

TOWN OF BELLINGHAM
SPECIAL TOWN MEETING

October 8, 2014 @ 7:30 PM

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)

VOTED: The Town voted unanimously to amend Article 1 of the May 2014 Annual Town Meeting and to raise and appropriate the sum of \$63,620.00 from Free Cash and to transfer said sum to various accounts as follows:

Veteran's Services Expenses	\$42,500.00
Municipal Buildings Expenses	\$ 4,320.00
Fire Department Expenses	\$ 4,800.00
Town Inspector Expenses	<u>\$12,000.00</u>
TOTAL	\$63,620.00

(Recommended by Finance Committee)

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)

VOTED: The Town voted unanimously to amend Article 2 of the May 2014 Annual Town Meeting by transferring sums from various sources within Article 2 as follows:

DEPARTMENT	AMOUNT REQUESTED	TRANSFER FROM
Trash Expenses	\$ 75,000.00	Trash Surplus

Trash Budget	\$ 64,530.00	Trash Surplus
Trash Budget	\$1,465,550.00	Trash Receipts

(Recommended by Finance Committee)

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)

VOTED: Passed over.

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)

VOTED: The Town voted unanimously to amend Article 4 of the 2014 May Annual Town Meeting by transferring \$21,677.50 from Sewer Surplus into Sewer Enterprise Expenses.

(Recommended by Finance Committee)

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)

Motion to waive a secret ballot is required by General by-Law Section 4.07.130 carried unanimously.

VOTED: The Town voted unanimously to raise and appropriate the sum of \$2,514,669.00 for the purpose of financing Capital Outlay items from the stated funds and to authorize the issuance and sale of general obligation bonds or notes of the town therefore for those items which identify borrowing as the source of funding:

DEPARTMENT	AMOUNT	FUNDING
Fire/Ladder Truck	\$940,000.00	Borrowing
IT Department Phone System Replacement	\$140,000.00	Free Cash
Parks Department Six Wheel Plow Dump Truck	\$66,000.00	Free Cash
DPW Sewer Pump Station Improvements	\$65,000.00	Sewer Surplus
DPW Six Wheel Plow/Dump/Patch Truck	\$66,000.00	Free Cash
DPW Salt Storage Shed	\$500,000.00	Borrowing
DPW Replace Water Main Pulaski Blvd. (Norfolk St. To Auclair St.)	\$170,000.00	Water Surplus
DPW Plan Prep & Permitting New Water Mains Cross St. (Lake St. to Blackmar St.)	\$20,000.00	Transfer from Water Expenses Article 3, May 2014
DPW Plan Prep & Permitting Water Mains Locust to Wrentham Rd	\$60,000.00	Transfer from Water Expenses Article 3, May, 2014

DPW Pine Grove Ave. Sewer Station Plan Prep & Permitting (Abandon Sewer Siphon)	\$105,000.00	Sewer Surplus
DPW Install Water Mains Mill Street (300 ft)	\$67,000.00	Water Surplus
School Department Technology Program	\$185,669.00	Free Cash
School Department Replace AP Room Gym Floor Middle School	\$70,000.00	Free Cash
School Department Replace Bathroom Floor High School	\$60,000.00	Free Cash
TOTAL	\$2,514,669.00	

Motion carried by a 2/3 voice vote.
(per General By-Law Section 4.07.100 adopted by Town on May 28, 1997.)

(Recommended by Finance Committee)
(Recommended by Capital Improvement Committee)

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)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$532,409.00 for the purpose of financing the non-capital outlay items from the sated funds as follows:

DEPARTMENT	AMOUNT	FUNDING
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Fire/Chevrolet Explorer	\$44,610.00	Ambulance Receipts
Police Department 3 Marked Utility Vehicles	\$125,275.00	Free Cash
Police Department 4 Bullet Resistant Vests	\$3,476.00	Free Cash
Police Department Portable Message Board	\$13,500.00	Free Cash
Police/Fire Department New ATV	\$17,00.00	Free Cash
DPW SUV	\$30,000.00	\$15,000.00 from Sewer Surplus \$15,000.00 from Water Surplus
DPW Plan Prep & Permitting Water Main Benelli St. to Central Blvd.	\$42,000.00	Water Surplus
Library Parking Lot Renovation	\$45,000.00	Free Cash
IT Department Fire Department EMS Software	\$37,503.00	Free Cash
Parks Department Kubota Mower & Attachment	\$15,995.00	Free Cash
Parks Department Landscaping Trailer	\$4,050.00	Free Cash
School Department Driveway Improvement Middle School	\$15,000.00	Free Cash
DPW Install Water Mains Highland Street	\$45,000.00	\$30,000.00 from Water Surplus \$15,000.00 from Water Expenses Article 3, May, 2014

School Department Kubota RTV South Elementary	\$29,000.00	Free Cash
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School Department Seal & Caulk Windows at Stall Brook School	\$48,000.00	Free Cash
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School Department Scissors Lift for Town/Schools	\$17,000.00	Free Cash
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TOTAL	\$532,409.00	
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(Recommended by Finance Committee)

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 \$15,000.00; or act or do anything in Relation thereto.

(By: Conservation Commission)

VOTED: The Town voted unanimously 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 \$15,000.00.

(Recommended by Finance Committee)

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)

VOTED: Passed over.

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

VOTED: Passed over.

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)

VOTED: Passed over.

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)

VOTED: Passed over.

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)

VOTED: The Town voted unanimously to raise and appropriate a sum of \$2,600.00 from Water Surplus and to use said sum to make payment for 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 are on file with the Town Clerk's Office and to authorize the Selectmen to purchase, accept gifts for or to take , by eminent domain, such easement.

Motion carried by a 2/3 voice vote.

(per General By-Law Section 4.07.100 adopted by Town on May 28, 1997.)

(Recommended by Finance Committee)

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)

VOTED: The Town voted unanimously to amend its General By-Laws by adding Chapter 162 all as described in the Report and Recommendations of the Finance Committee and 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.

(Recommended by Finance Committee)

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)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$50,000.00 from Free Cash and to transfer said sum into the Other Post Employment Benefits Trust Fund.

(Recommended by Finance Committee)

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)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$100,000.00 from Free Cash and to transfer said sum into the Stabilization Fund.

(Recommended by Finance Committee)

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)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$50,000.00 from Free Cash and to transfer said sum into the Tax Stabilization Fund.

Motion carried by a 2/3 voice vote.

(per General By-Law Section 4.07.100 adopted by Town on May 28, 1997.

(Recommended by Finance Committee)

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)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$100,000.00 from Free Cash and to transfer said sum into the Capital Improvement Fund.

(Recommended by Finance Committee)

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)

VOTED: The Town voted unanimously to raise and appropriate the sum of \$5,818.80 in order to pay certain unpaid bills as follows:

PAID TO	AMOUNT	FROM
Clean Harbors Trash Expenses Pick up Hazardous Waste	\$5,320.00	Trash Surplus
A Custom Company COA Expense Repair of Water Cooler	\$ 498.00	Free Cash
TOTAL	\$5,818.00	

(Recommended by Finance Committee)

Adjourned at 8:00 PM

No quorum required

Attendance:

P – 1	P – 2	P – 3	P – 4	P – 4A	P – 5	TOTAL
16	25	23	21	3	23	111

A true record.

ATTEST:

Ann L. Odabashian
Bellingham Town Clerk