

TOWN OF BELLINGHAM
SPECIAL TOWN MEETING
of
October 8th, 2008

Continued to October 16, 2008 at 7:30 PM

ARTICLE 1. AMEND ARTICLE 1.

To see if the Town will vote to amend Article 1 of the 2008 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: Unanimously voted that the Town amend Article 1 of the 2008 May Annual Town Meeting by transferring funds from various sources into items within Article 1 as follows:

TRANSFER TO	TRANSFER FROM	AMOUNT
Water Salaries	Water Retained Earnings	\$2,744.00
Sewer Salaries	Sewer Retained Earnings	\$ 895.00
Board of Selectmen Salaries	Free Cash	\$1,719.00
Town Administrator Salaries	Free Cash	\$4,307.00
CFO Salaries	Free Cash	\$2,688.00
Assessors Salaries	Free Cash	\$1,689.00
Assessors Expenses	Free Cash	\$3,400.00
Collector Salaries	Free Cash	\$1,935.00
MIS Salaries	Free Cash	\$1,857.00
Building Maintenance Salaries	Free Cash	\$1,441.00
Town Inspector Salaries	Free Cash	\$1,935.00
Animal Control Salaries	Free Cash	\$2,205.00
Highway Admin. Salaries	Free Cash	\$2,857.00
Board of Health Salaries	Free Cash	\$1,697.00
Council on Aging Salaries	Free Cash	\$1,351.00
Police Salaries	Police Salary Encumbrance	\$309,290.36
	Ambulance Receipts Reserve	\$200,000.00
	Stabilization Fund	\$200,000.00
	Overlay Surplus	\$200,000.00

(To fund the FY09 Budget Article 1 of the 2008 May Annual Town Meeting)

(These changes represent the settlement of contracts with the Bellingham Professional

(Recommended by Finance Committee)

ARTICLE 2. CAPITAL OUTLAY

To see if the Town will vote to raise and appropriate a sum of money which shall not exceed 3.0 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)

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

VOTED: Unanimously voted that the Town raise and appropriate the sum of \$736,985.00 by transferring from and into various accounts as indicated and by borrowing \$220,000.00 and to authorize the issuance and sale of General Obligation Bonds or notes of the Town by the Treasurer and with the approval of the Board of Selectmen for the purpose of financing the purchase of an ambulance.

DEPARTMENT	PROJECT	AMOUNT	SOURCE OF FUNDING
CFO	Financial Software Upgrade	\$75,000.00	Overlay Surplus
DPW	Filtration Plant Treatment Alternative	\$50,000.00	Water Retained Earnings
DPW	Well 1 & 2 (Cross St) Rehab/Aux Power	\$175,000.00	Water Retained Earnings
DPW	Dams-Phase II Study	\$70,000.00	Free Cash
DPW	Supplemental Chapter 90 Road Funds	\$150,000.00	Free Cash
DPW	Sewer Infiltration & Inflow (I & I)	\$106,000.00	Sewer Retained Earning
Fire Dept.	Ambulance	\$220,000.00	Borrowing

Police Dept.	Roof Repair	\$55,000.00	Free Cash
School Dept.	School Building Security System	\$55,985.00	Free Cash

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

ARTICLE 3. 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)

VOTED: Unanimously voted that the Town raise and appropriate the sum \$172,890.00 by transfer of various funds for the purpose of financing the purchase of various items as follows:

DEPT.	PROJECT	AMOUNT	SOURCE OF FUNDING
Conservation Commission	Land Acquisition Trust	\$10,000.00	Free Cash
DPW	Replace BW 3-Pick-up Truck with plow	\$30,000.00	Water Retained Earnings
DPW	Replace BW 10-pick-up Truck with plow	\$30,000.00	Sewer Retained Earnings
DPW	MIS/GIS Mapping	\$10,000.00	Overlay Surplus
Parks Commission	Riding Lawnmower	\$14,390.00	Free Cash
Police Dept.	2 Marked Cruisers	\$64,000.00	Free Cash
School Dept.	Lunch Equipment	\$14,500.00	Free Cash

(Recommended by Finance Committee)

ARTICLE 4. DEPT.

AMEND ARTICLE 3. WATER ENTERPRISE

To see if the Town will vote to amend Article 3 of the 2008 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: Unanimously voted that the Town amend Article 3 of the 2008 May Annual Town Meeting by transferring \$50,000.00 from the Water Retained Earnings Account to the Water Reserve Fund.

(Recommended by Finance Committee)

ARTICLE 5. STREET ACCEPTANCE – STONEHEDGE ROAD

To see if the Town will vote to accept as a Public Way a road, the easements appurtenant thereto, identified as Stonehedge Road being shown on a Plan entitled “The Woodlands Definitive Subdivision Plan of Land in Bellingham, Massachusetts for Pentad Realty Trust, Leo L. Mayewski Tr. Scale 1” = 40’, July 28, 1987, David E. Beede EPLS Reading, Massachusetts duly recorded with Norfolk County Registry of Deeds in Plan Book 362 as Plan 1526 of 1987, 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 in relation thereto.

(By Douglas R. Porter and Doreen Porter)

VOTED: Unanimously voted that the Town accept as a Public Way a road, the easements appurtenant thereto, identified as Stonehedge Road being shown on a Plan entitled “The Woodlands Definitive Subdivision Plan of Land in Bellingham, Massachusetts for Pentad Realty Trust, Leo L. Mayewski Tr. Scale 1” = 40’, July 28, 1987, David E. Beede EPLS Reading, Massachusetts duly recorded with Norfolk County Registry of Deeds in Plan Book 362 as Plan 1526 of 1987, 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. Subject to acceptance of bond and easement for Bellingham vehicles, acceptable by Board of Selectmen and Planning Board.

(Recommended by Finance Committee)

(Not Recommended by Planning Board)

ARTICLE 6. LAND ACCEPTANCE

To see if the Town will vote to accept certain parcels of land lying within and without Pine

Acres Estate, belonging now or formerly to Leo A. Dalpe and Germaine S. Dalpe, Trustees of the Germaine Realty Trust, specifically the following:

Parcel A containing 3.086 acres, more or less, and the twenty (20) foot sewer easement, both shown on Plan duly recorded with Norfolk Deeds in Book 539 of 2005 as Plan No. 55 and Parcel D containing 10.5 acres, more or less, shown on Plan duly recorded with Norfolk Deeds in Book 539 of 2005 as Plan No. 58; or act or do anything in relation thereto.

(By: Atty. Richard Cornetta)

VOTED: Passed over.

ARTICLE 7. PACKAGE STORE 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 additional Package Store All Alcohol License for Antoine H. Khoury, 3 Mechanic Street.

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 any applicant for said license files with said authority a letter in writing from the Department of Revenue indicating that said license is in good standing with said Department and 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 the 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 condition specified in the preceding paragraph; or act or do anything in relation thereto.

(By: Petition
Antoine Khoury
Khoury Industries)

VOTED: Voted that the Town direct the Board of Selectmen to petition the Legislature to enact legislation granting the Board of Selectmen the authority to issue additional Package Store All Alcohol License for Antoine H. Khoury, 3 Mechanic Street.

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 any applicant for said license files with said authority a letter in writing from the Department of Revenue indicating that said license is in good standing with said

Department and 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 the 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 condition specified in the preceding paragraph.

By hand count. Yes - 90, No – 83 Motion Passed.

(Recommended by Finance Committee)

ARTICLE 8. REVISION TO TOWN BYLAW ARTICLE 19.03 WATER USE RESTRICTIONS

To see if the Town will vote to amend Article 19.03 of the General Bylaw by deleting the existing Article 19.03 and replacing it with the following:

Article 19.03. Water Use Restriction

This Bylaw is intended to regulate the use of water supplied by the Department of Public Works (DPW).

Section 19.03.010. Purpose

The purpose of this bylaw is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a State of Water Supply Conservation or State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the Town or by the Department of Environmental Protection (DEP).

Section 19.03.020. Definitions

"State of Water Supply Conservation" shall mean: a State of Water Supply Conservation declared by the Board of Selectmen or DPW Director pursuant to Section 19.03.030

"State of Water Supply Emergency" shall mean: a State of Water Supply Emergency declared by the DEP under MGL Chapter 21G section 15 - 17

"Water Users" shall mean: all public and private users of the Town's public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility

Section 19.03.030. Declaration Of State Of Water Conservation

The Board of Selectmen may declare a State of Water Conservation upon an affirmative vote of the majority of the members.

The DPW Director may declare a State of Water Conservation if:

- a. The level of water in the Chestnut Street Stand pipe falls to 65 feet
- b. The demand for water has exceeded the actual pumping capacity of the system for a period longer than four (4) days; or
- c. A mechanical failure has occurred removing one (1) or more of the Town's wells from operation
- d. The DEP requires conservation conditions related to the Town's registered or permitted water withdrawals under the Massachusetts Water Management Act.

Public notice of a State of Water Conservation must be given under Section 19.03.050 before it may be enforced.

Section 19.03.040. Restricted Water Uses

A declaration of a State of Water Conservation issued by the Board of Selectmen or the DPW Director may include one (1) or more of the following restrictions, conditions, or requirements restraining the use of water for non-essential purposes as necessary to protect the water supply, which shall be included in the public notice required under Section 19.03.050.

- a. Odd/Even Lawn Watering: Lawn watering at facilities with odd numbered addresses is permitted only on odd numbered days. Lawn watering at facilities with even numbered addresses is permitted only on even numbered days.
- b. One Week Day Outdoor Watering: Outdoor watering by water users is allowed on the day which Town Trash Collection is scheduled for pick up.
- c. One Weekend Day Outdoor Watering: Outdoor watering by water users with odd numbered addresses is restricted to Saturdays. Outdoor watering by water users with even numbered addresses is restricted to Sundays.
- d. Outdoor Watering Hours: Outdoor watering is permitted only during off-peak hours, to be specified in the declaration of a State of Water Conservation and public notice.
- e. Hand Held Hose Watering: : Outdoor watering by water users is allowed but only if a hose is continuously attended. No lawn sprinklers or automatic sprinkler systems allowed.
- f. Outdoor Watering Ban: Lawn watering, and all other forms of non-essential outdoor water use, is prohibited.
- g. Filling Swimming Pools: Filling of swimming pools is prohibited.

- h. Automatic Lawn Sprinkler Use: The use of automatic lawn and garden sprinkler systems is prohibited.

Section 19.03.050. Public Notification of State of Water Supply Conservation

Notification of any provision, restriction, requirement or condition imposed by the Town as part of a State of Water Supply Conservation shall be:

- Published in a paper of general circulation in the Town,
- Posted on the local cable television government information scroll,
- Posted on the Bellingham Department of Public Works and Town Home web page, or
- Such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation.

Any restriction imposed under Section 19.03.040 shall not be effective until such notification is provided.

Notification of the State of Water Supply Conservation shall also be simultaneously provided to the Massachusetts Department of Environmental Protection.

Section 19.03.060. Termination of State Of Water Supply Conservation; Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Selectmen, upon a determination that the water supply shortage no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given by :

- Announcement on televised meeting of the Board of Selectmen,
- Issuance of a Press Release to papers of general circulation in the Town
- Removal of posting from the local cable television government information scroll, and posting of termination.
- Removal of the notice from the Bellingham Department of Public Works and Town Home web page, and posting of termination ,or
- Such other means reasonably calculated to reach and inform all users

Section 19.03.070. State Of Water Emergency; Compliance with DEP Orders

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department intended to bring about an end to the State of Emergency.

Section 19.03.080. Penalties

Any person violating this By-Law shall be liable to the Town in the amount of fifty dollars (\$50) for the first violation and one hundred dollars (\$100) for each subsequent violation, which shall inure to the General Fund. Each day of violation

represents an independent violation. Fines shall be recovered by complaint before the District Court. Each separate issuance of a citation pursuant to Article 19.03 shall constitute a separate violation.

Section 19.03.090. Severability

The invalidity of any portion or provision of this bylaw shall not invalidate any other portion or provision thereof;

or act or do anything related thereto.

(DPW)

VOTED: Unanimously voted that the Town amend Article 19.03 of the General Bylaw by deleting the existing Article 19.03 and replacing it with the following:

Article 19.03. Water Use Restriction

This Bylaw is intended to regulate the use of water supplied by the Department of Public Works (DPW).

Section 19.03.010. Purpose

The purpose of this bylaw is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a State of Water Supply Conservation or State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the Town or by the Department of Environmental Protection (DEP).

Section 19.03.020. Definitions

"State of Water Supply Conservation" shall mean: a State of Water Supply Conservation declared by the Board of Selectmen or DPW Director pursuant to Section 19.03.030

"State of Water Supply Emergency" shall mean: a State of Water Supply Emergency declared by the DEP under MGL Chapter 21G section 15 - 17

"Water Users" shall mean: all public and private users of the Town's public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility

Section 19.03.030. Declaration Of State Of Water Conservation

The Board of Selectmen may declare a State of Water Conservation upon an affirmative vote of the majority of the members.

The DPW Director may declare a State of Water Conservation if:

- e. The level of water in the Chestnut Street Stand pipe falls to 65 feet
- f. The demand for water has exceeded the actual pumping capacity of the system for a period longer than four (4) days; or
- g. A mechanical failure has occurred removing one (1) or more of the Town's wells from operation
- h. The DEP requires conservation conditions related to the Town's registered or permitted water withdrawals under the Massachusetts Water Management Act.

Public notice of a State of Water Conservation must be given under Section 19.03.050 before it may be enforced.

Section 19.03.040. Restricted Water Uses

A declaration of a State of Water Conservation issued by the Board of Selectmen or the DPW Director may include one (1) or more of the following restrictions, conditions, or requirements restraining the use of water for non-essential purposes as necessary to protect the water supply, which shall be included in the public notice required under Section 19.03.050.

- i. Odd/Even Lawn Watering: Lawn watering at facilities with odd numbered addresses is permitted only on odd numbered days. Lawn watering at facilities with even numbered addresses is permitted only on even numbered days.
- j. One Week Day Outdoor Watering: Outdoor watering by water users is allowed on the day which Town Trash Collection is scheduled for pick up.
- k. One Weekend Day Outdoor Watering: Outdoor watering by water users with odd numbered addresses is restricted to Saturdays. Outdoor watering by water users with even numbered addresses is restricted to Sundays.
- l. Outdoor Watering Hours: Outdoor watering is permitted only during off-peak hours, to be specified in the declaration of a State of Water Conservation and public notice.
- m. Hand Held Hose Watering: : Outdoor watering by water users is allowed but only if a hose is continuously attended. No lawn sprinklers or automatic sprinkler systems allowed.
- n. Outdoor Watering Ban: Lawn watering, and all other forms of non-essential outdoor water use, is prohibited.
- o. Filling Swimming Pools: Filling of swimming pools is prohibited.
- p. Automatic Lawn Sprinkler Use: The use of automatic lawn and garden sprinkler systems is prohibited.

Section 19.03.050. Public Notification of State of Water Supply Conservation

Notification of any provision, restriction, requirement or condition imposed by the Town as part of a State of Water Supply Conservation shall be:

- Published in a paper of general circulation in the Town,
- Posted on the local cable television government information scroll,
- Posted on the Bellingham Department of Public Works and Town Home web page, or
- Such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation.

Any restriction imposed under Section 19.03.040 shall not be effective until such notification is provided.

Notification of the State of Water Supply Conservation shall also be simultaneously provided to the Massachusetts Department of Environmental Protection.

Section 19.03.060. Termination of State Of Water Supply Conservation; Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Selectmen, upon a determination that the water supply shortage no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given by :

- Announcement on televised meeting of the Board of Selectmen,
- Issuance of a Press Release to papers of general circulation in the Town
- Removal of posting from the local cable television government information scroll, and posting of termination.
- Removal of the notice from the Bellingham Department of Public Works and Town Home web page, and posting of termination ,or
- Such other means reasonably calculated to reach and inform all users

Section 19.03.070. State Of Water Emergency; Compliance with DEP Orders

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department intended to bring about an end to the State of Emergency.

Section 19.03.080. Penalties

Any person violating this By-Law shall be liable to the Town in the amount of fifty dollars (\$50) for the first violation and one hundred dollars (\$100) for each subsequent violation, which shall inure to the General Fund. Each day of violation represents an independent violation. Fines shall be recovered by complaint before the District Court. Each separate issuance of a citation pursuant to Article 19.03 shall constitute a separate violation.

Section 19.03.090. Severability

The invalidity of any portion or provision of this bylaw shall not invalidate any other portion or provision thereof.

(Recommended by Finance Committee)
(Recommended by Conservation Committee)

ARTICLE 9. PULASKI BOULEVARD PROJECT TEMPORARY CONSTRUCTION EASEMENTS

I move that the Town vote to allow the Selectmen to purchase, or take by eminent domain, and raise and appropriate a sum of one thousand dollars (\$1,000.00) to fund the purchase and all legal recording cost associated with obtaining all temporary construction easements related to the Pulaski Boulevard Roadway Improvement project (Orchard Street to the Franklin town line) and adjacent storm drainage improvements as shown on the plans entitled “The Commonwealth of Massachusetts Highway Department Roadway Reconstruction of Pulaski Boulevard in the Town of Bellingham, Norfolk County Right-of-Way Plans” drafted by BETA Group, Inc and as listed on the Pulaski Boulevard Temporary Easement Table both of which to be delivered to the Town Clerk’s Office fourteen (14) days before the date of the town meeting and available for viewing, or act or do anything in relation thereto.

(By: DPW)

VOTED: Passed over.

ARTICLE 10. REVISION TO TOWN ZONING BYLAW SECTION 4900 WATER RESOURCE DISTRICTS

To see if the Town will vote to amend Section 4900 Water Resource Districts of the Zoning Bylaws by deleting subparagraph 4980 (iii) “Uses and Activities Requiring A Special Permit”, which now reads:

- iii. any use that will render impervious any lot or parcel more than 30%. A system for groundwater recharge must be provided which does not degrade groundwater quality. For non-residential uses, recharge shall be by storm water infiltration basins, or similar system covered with natural vegetation, and dry wells shall be used only where other methods are infeasible. For all non-residential uses, all such basins and oil, grease, and sediment traps to facilitate removal of contamination shall precede wells. The owner shall permanently maintain any and all recharge areas in full working order.

,and replacing it with the following:

- iii. any use that will render impervious any lot or parcel more than 15% or 2,500 square feet, whichever is greater.

Should any use create the need for a Special Permit under this paragraph, the applicant must show plans to construct and maintain a system for groundwater recharge that does not degrade groundwater quality.

- a. For non-residential uses and subdivisions of land,
 - i. A Stormwater Permit Application must be obtained as noted in the Planning Board Procedural Rules.
 - ii. The Massachusetts Wetlands Regulations related to Stormwater recharge and treatment must be adhered to.
- b. For Residential Single Lot or Parcel Uses, which are included in a Special Permit filing, as part of a subdivision plan approval filing with the Planning Board, no individual lot or parcel Special Permit must be obtained.
 - i. The owner shall permanently maintain any and all recharge areas in full working order.
- c. For Residential Single Lot or Parcel Uses that are not included in a Special Permit filing as part of a subdivision plan approval filing with the Planning Board.
 - i. Recharge shall be by stormwater open infiltration basins, or similar system covered with natural vegetation, and dry wells shall be used only where other methods are infeasible.
 - ii. The owner shall permanently maintain any and all recharge areas in full working order.

or act or do anything related thereto.

(By: DPW)

VOTED: Passed over.

ARTICLE 11. Contracts and Purchases

To see if the Town will vote to rescind Article 9.02 of the Town By-Laws and to enact in lieu thereof the following:

Article 9.02: Contracts and Purchases

All Contracts entered into by the Town which are subject to Federal or State bidding requirements shall be awarded only after there has been full compliance with such requirements. In all other cases, except in cases of public calamity or extreme necessity, whenever any work is required to be done for the Town or any Contract for labor or materials, or both, is to be made in behalf of the Town, for a amount exceeding the sum of \$25,000, the Town officer having the matter in charge shall publicly advertise for bids, and may require that a bond with satisfactory sureties for

the faithful performance of such Contract shall be furnished, but no Contract shall be split, separated or divided for the purpose of reducing the amount thereof below said sum of \$25,000. For Contracts in an amount between \$24,999 and \$5,000, the Town officer shall submit proposals for the same from three (3) or more reliable parties, regularly engaged or employed in such work or business. So far as practicable, Contracts for less than \$5,000 shall be made or awarded in such a manner as to secure the benefit of reasonable competition., or act or do anything in relation thereto.

(By: School Superintendent)

VOTED: Unanimously voted that the Town rescind Article 9.02 of the Town By-Laws and to enact in lieu thereof the following:

Article 9.02: Contracts and Purchases

All Contracts entered into by the Town which are subject to Federal or State bidding requirements shall be awarded only after there has been full compliance with such requirements. In all other cases, except in cases of public calamity or extreme necessity, whenever any work is required to be done for the Town or any Contract for labor or materials, or both, is to be made on behalf of the Town, for an amount exceeding the sum of \$25,000, the Town officer having the matter in charge shall publicly advertise for bids, and may require that a bond with satisfactory sureties for the faithful performance of such Contract shall be furnished, but no Contract shall be split, separated or divided for the purpose of reducing the amount thereof below said sum of \$25,000. For Contracts in an amount between \$5,000 and \$24,999, the Town officer shall seek written quotes from at least three (3) or more reliable parties, regularly engaged or employed in such work or business. So far as practicable, Contracts for less than \$5,000 shall be made or awarded in such a manner as to secure the benefit of reasonable competition, utilizing sound business practices.

(Recommended by Finance Committee)

ARTICLE 12 . 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: Passed over.

ARTICLE 13 . 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: Passed over.

ARTICLE 14. 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)

VOTED: Passed over.

ARTICLE 15. EMINENT DOMAIN TAKING

To see if the Town will vote to authorize the Board of Selectmen to vote to enter into an agreement for the full settlement of all claims for damages resulting from an eminent domain taking by the MassHighway Department, said taking being of a parcel of land containing 5577 square feet off Mechanic Street (Route 140) as shown on a "Plan of Road in the Town of Bellingham" by Greenman-Federsen, Inc., Stoneham, Massachusetts, and to accept the sum of zero in full settlement; or act or do anything in relation thereto.

(By: Board of Selectmen)

VOTED: Unanimously voted that the Town authorize the Board of Selectmen to enter into an agreement for the full settlement of all claims for damages resulting from an eminent domain taking by the MassHighway Department, said taking being of a parcel of land containing 5577 square feet off Mechanic Street (Route 140) as shown on a "Plan of Road in the Town of Bellingham" by Greenman-Federsen, Inc., Stoneham, Massachusetts, and to accept the sum of zero in full settlement.

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 16 . 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: Board of Selectmen)

VOTED: Unanimously voted that the Town raise and appropriate the sum of \$10,352.50 for the payment of certain unpaid bills as hereinafter listed:

DEPT.	PAYMENT TO	AMOUNT	TRANSFERRED FROM
DPW	Allied Waste	\$6,671.00	Trash Enterprise
ZBA	Deutsh, Williams Brooks	\$3,681.50	Free Cash

(Recommended by Finance Committee)

Meeting Adjourned at 9:32PM

Attendance:

P – 1	P – 2	P – 3	P – 4	P – 5	TOTAL
26	29	55	45	26	181

No Quorum Required.
A true record.

Attest:

Ann L. Odabashian
Bellingham Town Clerk