



# Town of Bellingham

## BOARD OF SELECTMEN

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October 7, 2019

### Capital Request Summaries

Mr. DiMartino presented before the Board with the DPW priority requests.

- The DPW is requesting two new pieces of equipment:
  - Front End Loader which will replace the 2003 loader. The new loader is needed to load salt in the salt trucks. The 2003 will be used as back up.
  - Small Dump Truck with Plow and Wing Plow. This will help with the wider roads. It will be replacing a 2001 with 135,000 miles.

Mr. Martinis asked if it was cost efficient to keep the older Loader. Mr. DiMartino said if the department could get another 2-3 years out of it, it would be worth it.

On a Martinis/Connor motion, the Board unanimously voted to recommend the 2019 CAT 938M Loader and the 2019 F550 XL 4x4.

- The DPW is requesting funds for the continuation of the Town Wide Dead Tree Removal project.

Mr. Martinis asked if there were plans to remove the existing stumps from the tress that have already been taken down. Mr. DiMartino said the focus is getting the dead trees removed and they will circle back to removing the stumps if they can get back on track.

On a Biagi/Connor motion the board unanimously voted to recommend the \$100,000 needed for the Town dead tree removal project.

- The DPW Water & Sewer Capital Requests from the water retained earnings is attached.

On a Biagi/Connor motion, the Board voted to recommend the Water & Sewer Capital Requests as submitted.

Fire Chief Steve Gentile and Deputy Chief Mark Poirier presented before the Board with the Fire Department requests.

- The fire department is also looking to replace car 4, a 2010 Ford Expedition with 100,000+ miles, which is driven by the town fire prevention Captain. The fire department is requesting to replace this expedition with a Chevy Tahoe. The new Tahoe would be driven by the Chief and the existing Tahoe driven by the chief will go to the fire prevention Captain. The other vehicles would be passed down within the department.

Mr. Martinis asked if this was the best solution based on miles driven by the various captains and the Chief said it was.

The Board asked Mrs. MacKinnon if this was feasible and she stated that free cash had not been certified yet but if estimates are correct then yes.

On a Martinis/Connor motion the Board unanimously voted to recommend the replacement vehicle in the amount of \$50,100.

- The fire department is requesting that the Board support the renovation (cost breakdown attached) of the fire station #2 kitchen and dayroom totaling \$16,411.48. The project shall encompass the replacement of kitchen equipment, new flooring, paint, minor electrical work, minor plumbing work and ceiling tiles. Most of the work shall be completed by the off-duty firefighters who have the skill and knowledge to perform the work.

Mr. Martinis asked about the insurance liability of off-duty firefighters doing the work. Mr. Fraine said he would look into it, but it is not unusual to have this type of thing happen.

On a Martinis/Biagi motion, the Board unanimously voted to recommend the spending of \$16,411.48 for the fire station #2 kitchen remodel.

Police Chief Daigle and Lieutenant Jim Russell presented before the Board with the department's requests.

- At this time the police department is requesting 3 new vehicles and equipment totaling \$146,058. Lt. Russell stated that they need to replace vehicles 422, 402 & 404 and confirmed that this would get the department back to a normal rotation.

On a Martinis/Connor motion the Board unanimously voted to recommend the purchase of 3 new vehicles and equipment needed by the Police Department.

The regular meeting of the Board of Selectmen was then called to order at 6:55 PM by Chairman Spencer with all members in attendance except for Mrs. McNulty.

#### VFW Post 7272 – One Day Beer and Wine Permit

Patrick Pisani the commander at the VFW came before the Board to request a One Day Beer and Wine permit for a fundraiser to be held on Sunday October 13, 2019 in the parking lot of the VFW. Funds raised would go directly to the post. They would have a keg, BBQ cookoff and music in the back parking lot. Certified bartenders would be serving the keg beer. Mr. Biagi asked if they knew how many people would be attending. Mr. Pisani said it was open to the public so he was unsure, but they would be setting up for 100 people. Mr. Martinis asked if there would be a police detail or security and Mr. Pisani stated someone will be in the parking lot so there were no issues.

On a Martinis/Biagi motion, the Board unanimously voted to approve the One Day Beer and Wine permit for the VFW post 7272 for Sunday October 13, 2019 from 1:00PM to 8:00PM. Under discussion Mr. Connor asked about the licensed liquor manager leaving and asked why the Board hadn't received the new change of manager paperwork yet. Mr. Pisani stated he was in touch with their attorney as soon as he was told of the situation and didn't have any further information on it right now.

Public Hearing – Application of Rusty Lantern Market for a Common Victualler License.  
Premises located at 310 Pulaski Blvd.

Mr. Spencer read the public hearing notice.

Carmen Santillanes stated she is the project manager for the Rusty Lantern and has worked for them for 2 ½ years. She stated they have 13 locations and Bellingham Irving Gas station would make #14. She stated this is a 4000 square foot convenience store and they would have food similar to a deli including sandwiches, salads and pizza. They would have seating for 12.

On a Connor/Biagi motion, the Board unanimously voted to approve the Common Victualler license for the Rusty Lantern at the Irving Gas station located at 310 Pulaski Blvd.

Chili's Change of Manager

Attorney Andrew Upton presented before the Board along with his client Cynthia Marguerite. He stated Chili's Grill and Bar is submitting a change of manager application and they would like Cynthia to be the manager on record. Cynthia has been working for Chili's since 2010.

On a Biagi/Connor motion, the Board unanimously voted to approve the change in manger application for Cynthia Marguerite for Chili's Grill and Bar.

On a Connor/Martinis motion, the Board unanimously voted to authorize the execution of the loan documents related to the permanent financing of the Massachusetts Clean Water Trust loan number CWT-17-05.

State Representative Michael Soter

Chairman Spencer introduced State Representative Michael Soter and advised he would like to provide a legislative update to the Board and town residents.

Mr. Soter thanked the Board for having him and stated he was pleased to announce that the Town of Bellingham was awarded an \$800,000 Community Development Block Grant. \$500,000 of which will go towards Housing Rehab and \$300,000 will go towards improving the handicap accessible sidewalk crossings. Mr. Soter stated the thing he is most excited about right now is the Work Skills Grant. This grant that helps match up students with jobs based on their skill set. This will hopefully encourage students to stay in district. Mr. Soter stated the Education Reform had passed through the Senate and will go before the House once they are back in session. He also stated he was pleased to have worked with Jeff Roy a representative from Franklin to see that the SNETT be tied in at Prospect Street. Mr. Spencer congratulated Mr. Soter on bringing Governor Baker to Bellingham. Mr. Fraine thanked Mr. Soter and his assistant Eric Eisner for all their help with Comcast and Verizon in working with them on moving the wires to push along the project at the intersection of Maple Street and Rt 140.

#### Conservation Commission Interview

- Noel Lioce

Cliff Matthews introduced Noel to the Board and stated due to the recent resignation of Michael Roche the Commission was looking to fill the vacant position. Mr. Matthews stated he, along with the Commission, was excited that such a young person is willing to be involved with local government and with her environmental science background she is a perfect fit for the position. Mr. Spencer stated he has known Noel for a long time as his daughter went to school with her and agrees she is a perfect candidate. The Board also agreed, based on her resume, that she is a perfect fit.

On a Martinis/Biagi motion, the Board unanimously voted to appoint Noel Lioce to the Conservation Commission to fill the unexpired term of Michael Roche.

#### Board of Registrars Interviews

- William Bissonnette

Bill Bissonnette introduced himself to the Board and stated he had spent 12 years on the other side serving as a selectman. He has lived in Bellingham since 1974, served on the finance committee, was a selectman for 12 years and spent 3 years working on the Town Charter. He would like to serve on the Board of Registrars because he can do a good job and has the necessary background. He asked the Board to consider him for the position. Mr. Connor stated his tenure with the Town is well documented.

- Lucille Gillens

Luci Gillens introduced herself to the Board and stated she has lived in Bellingham since 1986. She has been working her whole life as well as taking care of her elderly mother but now has the time and would like to give back to the Town. She recognizes she does not have the same skill set as Bill but stated she is a multitasker and pays attention to detail. She would like to educate the children on registering to vote. She understands the Board has a tough decision between a candidate with the experience and one that is willing to learn and give her time.

Jan Greene, a resident in the audience asked to speak and stated she thought they were both wonderful candidates.

On a Connor/Martinis motion the Board unanimously voted to appoint William (Bill) Bissonnette to the Board of Registrars for a 3-year term. Under discussion the Board stated they would like to find a position for Ms. Gillens as well.

#### Stretch Code Presentation

Kelly Brown from the Green Communities Division and Mike Berry from ICF International presented to the Board. One of the criteria to become a Green Community is to adopt the Stretch Code, an appendix to the MA State Building Code, as a general bylaw at Town Meeting. The Stretch Code will only apply to new residential and commercial construction of less than 100,000 square feet. Currently builders have two options for residential and commercial new construction. They are prescriptive and performance.

Adopting the Stretch Code will eliminate prescriptive and add HERS (Home Energy Rating System) raters to provide an energy model. These HERS raters focus on maximizing a home's energy efficiency. The stretch code is no longer a stretch to the current MA building codes and would allow the Town opportunity to obtain federal grants.

Public Hearing – Application of Shoppes Liquors, LLC, Ernest H. Pelletier, Jr., Mgr. for a Package Store All Alcohol License. Premises located at 191 Mechanic Street, Suite 6A.  
Mr. Spencer read the public hearing. On a Connor/Martinis motion, the Board unanimously voted to delay the public hearing so they could continue with the Stretch Code presentation.

Mr. Spencer asked if adopting the stretch code would put more burden on the builder. Tim Aicardi stated three quarters of the builders are currently building based on this model now. Houses are performing better, and they are not getting called back for efficiency reasons. Mr. Martinis asked if Lobisser will build to these standards and Mr. Aicardi stated that he is already building towards this standard. On a Martinis/Biagi motion, the Board unanimously voted to recommend the adoption of the stretch code at Town Meeting.

Shoppes Liquors, LLC Public Hearing Cont'd

Mr. Jon Aieta presented before the Board representing his client Ernest H. Pelletier, Jr. He stated Mr. Pelletier is the sole manager of the LLC and the proposed license manager for the application of the All Alcohol Package Store. This license was issued under special legislation when it was approved at Town meeting in 2016. Mr. Pelletier is a current Bellingham business owner at Friendly Neighborhood Comics. Mr. Pelletier was born and raised in Bellingham and is committed to this Town. He has sponsored sport teams and community events and would not do anything to negatively impact the community. Mr. Pelletier stated that he has learned to be a business owner after years of owning the comic book store. He would like his store to consist of craft beer and wine, along with hand crafted liquors. He will cater to the needs of his clients. He will have TIP certified staff and hopes to have a POS ID scanner system. He is looking forward to another successful business.

Mr. Spencer stated he was not in favor of another package store in town. He feels the market is already saturated with liquor stores and stated he would be opposing his application. He also questioned why Mr. Pelletier waited 3 years since the issue of the special legislation to open a package store. Mr. Pelletier stated it was as simple as the unit not being available until now. Mr. Biagi stated he liked the idea of a craft/specialty package store. He further went on to state he visited the abutting businesses in the plaza and stated the feedback he received was either positive or neutral.

Mr. Connor asked him if he would be stepping away from the comic book business. Mr. Pelletier stated he would not but he has been training two of his employees to run the store for him so he can devote most of his time to the package store.

Mr. Martinis stated most of the package stores in town are your typical package stores. He liked the idea of a specialty craft beer and wine store and thought it would do well in that plaza particularly with the new housing complex in Franklin located right up the street. Mr. Spencer asked if he planned on keeping the business or would he be transferring the license. Mr. Pelletier stated he would be working for a while and has no plans to step down before his young kids are out of college.

Mr. Spencer asked if there was any comments or concerns from the audience. Jan Greene stated when she lived in Marlboro there was a package store that seemed very similar to the one Mr. Pelletier is describing and she thought it was great and that one had no impact on the other package stores. The owner of Primo Pizza stated he was in favor of the store. On a Martinis/Connor motion, the Board unanimously voted to close the public hearing. On a Martinis/Connor motion, the Board voted 3 in favor with Mr. Spencer opposing the application of Shoppes Liquors, LLC, Ernest H. Pelletier, Jr., Mgr. for a Package Store All Alcohol License. Premises located at 191 Mechanic Street, Suite 6A.

On a Biagi/Martinis motion, the Board unanimously voted to approve the request of the Knights of Columbus for their Tootsie Roll Drive, Saturday, October 12<sup>th</sup> 8 AM – 4 PM at Crooks corner where South Main Street meets Pulaski Blvd and the center of town where Rt 126 meets Rt 140. An insurance binder has been submitted.

On a Martinis/Biagi motion, the Board unanimously voted to approve a Common Victualler License for St. Brendan's Fall Fair, Nov. 2<sup>rd</sup> & 3<sup>rd</sup>, 9 AM – 5 PM, with fees waived.

#### Selectmen Fees

The Board discussed a comparison chart of the alcohol fees of surrounding towns. It has been years since the Town raised fees and they realize that there will be some push back. A letter will go out at the beginning of the year to all the licensees notifying them of the price increase for the 2021 renewal season.

On a Biagi/Connor motion, the Board unanimously voted to increase the fees as follows:

Restaurant All Alcohol to \$2000

Restaurant Beer & Wine to \$1000

Package Store All Alcohol to \$1,500

Package Store Beer & Wine to \$1000

Though an increase to the common victualler fee and class II license fee were discussed they will stay the same. A common victualler license fee can only be increased by a vote at Town Meeting.

On a Biagi/Connor motion, the Board unanimously voted to implement a non-refundable transaction fee of \$75 for the transfer of alcohol licenses that require an ABCC approval process.

On a Biagi/Martinis motion, the Board unanimously voted to approve the September abatements for capital improvement charges, residential sewer, residential trash, and residential water in the amount of \$12,678.63.

On a Connor/Martinis motion, the Board unanimously voted to approve the September 16<sup>th</sup> minutes as submitted. Under discussion Mr. Biagi questioned the section of the minutes where Mrs. Patel of Bellingham Grocery stated they would be increasing the sales of CBD products and e-cigarettes. Mr. Fraine confirmed that since that public hearing the BOH has done inspections and removed all e-cigarette products from stores.

Mr. Fraine stated that at the next meeting an Agenda item would be the fees associated with the storm water utility fund to prepare for the article that will be presented at Town Meeting.

Mr. Connor asked Mr. Fraine for an update on EEE. Mr. Fraine stated that the BOH continues to monitor the situation. When the temperature at night falls below 50 degrees the mosquitos become dormant.

Ms. Jan Greene asked permission to address the Board. She questioned the service provided by Columbia Gas to areas in Town and Mr. Fraine assured her that all inspections are up to date and that there was a lot of follow up from Columbia Gas after the incident in the Merrimack Valley last year.

On a Connor/Martinis motion, the Board unanimously voted to adjourn the meeting at 8:40 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Hilarie J. Allie', written in dark ink.

Hilarie J. Allie  
Administrative Assistant