

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

in said Bellingham, on Wednesday, the twenty-fifth day of May 2011, 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, 2011 through June 30, 2012; 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
138	Treasurer
139	Town Collector
151	Town Counsel
152	Personnel Board
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
182	Industrial Development Commission
183	Commission on Disability
189	Public Buildings Maintenance
190	OTJ Injury for Deductible
191	Worker's Compensation Agent
192	Employee Sick Day Buy-Back
193	Property & Liability Insurance
194	Retirement Assessment
195	Medicare/Employer Share
196	Town Reports
197	Physical/Occupational Health
198	Insurance Deductible
199	Damage to Persons & Property
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
433	Solid Waste
439	Sanitary Landfill
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
710	Maturing Debt
715	Interest on Bonds
990	Workers Compensation Trust Fund
991	Unemployment Insurance Trust Fund
992	Group Insurance Claims Trust Fund
996	Transfer to Capital Investment Trust
997	Compensated Absence Trust Fund

(By: Board of Selectmen)

ARTICLE 2. TRASH ENTERPRISE

To see what sums the Town will vote to raise and appropriate for the Trash Enterprise for a period commencing July 1, 2011 through June 30, 2012; 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 for the Water Enterprise for a period commencing July 1, 2011 through June 30, 2012; 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 for the Sewer Enterprise for a period commencing July 1, 2011 through June 30, 2012; 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 and/or purchase conveyances or easements, sewers, water lines, retaining walls and streets, and to raise and appropriate 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 a sum of money and to authorize the D.P.W. 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 and their successors in office 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 to be allotted by the State under authorization of Chapter 90 of the Massachusetts 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 D.P.W. Director; or act or do anything in relation thereto.

(By: D.P.W. Director)

ARTICLE 9. AMEND ARTICLE 1.

To see if the Town will vote to amend Article 1 of the 2010 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. CAPITAL OUTLAY

To see if the Town will vote to raise and appropriate a sum of money which shall not

exceed 1.5 million dollars 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)

ARTICLE 11. 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 which shall not exceed \$1,000,000 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)

ARTICLE 12. REVOLVING FUNDS

To see if the Town will vote to adopt provisions of Chapter 44, Section 53E-1/2, of the General Laws to allow the following:

1. To allow the Bellingham Public Library Trustees to create a special revolving fund from revenues received from overdue books and video fines and to authorize the Trustees to use said funds for purchasing books, videos, library materials, and to make payment to temporary or part-time employees and independent contractors, not to exceed \$15,000.
2. To allow the D.P.W. to create a special revolving fund from the revenues received for services provided to open cemetery graves and to authorize the DPW to use said funds to make payments for salaries and other related expenses not to exceed \$7,500.
3. To allow the Board of Health to create a special revolving fund from the revenues received for services provided for food inspections and to authorize the Board to use said funds for salaries and other related expenses not to exceed \$35,000.

4. To allow the Commission on Disability to create a special revolving fund from revenues received from gifts, grants and fees and to authorize the use for purchasing equipment and supporting materials, and to authorize the Commission to use said funds to make payment to temporary or part-time employees and independent contractors, not to exceed \$10,000.
5. To allow the Bellingham Police Department to create a special revolving fund from revenues received from third party vendors hired by the Police Department, details with assigned vehicles for the detail; and to authorize the Department to use funds for the repair, replacement and/or for the purchase of equipment or vehicles for the Police Department, not to exceed \$40,000; or act or do anything in relation thereto.
6. To allow the Bellingham Conservation Commission to create a special revolving fund from revenues received by applicants under the Town's local wetlands protection by-law; not to exceed \$5,000; and to authorize the Commission to use said funds for potential land purchases, in supplementation of funds in the Town's Land Acquisition Trust; or act or do anything in relation thereto.

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

ARTICLE 13. APPROPRIATION OF FUNDS-SEWAGE DISPOSAL SYSTEMS, FUEL STORAGE TANKS & DELEADING DWELLINGS

To see if the Town will vote to raise the sum of up to \$300,000 of monies for the purpose of remediating failing residential subsurface sewage disposal systems, underground fuel storage tanks and deleading dwellings with dangerous levels of lead, pursuant to Massachusetts General Laws, Chapter 111, Section 127B ½ and Massachusetts General Laws, Chapter 80 (Betterments) and 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 issuance of bonds or notes by the Town at one time or from time to time; or act or do anything in relation thereto.

(By: Board of Health)

ARTICLE 14. RESTAURANT ALL ALCOHOL LICENSE

To see if the Town will vote to direct the Board of Selectmen to petition the Legislature to enact legislation granting the Board of Selectmen the authority to issue an additional All Alcoholic Restaurant License for Gary A. Jolicoeur, for the

property located at 28 Wrentham Road, Bellingham, Massachusetts.

Notwithstanding any General or Special law, or any rule or regulation to the contrary, the local alcohol licensing authority shall not approve the transfer of said license to any other location. Said license may be re-issued by the local alcohol licensing authority at the same location if an applicant for said license files with said authority a letter in writing with said authority and proves that any and all applicable taxes have been paid.

If the license granted under this section is cancelled, revoked or no longer in use, such license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the local alcohol licensing authority. Notwithstanding Section 17 of Chapter 138 of the General Laws, or any other general or special law to the contrary, the local alcohol licensing authority may then grant the license to a new applicant at the same location and under the same conditions specified in the preceding paragraph, or act of do anything in relation thereto.

(By: Petition
Gary A. Jolicoeur
77 Elm Street
Blackstone , MA 01504
508-889-4723)

ARTICLE 15. ZONING AMENDMENT

To see if the Town will vote to extend the existing Business 2 Zoning District into the existing Suburban Zoning District along the southerly side of Pulaski Boulevard in a easterly direction and at a depth of 200 feet from the southerly edge of Pulaski Boulevard, for a distance to include the following parcels of land shown on Bellingham Assessors Map 88 as Parcel 22 (159 Lake Street owned by Kevin Blake and Michelle K. Robinson, Norfolk Deeds, Book 16090, Page 528); Parcel 21 (1211 Pulaski Boulevard owned by Scott & Karen Rhodes, Norfolk Deeds Book 28202, Page 42); Parcel 20A (1221 Pulaski Boulevard owned by William P. Hemstedt Jr. & Linda E. Hemstedt, Norfolk Deeds, Book 7058, Page 229); Parcel 20 (1231 Pulaski Boulevard owned by Martin L. Carl & Carlotta S. Surette, Norfolk Deeds Book 14604, Page 57); Parcel 19 (1241 Pulaski Boulevard owned by Timothy A. Pickering & Leann Matatal, Norfolk Deeds, Book 12061, Page 9); and Bellingham Assessors Map 89 as Parcel 30A (1271 Pulaski Boulevard owned by Maurice & Anne Marie Ferland, Norfolk Deeds, Book 11824, Page 724, and Book 15449, Page 210) and Parcel 30 (1281 Pulaski Boulevard owned by Marie A. Collamati, Norfolk Deeds, Book 2842, Page 21 and Book 15449, Page 217).

Said Parcels are shown on the attached Plan attached herewith and made a part hereof and to act or do anything in relation thereto.

(By: Petition
Scott & Karen Rhodes
127 Lake Street
Bellingham, MA 02019
508-883-3108)

ARTICLE 16. AMEND ZONING BY-LAW SECTION 3300

**To see if the Town will vote to Amend the Bellingham Zoning By-Laws Section 3300
Parking and Loading Requirements in the following manner:**

**Section 3320 (d) a portion of which reads “ plus one space per 100 square feet
of function space not designed for eating,” be deleted.**

**Section 3320 (g) which reads “Retail Businesses, Printing Shop/Copy Center,
Other Service Establishments:**

**One parking space per 150 square feet of gross floor area, but not fewer than
three spaces per separate enterprise.” Be amended to read:**

**Section 3320 (g) Retail Businesses, Printing Shop/Copy Center, Other Service
Estgablishments:**

**One parking space per 150 square feet of area used by patrons plus one space
for each employee on the largest shift.**

Or Act or do anything in relation thereto.

(By: Petition
Lee G. Ambler, Esq.
6 Mendon Street
Bellingham, MA 02019
508-966-1951)

ARTICLE 17. ACCEPTANCE OF PUBLIC WAYS – JAMIE DRIVE, TONI DRIVE, SIDNEY LANE

**To see if the Town will vote to authorize the Board of Selectmen to accept the deeds to
Jamie Drive, Toni Drive, and Sidney Lane in the town of Bellingham to be accepted
as public ways, title to the way and easements appurtenant thereto, and vote to raise
and appropriate a sum of money for associated costs, said sum to be raised by
taxation; or act or do anything related thereto.**

(By: DPW)

ARTICLE 18. GRANT OF EASEMENT – 2 SOUTH MAIN STREET TO 400 PULASKI BOULEVARD

To see if the Town will vote to grant a permanent parking and egress easement on the Town owned parcel known as 2 South Main Street (the old Bank of America parcel) to the owners of the owners of 400 Pulaski Boulevard, said easement to include five (5) parking spaces and a driveway exit as shown on the plan entitled "Bellingham Pulaski Boulevard, Sheet No. 112 of 192 total sheets Project File No. 602493 Traffic Signal Plan Pulaski Boulevard/South Main Street (Route 126)/Wrentham Road Location 1“, dated Revision 11/2/2010, a copy of said plan to be on file with the Town fourteen (14) days prior to the town meeting, or act or do anything related thereto.

(By: Board of Selectmen)

ARTICLE 19. PURCHASE OF LAND

To see if the Town will vote to authorize the Board of Selectmen to purchase, or take by eminent domain title to two parcels of land, both owned by Winiker Realty Trust, one parcel containing 21 acres and the second parcel containing 3 acres and 66 rods, both being more or less, being located off the northerly side of North Street, and as described in Norfolk Deeds Book 4301, Page 635 and in Norfolk Deeds Book 7934, Page 244, and to vote to raise and appropriate a sum of money to provide payment for said purchase or eminent domain taking, 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 or taking, or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 20. ACCEPTANCE OF MGL CHAPTER 138, SECTION 33B

To see if the Town will vote to accept provisions of Chapter 138, Section 33B of the Mass. General Laws providing the Selectmen with the discretion to permit Section 12 (on-premise) licensees to sell alcoholic beverages between the hours of 10 AM and 12 Noon on Sundays; or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 21. REVISION TO TOWN ZONING BYLAW SECTION 4900 WATER RESOURCE DISTRICT MAP – EXPANDED ZONE II – WELL 12

To see if the Town will vote to amend Section 4900 Water Resource Districts of the Zoning Bylaws by, adding to the Water Resource District Map the expanded area of the Drinking Water Supply Well #12 Zone II shown on the map titled “Bellingham Water Resource District Map Addition Proposed May 25, 2011”, which is on file with the Town Clerk’s office, said map to be on file with the Town fourteen days prior to the town meeting, or act or do anything related thereto.

(By: DPW)

ARTICLE 22. REVISION TO TOWN ZONING BYLAW SECTION 2130(b)

To see if the Town will amend Section 2130(b) of the Town’s Zoning Bylaws by deleting said Section in its entirety and replacing it with the following:

(b) Lots split by district boundary line. Where a lot is transected by a zoning district boundary line, the regulations of these Zoning By-laws applicable to the lesser restricted district may, at the option of the owner, be deemed to govern in the more restricted district, up to a distance of not more than thirty (30) feet from said district boundary.

or take any other action in relation thereto.

(By: Planning Board)

ARTICLE 23. REVISION TO TOWN ZONING BYLAW SECTION 2140

To see if the Town will amend Section 2140 of the Town’s Zoning Bylaws by deleting said Section in its entirety and replacing it with the following:

2140. Lots Split by Town Line. When a lot in one ownership is situated in part in the Town of Bellingham and in part in an adjacent city or town, the regulations and restrictions of this Zoning By-Law shall be applied to an application for a building permit to the extent that the proposed structure will be located in Bellingham. Land located in the adjacent city or town may be used to satisfy Bellingham’s minimum lot area, frontage and yard requirements. If the structure is located in the adjacent city or town, construction shall be governed by the zoning regulations of the adjacent city or town.

or take any other action in relation thereto.

(By: Planning Board)

ARTICLE 24. AMEND ARTICLE 2

To see if the Town will vote to amend Article 2 of the 2010 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 25. AMEND ARTICLE 3

To see if the Town will vote to amend Article 3 of the 2010 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 26. AMEND ARTICLE 4

To see if the Town will vote to amend Article 4 of the 2010 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 27. 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)

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 Ninth day of March in the year of our Lord, Two Thousand Eleven.

Jerald A. Mayhew, Chairman

Lloyd W. Goodnow, Jr., Vice Chairman

Mary E. Chaves

Dawn M. Davies

Michael J. Connor

BOARD OF SELECTMEN

RETURN OF 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 By-laws.

Date

Constable of Bellingham