,801; Radio/Program: \$2,677.62; and Mobile Data Terminals: \$5,280.00.

Recommended by the Finance Committee. Vote: 3/1

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| C. | Police Department | 4 Bullet Resistant Vests | \$3,476.00 | Free Cash |
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These vests are required for 4 new officers beginning in March 2015. Each vest cost \$869.00.

Recommended by the Finance Committee. Vote: 4/0.

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| D. | Police Department | Portable Message Board | \$13,500.00 | Free Cash |
|-----------|--------------------------|-------------------------------|--------------------|------------------|

The Message Board is requested to announce safety issues, traffic tie-ups, construction projects, etc. The Town does not currently own a message board. The Town has been renting and borrowing boards. The board is manufactured by Liddell Brothers and has a 5-year warranty.

Recommended by the Finance Committee. Vote: 4/1

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| E. | Police/Fire Department | New ATV | \$17,000.00 | To be determined |
|-----------|-------------------------------|----------------|--------------------|-------------------------|

This 2-seat ATV would be used to deter and crack down on ATV and dirt bikes riding through Town. The Town received an \$8,000 grant towards this purchase; the Town's cost is the \$17,000 balance.

Recommendation by the Finance Committee to be made on the Town Meeting Floor.

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| F. | Department of Public Works | SUV | \$30,000.00 | \$15,000 from Sewer Surplus; \$15,000 from Water Surplus |
|-----------|-----------------------------------|------------|--------------------|---|

This vehicle will replace an older Crown Victoria. It will be used by the Assistant Director for field work at water/sewer stations, among other things.

Recommended by the Finance Committee. Vote: 5/0

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|-----------|-----------------------------------|--|--------------------|----------------------|
| G. | Department of Public Works | Benelli to Central Blvd Water Main Loop | \$42,000.00 | Water Surplus |
|-----------|-----------------------------------|--|--------------------|----------------------|

This project is for construction of an 8" water main between the end of Benelli Street and Central Blvd under Peter's River (540 feet). The \$40,000 requested for FY2015 is for planning and land acquisition. An additional \$90,000, will be requested in FY2016 for construction

Recommended by the Finance Committee. Vote: 5/0.

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| H. | Library | Parking lot renovation | \$45,000.00 | Free Cash |

The Library Trustees are requesting an additional 50 parking spaces. The area would include additional 20 spaces at the Library and 30 spaces along the field access road with stairs to a walkway from the road to the Library parking lot. The Department of Public Works will assist with the work and materials.

Recommended by the Finance Committee. Vote 5/0.

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| I. | IT Department | Fire Department EMS Software | \$37,503.54 | Free Cash |

This project is to replace the existing software with updated EMS software to conform to the State's data reporting system. The cost will cover the replacement of existing software, 9 licenses (1 at South Fire Station, 7 at Fire Station & 1 at IT Department) and 3 Panasonic Toughbooks for Fire engines.

Recommended by the Finance Committee. Vote: 7/0.

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| J. | Conservation Commission | Land Acquisition | \$15,000.00 | Free Cash |

This request is to add to the Land Acquisition Trust Fund to purchase land in Town, requiring Town Meeting approval. The Conservation Commission was not present. The balance is approximately \$122,077.10.

Not recommended by the Finance Committee. Vote: 1/4 opposed the request.

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| K. | Parks Department | Kubota Mower & Attachments | \$15,995.00 | Free Cash |

The requested lawnmower will be used to mow all the lawns and fields in Town, including all school property.

Recommended by the Finance Committee. Vote: 5/0.

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| L. | Parks Department | Landscaping Trailer | \$4,050.00 | Free Cash |

This is a 14-foot trailer.

Recommended by the Finance Committee. Vote: 5/0

ARTICLE 7. REVOLVING FUND – CONSERVATION COMMISSION

To see if the Town will vote to amend the limits of the revolving fund approved for the Bellingham Conservation Commission under Article 15 of the 2014 Annual Town Meeting, by increasing such amount from \$5,000.00 to \$15,000; or act or do anything in relation thereto.

(By: Conservation Commission)

RECOMMENDED by the Finance Committee. Vote: 5/0

Commentary: *This Revolving Fund receives revenues from applicants under the Town's local wetlands protection by-law and authorizes the Conservation Commission to use said funds for potential land purchases, in supplementation of funds in the Town's Land Acquisition Trust. The increase is requested as there has been an increase of applicants. The balance in the revolving fund is \$11,844.10.*

ARTICLE 8. MUNICIPAL AGGREGATION OF ELECTRICITY

To see if the Town will vote to grant the Board of Selectmen authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation; or act or do anything in relation thereto.

(By: Board of Selectmen)

The Finance Committee recommends PASSING OVER this article, pursuant to the Board of Selectmen.

ARTICLE 9. HAMPTON COURT, KENSINGTON COURT, LEEDS LANE, OXFORD COURT & WHITEHALL WAY ACCEPTANCE

To see if the Town will vote to accept as Public Ways the roads, easements and appurtenances thereto, and the Deed thereto, identified as Hampton Court (f.k.a. Meg Lane), Kensington Court (f.k.a. Wallis Road), Leeds Lane (f.k.a. Avery Way), Oxford Court (f.k.a. Winthrop Drive) and Whitehall Way (f.k.a. Pierce Crossing), being shown on a Plan entitled, "Pierce Estates Subdivision, Bellingham, Massachusetts issued for Definitive Subdivision," dated March 13, 2003, prepared by Vanasse Hangen Brustlin, Inc., endorsed by the Bellingham Planning Board on March 13, 2003, recorded with the Norfolk Registry of Deeds on May 21, 2003 as Plan No. 310 of 2003, Plan Book 508; as amended by that certain plan entitled: "Pierce Estates Subdivision, Bellingham, Massachusetts," dated April 24, 2003, prepared by Vanasse Hangen Brustlin, Inc., endorsed by the Bellingham Planning Board on April 24, 2003, recorded with said Registry of Deeds on May 21, 2003 as Plan No. 311 of 2003, Plan Book 508 (now known as Bellingham Estates), as further amended by Title Affidavit, dated August 19, 2004, recorded with said Registry of Deeds in Book 21445, Page 28, 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 related thereto.

(By: Bellingham Estates Homeowners Association; Mark A. Kablack Esq., 176 East Main Street, Suite 3, Westborough, MA 01581)

*Finance Committee recommends **PASSING OVER** this Article pursuant to the Petitioner.*

**ARTICLE 10. WATER TRANSMISSION MAIN LAND AND EASEMENT
ACQUISITION SNETT RAILROAD RIGHT OF WAY**

To see if the Town will vote to raise and appropriate a sum of money and allow the Selectmen to accept gifts, purchase, or take by eminent domain permanent waterworks easements and temporary construction easements along the Mass Department of Conservation and Recreation old railroad right of way known as the Southern New England Transit Trail between Lake Street and Center Street, as shown on the plans titled "Easement Plan Bellingham Department of Public Works South Route Raw Water" drafted by Wright Pierce, copies of which will be on file with the Town Clerk's Office 14 days before the Town Meeting; or act or do anything in relation thereto.

(By: DPW Director)

*The Finance Committee recommends **PASSING OVER** this article pursuant to Department of Public Works Director.*

ARTICLE 11. SOUTH MAIN STREET ROADWAY IMPROVEMENT

To see if the Town will vote to raise and appropriate or borrow a sum of money to fund an engineered plan and bid preparation, roadway improvements, drainage improvements, sidewalk improvements and pavement reconstruction on the section of South Main Street, and if by borrowing, to authorize the issuance and sale of general obligation bonds or notes of the Town therefore; act or do anything in relation thereto.

(By: DPW Director)

*The Finance Committee recommends **PASSING OVER** this article pursuant to the Department of Public Works Director.*

**ARTICLE 12. BENELLI STREET TO CENTRAL BOULEVARD - DRINKING
WATER DISTRIBUTION MAIN EASEMENT**

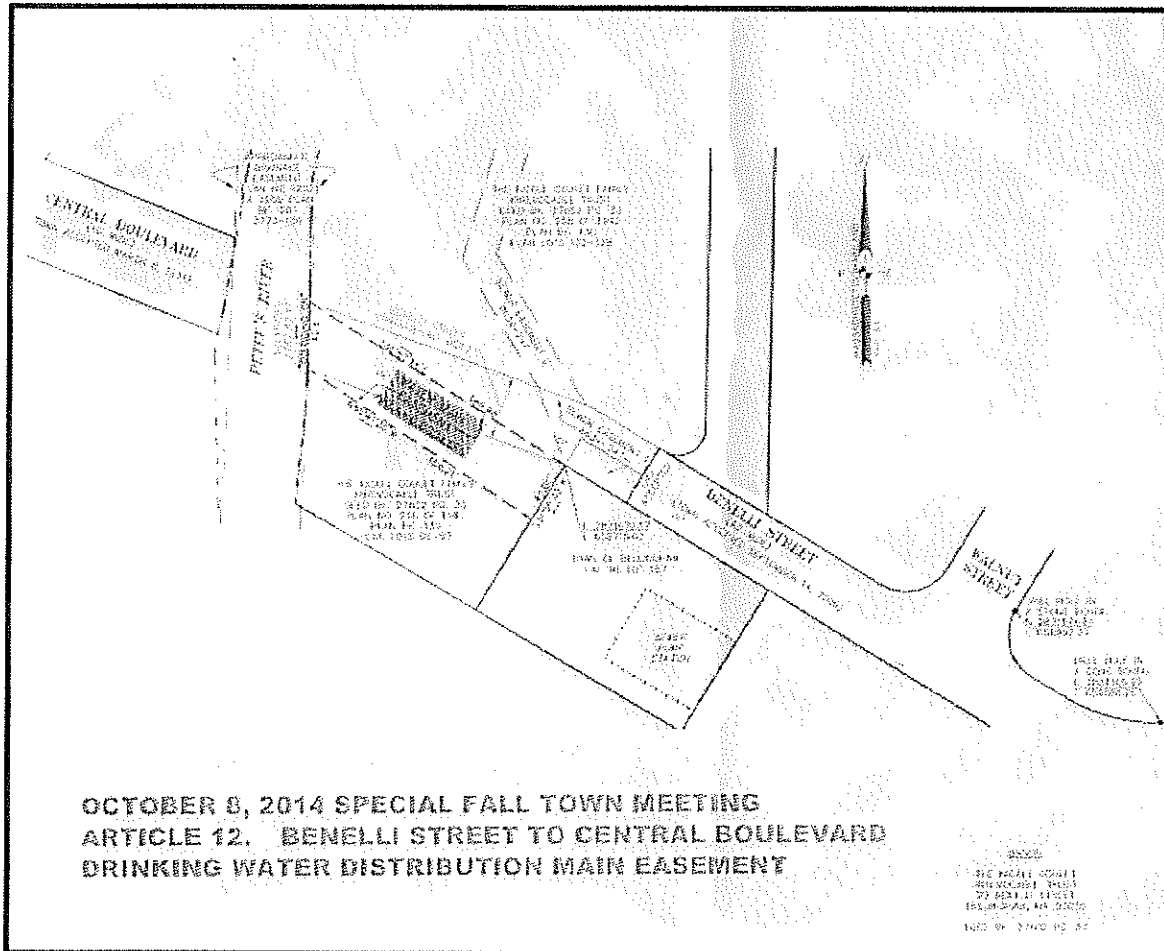
To see if the Town will vote to raise and appropriate a sum of money and allow the

Selectmen to accept gifts, purchase, or take by eminent domain a permanent waterworks easement for the installation of a new drinking water distribution main from the end of Benelli Street to Central Boulevard crossing Peter's River as shown on the plans titled "Easement Plan Benelli Street to Central Boulevard Water Main Easement" prepared by Guerriere & Halnon, Inc. dated September 5, 2014, copies of which will be on file with the Town Clerk's Office 14 days before the Town Meeting; or act or do anything in relation thereto.

(By: DPW Director)

***Recommended by the Finance Committee.
Funding: \$2,600.00 from Water Surplus. Vote: 5/0.***

Commentary: This amount is requested for the payment of easement(s) to complete this drinking water distribution main project.



ARTICLE 13. GENERAL BYLAW – FORECLOSED PROPERTY

To see if the Town will vote to amend its General Bylaws by adding Chapter 162, as follows:

REGISTRATION AND MAINTENANCE OF ABANDONED AND/ OR FORECLOSED RESIDENTIAL PROPERTIES

(a) Purpose; Enforcement Authority

- (1) It is the purpose and intent of this bylaw to protect and preserve public safety, health, welfare and security, and the quiet enjoyment of occupants, abutters and neighbors, by:
 - a. requiring all residential property owners, including lenders, trustees and service companies, to register abandoned and/or foreclosed residential properties with the Town of Bellingham; and by
 - b. regulating the maintenance and security of abandoned and/or foreclosed residential properties to help prevent blighted and unsecured residences.
- (2) The Building Commissioner or another designee of the Board of Selectmen shall have enforcement authority as to this bylaw and is herein authorized to conduct inspections as authorized under this Bylaw.

(b) Definitions - When used in this bylaw, the following terms shall have the following meanings, unless a contrary intention clearly appears:

- (1) “Abandoned” means a residential property which is not being used or occupied as a residence despite containing a residential building. “Abandoned” does not include a residential building that is unoccupied while undergoing renovations, or while undergoing repairs due to fire or other casualty. “Abandoned” does not apply to accessory buildings or structures on the premises nor does it apply to residential property that is temporarily vacant due to seasonal absences.
- (2) “Town” means the Town of Bellingham
- (3) “Commissioner” means the Building Commissioner of the Town of Bellingham or a designee authorized to enforce the terms of this Bylaw.
- (4) “Days” means consecutive calendar days.
- (5) “Foreclosed” means a property, placed as security for a real estate loan, as to which all rights of the mortgagor or his grantee in the property have been terminated as a result of a default of the loan.

- (6) "Local" means within twenty miles of the property in question.
- (7) "Mortgagee" means the creditor, including but not limited to service companies, lenders, in a mortgage agreement, or any successor in interest of the mortgagee's rights, interests or obligations under the relevant mortgage agreement.
- (8) "Property" means any real, residential property or portion thereof, located in the Town of Bellingham, including but not limited to buildings and structures situated on such property.
- (9) "Residential Property" means any property that contains one or more dwelling units used, intended, or designed to be occupied for living purposes.

(c) Registration

- (1) All owners or mortgagees of abandoned and/or foreclosed residential properties shall register such properties with the Commissioner on forms provided by the Commissioner. If the owner is an out of state corporation, person, or other entity, the owner shall appoint an in-state agent authorized to accept service of process and other documents under this bylaw.
 - a. Each registration must state the owner's, mortgagee's or agent's name, telephone number and mailing address located within the Commonwealth of Massachusetts including name of owner, street number, street name, city or town, and zip code ; the mailing address shall not be a post office box.
 - b. Each registration must also certify that the property has been inspected by the owner and must identify whether the property is abandoned, and if abandoned, the condition of the property and the status of maintenance thereof. Each registration must designate a local individual or local property management company responsible for the maintenance and security of this property. This designation must state the individual or company's name, direct telephone number, and local mailing address; the mailing addresses shall not be a post office box.
 - 1. If the owner's inspection determines that the property is abandoned, the registration must be received by the Commissioner within seven days of the owner's inspection.
 - 2. If the owner's inspection determines that the property is not abandoned, but has been foreclosed, the registration must be received by the Commissioner within seven days of the foreclosure.

3. If an inspection by the Commissioner's determines that a property is abandoned and improperly maintained, the Commissioner shall notify the owner, mortgagee or their agent accordingly and, subsequently, a registration as an abandoned property must be received by the Commissioner within fourteen days of the Commissioner's notice.
- (2) All property registrations pursuant to paragraph (c) are valid for one calendar year from the date when the registration is received by the Commissioner. An annual registration fee of one hundred dollars (\$100.00) must accompany the registration form. Subsequent registrations and fees are due within thirty days after the date of the expiration of the previous registration. Subsequent registrations must certify whether the property remains abandoned and/or remains in foreclosure, and shall restate the current condition of such property as required above.
- (3) Any owner that has registered a property under paragraph (c) must report any material change in information contained in the registration within ten days of the change.
- (4) Once the property is no longer abandoned or is sold, the owner shall provide the Commissioner with written notice of legal occupancy or proof of sale, as the case may be.

(d) Maintenance and Security Requirements

- (1) Properties subject to this bylaw must be maintained in accordance with the State Building Code and with orders issued by the Commissioner in order to ensure the safety thereof. The local owner or local property management company must inspect and maintain the property on at least a monthly basis for as long as the property is abandoned.
- (2) In accordance with state law, including but not limited to Massachusetts General Laws chapter 143 Sections 6-10 and 780 CMR 121.0, property that is abandoned must be safe and must be secured so as not to be accessible to unauthorized persons.
- (3) Compliance with this paragraph (d) does not relieve the owner of any applicable obligations set forth in code regulations, covenant conditions, requirements of the Commissioner, and/or homeowner's association rules and regulations.

(e) Inspections - Pursuant to the State Building Code, the Commissioner or his/her designee shall have the authority and the duty to inspect properties subject to this bylaw for compliance with this bylaw and to issue citations for any violations. The Commissioner or his/her designee shall have the discretion to determine when and how such inspections are

to be made, provided such determination is reasonably calculated to ensure that this bylaw and the State Building Code are enforced.

(f) **Penalties** – In addition to any other means of enforcement available to the Commissioner, the Commissioner or a designee hereunder may enforce this bylaw by means of noncriminal enforcement pursuant to Massachusetts General Laws c. 40, §21D. The following penalties are established for purposes of said noncriminal disposition:

- (1) A failure to initially register with the Commissioner pursuant to paragraph (c): three hundred dollars (\$300.00).
- (2) A failure to properly designate the name of the local individual or local property management company responsible for the maintenance and the security of the property pursuant to paragraph (c): three hundred dollars (\$300.00) for each violation, and a like penalty for each day's continuation of such violation.
- (3) A failure to maintain and/or to secure the property pursuant to paragraph (d): three hundred dollars (\$300.00) for each week during which the property is not maintained and/or not secured.
- (4) The penalties provided in paragraph (f) shall not be construed to restrict the Town from pursuing other legal remedies available to the Town. Violation of this bylaw shall be subject to a fine not to exceed three hundred dollars for each violation; each day shall be considered a new violation, except as may be otherwise stated herein.

(g) **Severability** - If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, then such provisions shall be considered separately and apart from this bylaw's remaining provisions, which shall remain in full force and effect, to the extent feasible.;

or act or do anything in relation thereto.

(By: Board of Selectmen)

RECOMMENDED by the Finance Committee. Vote: 3/2

Commentary: *This bylaw will require a bank or other lender which has foreclosed on a residential property to register the property with the Town as foreclosed. The bank or lender has an obligation to maintain the property. Failure to register or maintain the property can result in the Town assessing fines. This bylaw will also apply to the owner of abandoned property where the owner has no mortgage.*

ARTICLE 14. TRANSFER OF FUNDS TO O.P.E.B. TRUST

To see if the Town will vote to transfer from any available fund a sum of money to be transferred into the O.P.E.B. (Other Post Employment Benefits) Trust; or act or do anything in relation thereto.

(By: Chief Financial Officer)

RECOMMENDED by the Finance Committee. Vote: 5/0

Funding: \$50,000 from Free Cash.

Commentary: *This amount will be added to the Trust Fund, an account for the Town's post-employment benefits other than pension benefits that is currently mostly unfunded. The balance in the Trust fund is \$350,627.29.*

ARTICLE 15. STABILIZATION FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding the Stabilization Fund; or act or do anything in relation thereto.

(By: Finance Committee)

RECOMMENDATION by the Finance Committee. Vote: 5/0

Funding: \$100,000 from Free Cash.

Commentary: *The Stabilization fund establishes a source for funding future capital projects or other lawful spending. A withdrawal from the Stabilization Fund requires a 2/3 vote from Town Meeting. The balance in the fund is \$1,266,035.19.*

ARTICLE 16. TAX STABILIZATION FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding the Tax Stabilization Fund; or act or do anything in relation thereto.

(By: Board of Selectmen)

RECOMMENDED by the Finance Committee. Vote: 5/0

Funding: \$50,000 from Free Cash

Commentary: *A fund established by the voters of the town of Bellingham to mitigate the future loss of property tax revenue from the power plants; this fund is intended to help the town of Bellingham continue to provide services to its citizens and maintain its'*

infrastructure in a responsible and prudent manner. The balance in the account is \$1,865,993.48.

ARTICLE 17. CAPITAL IMPROVEMENT TRUST FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding the Capital Improvement Trust Fund; or act or do anything in relation thereto.

(By: Board of Selectmen)

***RECOMMENDATION by Finance Committee. Vote: 5/0
Funding: \$100,000 from Free Cash***

Commentary: *The balance in this account is \$546,259.09.*

ARTICLE 18. UNPAID BILLS

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

(By: Finance Committee)

Commentary: *The unpaid bills are bills that were received after the fiscal year accounts had closed.. Town Meeting approval is required for payment.*

| Bill to be paid to: | Amount Requested | Transfer FROM | <u>Recommended by the Finance Committee</u> |
|---|-------------------------|----------------------|--|
| | | | |
| Clean Harbors - Trash-Expenses | \$5,320.00 | Trash Surplus | <i>Vote: 5/0</i> |
| <i>Pick up of hazardous waste.</i> | | | |
| | | | |
| A Custom Co. Council on Aging - Expenses | \$498.80 | Free Cash | <i>Vote: 5/0</i> |
| <i>Repair of Water Cooler</i> | | | |

**THANK YOU FOR ATTENDING THE SPECIAL
TOWN MEETING**

ADDITION TO ARTICLE 5. CAPITAL OUTLAY
(Expenditures \$50,000 & Over)

| | DEPARTMENT | CAPITAL REQUEST | AMOUNT | FUNDING |
|--|-----------------------------------|------------------------|--------------------|-------------------------|
| N. | Department of Public Works | Mill Street | \$60,000.00 | To be determined |
| <i>This project is for isolated water main replacement.</i> <i>Recommendation by the Finance Committee to be made on the Town Meeting Floor.</i> | | | | |

ADDITION TO ARTICLE 6. NON-CAPITAL OUTLAY EXPENDITURES
(Expenditures of Less Than \$50,000)

Finance Committee's recommendations are listed below:

| | DEPARTMENT | CAPITAL REQUEST | AMOUNT | FUNDING |
|---|-----------------------------------|---|--------------------|-------------------------|
| M. | School Department | Kubota RTV for South Elementary | \$29,000.00 | Free Cash |
| <i>This amount is requested to purchase a diesel fuel powered Kubota RTVx1100c for the South Elementary School. The equipment includes a snow plow, sander, general cleanup, etc. and will save on custodial overtime for snow removal. The School Department has 2, one at the High School and one at the Middle School, the new one would be the third. The life expectancy is 20 years.</i> <i>Recommended by the Finance Committee. Vote: 7/0.</i> | | | | |
| N. | School Department | Seal & Caulk Windows at Stall Brook School | \$48,000.00 | Free Cash |
| <i>This request is to seal and caulk windows at Stall Brook School. It would include wet seal windows, seal aggregate panels, removal and re-caulk windows to masonry. This will mitigate heat loss and prevent water damage. They previously installed insulated windows in frames that were not insulated, an in correct installation process. The Town will be given a one year warranty. This project should be completed by June 2015</i> <i>Recommended by the Finance Committee. Vote: 7/0</i> | | | | |
| O. | School Department | Scissors Lift for Town/Schools | \$17,000.00 | Free Cash |
| <i>It is requested that the Town purchase a Milton Cat New Genie Scissors electric lift for the use by the Town and Schools. This item is safer and more capable than ladders. The Town does not have a lift. The School has a trailer to transport the lift and, although it can be used for both indoors and outdoors, the preference would be only indoor use.</i> <i>Recommended by the Finance Committee. Vote: 7/0.</i> | | | | |
| P. | Department of Public Works | Highland Street | \$45,000.00 | To be determined |
| <i>This is for water and service replace and upsize pipes from 2" to 6"..</i> <i>Recommended by the Finance Committee to be made of the Town Meeting floor.</i> | | | | |
| Q. | School Department | Widen Driveway at Middle School | \$15,000 | To be determined |
| <i>This request is to widen the asphalt driveway at the Middle School to allow for all busses to fit in the drop off and pick up lane.</i> <i>Recommended by the Finance Committee to be made of the Town Meeting floor.</i> | | | | |