



Town of Bellingham

BOARD OF SELECTMEN

10 Mechanic Street

Bellingham, Massachusetts 02019

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June 6, 2022

The Selectboard meeting was called to order at 7:00 PM by Chairwoman Cindy McNulty. All Board members were in attendance and participating in the Arcand Meeting Room. Also actively participating in the meeting was Town Administrator Denis Fraine and Administrative Assistant Hilarie Allie. This meeting was accessible to the public either in-person or via the Zoom online option.

Reorganization

The meeting was turned over to Mrs. Allie who asked the Board for nominations for Chairman. Mr. Connor made a motion to nominate Mr. Martinis as Chair, seconded by Mrs. Grant. No other nominations were made. Mrs. Allie called for a vote and with all members voting in the affirmative, Mr. Martinis was voted as the Chairman of the Selectboard.

Mr. Martinis then asked the Board for nominations for Vice Chairman. Mrs. McNulty made a motion to nominate Mrs. Grant as Vice Chairwoman, seconded by Mr. Connor. No other nominations were made. Mr. Martinis called for a vote and with all members voting in the affirmative, Mrs. Grant was nominated as Vice Chairwoman of the Selectboard.

Mr. Fraine welcome Madyson Voss who joined the Board virtually. Mr. Fraine stated he was contacted by the 8th grade civics class asking if they could do some projects to beautify the Town. Madyson stated her and her class chose to plant flowers and trees which gives the environment so many benefits and at the same time would beautify Bellingham. They researched which plants and flowers to purchase and locations to plant and someone in the group was able to get the trees donated. This project was done on the weekend. The Board thanked Madyson and congratulated her and her class on a job well done.

Remote Participation

Mr. Fraine welcomed Devan Braun from KP Law and stated they had asked Devan to join the meeting to clarify a minimum requirement under Open Meeting Law 940 CMR 29.10 regarding remote participation in which the chair can determine what would be considered "unreasonably difficult" for a Board member to physically attend a meeting and therefore have to participate remotely, and additionally what could be done if a Board member abuses this.

Devan pointed out that if the Board adopts the remote participation policy there are minimum requirements that must be followed however, the Board is entitled to set additional requirements and could spell out what would be considered "unreasonably difficult" to attend the meeting in person and could also determine a set number times a Board member can participate remotely. She pointed out that the American Disability Act does not allow for discrimination based on a disability, however. She also pointed out that the Selectboard can revoke the remote participation policy at any time it wants so if

public body members are abusing the use of remote participation the Selectboard can vote to revoke the policy by majority vote.

Mr. Fraine asked Devan if she has heard that the executive order to allow for Zoom meetings would be extended another year. Currently it is scheduled to end July 15th. She stated she had heard some discussion on this and stated she thought it was likely that it would happen but they have not been given a concrete answer.

Mr. Connor asked if the Selectboard could stipulate which boards could use remote and which ones have to meet in person. Devan stated if the remote participation policy is adopted it applies to all public bodies.

It was the Board's opinion that they would table this item until the July meeting at which time we should know if the Governor's executive orders to allow for remote meetings as a result of the pandemic would be extended. In the meantime, Devan would put together a sample policy for the Board to review.

ARPA Projects

Mr. Fraine explained the latest ARPA project requiring the Selectboard's approval is for funds needed for a generator project at one of the sewer pump stations.

On a McNulty/Grant motion the Board unanimously voted 5-0 to approve the project as listed herein, with said expenditures to be under the direction of the parties noted.

| Amount | From | For/Purpose | Spending Authority |
|----------|---------------------------|--|--------------------|
| \$95,000 | Norfolk County ARPA funds | Potter Dr. Sewer Station generator replacement | DPW |

On a McNulty/Connor motion the Board unanimously voted 5-0 to accept the deed in lieu of tax foreclosure, pursuant to General Laws Chapter 60, Section 77C, for Mann Street parcel 0090-0073-0000.

On a McNulty/Connor motion the Board unanimously voted 5-0 to accept the deed in lieu of tax foreclosure, pursuant to General Laws Chapter 60, Section 77C, for Freeman Street parcel 0090-017B-0000.

Under discussion, Mr. Fraine confirmed no one lives in these parcels and the Town would be looking to auction off these properties as well as any others at the same time. They will be reaching out to the auctioneers.

On a McNulty/Grant motion the Board unanimously voted 5-0 to accept the Order of Taking for Box Pond Drive.

On a McNulty/Sahin motion the Board unanimously voted 5-0 to approve the May 9th and May 25th minutes as submitted.

On a McNulty/Connor motion the Board moved to award Contract 2022-RRRV, Roadway & Repaving Various Streets (Cold in Place Recycling), to the low bidder Sealcoating, Inc. (DBA Indus) of Braintree, MA in the amount of \$537,846.44.

Battery Storage

Mr. Fraine explained that the Selectboard had awarded a contract to Zero Point for the placement of a Solar Battery Storage project at the site of the former Pearl Street Mill. The developer is now requesting a six-month extension to begin the project, which is allowed by the agreement approved in 2021.

On a McNulty/Connor motion the Board unanimously voted 5-0 to grant Zero Point a six-month extension to pull building permits based on their contract.

Selectboard Ongoing Project List

At the request of Mr. Connor, the Board put together a list of ongoing projects/issues in Town that they wanted to see through or continue to have updates on. The Board discussed things such as Red Mill's contribution towards an early childhood educational center, school transportation, new school resource officers, athletic field complex and playground at the middle school. Mr. Fraine stated Mr. Marano would be in at the next meeting to have a formal discussion and update the Board regarding these items. Other items that were discussed included a Mass Works Grant that was submitted to reconstruct Hartford Ave, bringing in the residents that live on Rosen Road for further discussion, ongoing issues at Sunoco, the Parks Department and various other topics. Mr. Fraine stated he would have any department head meet with the Board to discuss these items and he would continue to update the Board on any other ongoing issues/projects that he is involved with.

New Business

Mr. Connor stated that the Board should reappoint KP Law at the Selectboard meeting after the Annual Town Meeting. Therefore, on a Connor/Grant motion the Board unanimously voted 5-0 to reappoint KP Law as Town Counsel.

Mr. Connor expressed concern with the recent resignation of the school resource officer and Mr. Fraine stated the department was just made aware of this last week and would be diligent in working on a replacement. He further stated the Police Department has 4 officers enrolled in the academy and 3 additional slots reserved. This will bring the department to 30 officers.

Mr. Martinis asked if the Board would be willing to move the June 27th meeting to June 29th as he will be out of Town on a business meeting on the 27th. Mr. Connor, Mrs. McNulty and Mr. Martinis will make up a quorum on the 29th.

Mr. Connor also discussed an item that was brought up at the Charter and Bylaw Review Committee meeting. It was suggested that the Board of Health be changed from having 3 members to 5 members and asked the Selectboard to spend some time thinking about this change. Mr. Fraine will check with KP Law to see whether or not this could be a change made by the committee or if it needed to be a ballot question.

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On a Connor/Sahin motion, the Board unanimously voted 5-0 to adjourn the meeting at 8:15 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Hilarie J. Allie". The signature is fluid and cursive, with the first name being the most prominent.

Hilarie J. Allie
Administrative Assistant