



Town of Bellingham

BOARD OF SELECTMEN

10 Mechanic Street

Bellingham, Massachusetts 02019

Tel: 508-657-2800 * 508-966-4425

September 21, 2020

The Selectboard meeting was called to order at 7:00 PM by Chairman Michael Connor. All members of the Board were participating in the Arcand meeting room with the exception of Mr. Spencer who was participating via Zoom technology. It was determined by Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place that no in-person attendance of Board members or any member of the public would be permitted at this meeting. Therefore, this meeting was accessible to the public via the Zoom online option.

Public Hearing – Application of J. White's Automotive, LLC for the transfer of the Class II Used Car Dealers License from Bellimoto, LLC d/b/a Bellingham Motor Sales. Premises located at 75 Mechanic Street.

Mr. Connor read the public hearing notice.

Mrs. Shirley Warren introduced herself to the Board and stated she just recently closed on the property at 75 Mechanic Street. She will be moving her business, J. White's Automotive, from Route 9 in Framingham and would like to be able to sell vehicles on an as needed basis even though their primary business is automotive repair and restoration. Mr. Martinis asked about their repair business. Mrs. White stated they restore Land Rovers, Land Cruisers & Jeeps.

Mr. Spencer asked why they were moving since they had been in Framingham since 2007. Mrs. White stated their current building was just too big for what they needed it for.

Mr. Connor asked Mr. Kupfer who was in the audience if there were any constraints on the property and Mr. Kupfer confirmed there were none.

Mr. Connor asked if there were any questions or comments on the call related to the Public Hearing to which there were none.

On a Martinis/McNulty motion, the Board unanimously voted to close the Public Hearing.

On a McNulty/Grant motion, the Board unanimously voted to approve the current Class II Used Car Dealers license from Bellimoto LLC d/b/a Bellingham Motor Sales to J. White's Automotive with the hours of Monday-Friday 8AM-6PM and Saturdays by appointment. Premises located at 75 Mechanic Street.

On a Martinis/Grant motion, the Board unanimously voted to approve the August 24th minutes as submitted.

On a McNulty/Spencer motion, the Board unanimously voted to award Contract 2020-TM, 2020 Annual Bid for Traffic Marking to the low bidder KS Corporation of Rockland, MA.

On a Grant/McNulty motion, the Board unanimously voted to appoint Glenna Laverdiere to the Council on Aging to fill the unexpired term of Michael Bellville who recently moved out of town.

Public Hearing – Application of Shoppes Liquors, LLC d/b/a Shoppes Liquors, Ernest H. Pelletier, Manager, to alter the premises by expanding the retail package store All Alcohol license by doubling the square footage to include Suite 6 and to make a DBA name change from Shoppes Liquors to Ernie's Liquors. Premises located at 191 Mechanic Street.

Mr. Connor read the public hearing notice.

Mr. Pelletier stated the opportunity to expand his business and add the suite right next door had come before him and he would like to ask for the Board's approval to do that.

Mr. Connor stated he sees Mr. Pelletier is asking for a DBA name change but the sign already states Ernie's Liquors. Mr. Pelletier stated when the application was originally submitted he wasn't sure what to call the store and his wife suggested he use his name so that's why he is applying for the change now.

Mrs. McNulty asked what occupied the suite that was becoming available and Mr. Pelletier stated it was the cabinet store.

Mr. Connor stated Officer Gosselin had been doing some research on ID scanners and thought it would be a good idea for Mr. Pelletier to install one. Mr. Pelletier stated he would be instituting the latest technology at the advice of the ABCC as well.

Mr. Connor asked if there were any questions or comments on the call for the Public Hearing to which there were none.

On a Martinis/Grant motion, the Board unanimously voted to close the Public Hearing.

On a Martinis/Grant motion, the Board voted 4-1 with Mr. Spencer opposing to approve - under the condition Mr. Pelletier institutes the latest POS scanner technology - the application of Shoppes Liquors, LLC d/b/a Shoppes Liquors, Ernest H. Pelletier, Manager, to alter the existing premises by expanding the retail package store All Alcohol license by doubling the square footage to include Suite 6 and to make a DBA name change from Shoppes Liquors to Ernie's Liquors. Premises located at 191 Mechanic Street.

Peter Marano, Superintendent

Mr. Marano stated the school department was looking to establish a Special Education Reserve fund to utilize when expenditures come up that haven't been budgeted, for example, a new student in the district. The account would be funded by any additional funds that are left over at year end. Mr. Reed pointed out that special education wildly fluctuates and this would be an important tool for the school department to utilize. The school committee would be diligent in looking for opportunities and ways to fund the account. The fund would be capped at 2% of the school budget and any time funds would be expended, an approval from the Board of Selectmen and School Committee would be required first.

On a Connor/Spencer motion, the Board unanimously voted to accept Mass General Laws Chapter 40 Section 13E to establish a Special Reserve Fund and bring to Town Meeting for vote.

Cheryl Hanly, Assessment Technician

Mrs. Hanly stated one of her responsibilities in the tax assessor's office is the administration of personal exemption specifically senior exemptions. Seniors in our Town whose income and assets fall below statutory guidelines are eligible for \$500 off their Real Estate bill and if their income exceeds the guidelines but their assets still fall below the guidelines they can qualify for \$175 off their tax bill. Mrs. Hanley stated over the years the population of seniors has dropped and there are less residents taking advantage of this benefit. However, there is a local Town option for a Cost of Living Adjustment that the Selectboard could adopt and it would allow more seniors to qualify for this tax relief benefit. The COLA is determined every year by the Commissioner of Revenue. Mrs. Hanly stated that the last 5 years the average adjustment has been 2.04 % increase.

Mr. Martinis asked what is considered when determining assets and who reviews these assets. Mrs. Hanly stated everything but their primary home would be considered an asset and the Board of Assessors looks at all documentation.

Mr. Connor stated in 2004 147 residents qualified and in 2020 only 54 residents qualified so this is a massive decline and he would like to know how to get the word out to seniors. He asked if this is something that is brought up at the Senior Center on a regular basis. Mrs. Hanly thought it was and was willing to go to the Senior Center and do an informational session. It is also on the assessor's page on the Town website.

On a McNulty/Grant motion, the Board unanimously voted that the town accept General Laws Chapter 59, Section 5, Clause 17E, which authorizes an annual increase in the asset (whole estate) limit for exemptions granted to senior citizens, surviving spouses and surviving minors under General Laws Chapter 59, Section 5, Clause 17D, by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2021.

On a Martinis/Grant motion, the Board unanimously voted that the town accept General Laws Chapter 59, Section 5, Clause 41D, which authorizes an annual increase in the income (gross receipts) and asset (whole estate) limits for exemptions granted to senior citizens under General Laws Chapter 59, Section 5, Clause 41C, by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2021.

John Hickey – Representing Timothy Jones/53-55 Autumn Hill, LLC

Mr. Hickey stated Mr. Jones could not come before the Board this evening because he had a death in the family. He stated that in 2000 Highridge Estates was built and the developer had an agreement with the Town to pay \$250,000 to the school department of which \$103,000 was paid. The developer foreclosed and lost title with 12 1/2 acres unfinished. In 2016 Merritt Homes LLC picked up the title and drew up an agreement with the Town to pay the remaining \$147,000. They did not make any payments and then sold the property to 53-55 Autumn Hill LLC. 53-55 Autumn Hill LLC has drawn up a newly proposed repayment schedule along with a 40B proposal which is in the beginning stages and has not yet reached letter of eligibility. According to Mr. Hickey, this payment issue with the Town is stopping the process of going forward with the letter of eligibility. Mr. Connor asked if Mr. Jones was a part of all the LLC's since the creation of Highridge Estates and Mr. Hickey confirmed he was. Mr. Martinis stated what Mr. Jones is doing is considered linkage. He had an agreement with the Town over 20 years ago which he didn't fulfill and then came back a second time promising to pay the agreement which again never happened. Now he is saying he will pay the Town per the agreement if the Town's approves his proposed 40B. Mr. Martinis advised that Mr. Jones write a check for what is owed then come to the Town with a proposal. Mr. Spencer also pointed out that the Town allowed him to build another subdivision, Taft Estates, which he profited from and never completed the project. Mr. Martinis stated the Town has enough proposals right now for residential homes and another 40 homes in a 40B proposal is not needed. Bottom line is the Town would like to be paid what is owed. Mr. Hickey stated he does not know what happened 20 years ago after Mr. Jones finished the Highridge project and why no further payments were made or how that slipped through the cracks. But he will send the message along to his client.

Mrs. Lilly Holden a resident who lives in Taft Estates was on the call to comment on the subdivision that Mr. Jones developed. She stated that the street has not been completed and it is not a public way. All the affordable houses have been built but there are still two market value lots to be built. These lots are overgrown and a fence was never put around the retention pond. Mr. Martinis asked if comments for the newly proposed 40B have been sent into the state and Mr. Kupfer explained that they have and these concerns were also addressed. Mr. Connor thanked Mrs. Holden for presenting her concerns to the Board and told her the Town would do their best to see that these things were taken care of.

Mary MacKinnon, CFO

Mrs. MacKinnon presented before the Board to give a general financial update. She thanked the members for recommending the Special Education Reserve Fund and reiterated that it will be a great tool for the school department. She also thanked the Board for recommending the Cost of Living Adjustment program as presented by Cheryl Hanly and stated this would modernize tax relief for our residents. She stated the Treasurer/Collector position is currently vacant as Mr. Redmond has moved on to another job.

The first stormwater utility bill is just weeks away from being rolled out and anticipates the Treasurer/Collector's office will be very busy answering phone calls once that happens. She cited the information booklet that will go out with the bills has a QR code that residents can access to help them answer frequently asked questions.

Currently the Tax Assessor's office is busy working through the new growth process and will be waiting on certification from the Department of Revenue. Mrs. MacKinnon reported the Town has had a relatively stable collection of tax revenue and that local receipts were continuing to be strong in the building dept and ambulance billing but reported about a 50% decline in meals tax for the quarter ending June 30th. The state notified the Town that they would fund Chapter 70 and Unrestricted General Government Aid at FY20 levels – no reductions there but the final budget has not been set and they continue to operate at a 1/12 budget. She stated the Town continues to be impacted by the state assessments which is the amount the state withholds from aid for expenses the Town is required to fund. The Town continues to be affected by the amount of money paid out to students who choose not to go to school in Bellingham.

Mrs. MacKinnon stated the Town has spent roughly \$640,000 in COVID related expenses of the \$1.5M in CARES Act Relief Funding. The funds received are not to be utilized on lost revenue but to fund items related to COVID that were unanticipated. These expenses must be incurred this year and to be used by Dec 31, 2020. The Town has also been the recipient of several different grants. Finally, Mrs. MacKinnon touched upon the Town's debt structure. In the next 3-5 years the Town will have some debt maturing. This will help with the \$16M of capital requests as well as the funding sources that was received for the Fall Town Meeting Warrant. A capital workshop will take place next Monday September 28th at which time the Board will hear requests from the various department heads. Mrs. Grant asked how much debt is being freed up in the next couple years. Mrs. MacKinnon stated the net capacity is in the \$200,000-\$250,000 range. Mr. Fraine stated the High School will be paid off in FY22

Halloween

Mr. Connor stated that as of today, the Town expects to have Halloween and has no intentions of cancelling it. Of course residents should follow social distancing guidelines and use their best judgment.

Mr. Kupfer stated they conducted a webinar last week for small Bellingham businesses interested in the Microenterprise Grant. The Community Opportunity Group is just finalizing the application and as soon as that is done it will be on the Town's website. Mr. Spencer stated he has heard from a few business owners that the application process looks to be tedious and difficult. Mr. Kupfer said it will be difficult as it is a Federal program but worth it as they might be eligible for up to \$10,000. He advised the Community Opportunity Group will help as will he.

Town Administrator Report

Mr. Fraine stated that the recent primary election cost the Town \$6.50 per voter including the two week early voting process, mail in ballots, postage, etc. Mr. Sposato will come before the Board next meeting to discuss the upcoming Presidential election.

Mr. Fraine mentioned this would be the time of the year the Board would typically host an All Boards Meeting but for now the focus will be on the departments that have major capital items requests and perhaps something the Board could do something in the spring instead.

All communities must comply with the Statewide water ban, but Bellingham is doing well and the tank levels are all fine. Mr. Connor asked if this water ban will have an impact on sewer and water revenue. Mrs. MacKinnon stated that it depends on how long it goes on for and how compliant the residents of Bellingham are.

A letter was received from DHCD stating the Town is officially at 12.4% of the 10% minimum it needs to be at for affordable housing. Mr. Kupfer stated that at a minimum the Town should be safe for the next 2 years.

Mr. Fraine stated the Lobisser project will be helping with many other projects in Town on top of the \$3M contribution they plan to allocate to the schools. Mr. Fraine stated the original agreement called for 150 units but it will end up being more and the extra units will help with these extra little projects.

Mr. Connor asked Mr. Fraine if we were working on getting all the Amazon vehicles that are parked at their Bellingham facility registered in Bellingham and Mr. Fraine stated they were working on it and most have been registered already.

Mr. Martinis stated the he and Mr. Fraine met with Victory Packing and they have started using more vendors because of COVID. Their packing supplies are up and the issue isn't with the Victory trucks but with the outside vendors they have been using as a result. They agreed to put up some signs along Route 126 to direct the truck to Maple Street.

Lakeview Drive – Streetlight Request

Mr. Martinis does not see the need for an additional streetlight all the way down at the end of the road. Mrs. Grant stated the person that made the request for the streetlight does not live at the end of the road but lives where there are streetlights. Most of the Board felt if the person who lives at the end of the road wants a streetlight in front of their house they should be the one requesting it. Mr. Spencer felt that if the safety officer recommended a streetlight then the Board should defer to him.

Mr. Spencer made a motion seconded by Mr. McNulty to approve the additional streetlight on Lakeview Ave as recommended by the Town's safety officer. The motion did not pass with Mr. Connor, Mr. Martinis and Mrs. Grant opposing. Final vote was 2 in favor and 3 opposed.

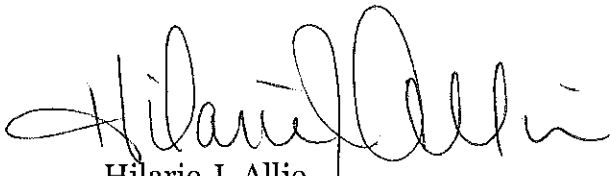
The Board voted in January to raise the annual fees for Restaurant & Package Store All Alcohol licenses and Restaurant & Package Store Wine & Malt licenses effective January 1, 2021. As a result of the pandemic, Mrs. McNulty has received calls from two local restaurant owners that asked if the Board would consider pushing this increase off another year. Mr. Martinis agreed and did not think it was the time to increase restaurant alcohol fees. Mr. Connor suggested the increase be deferred another year giving the fact that the Board could not have predicted the pandemic.

Mr. Martinis did a shout out to State Rep Mike Soter for the BBQ he hosted for the seniors last Thursday. He said it was a nice event.

Mrs. Grant announced she would be at the BEF Trunk or Treat on Saturday October 24th at the MS from 1-4 if any of the Board members wished to join her. She has already dropped off stuff for the goodie bags and purchased a kit to decorate her trunk. This year the kids will be driven through the parking lot to see the decorated trunks and will receive a goodie bag at the end.

On a McNulty/Spencer motion, the Board unanimously voted to adjourn the meeting at 9:00 PM.

Respectfully submitted,



Hilarie J. Allie
Administrative Assistant