

10/25/21

7:00 PM Call to Order – Open with Pledge of Allegiance to the Flag

WARRANTS:

Warrant approval:

MINUTES: Regular Minutes: N/A
Executive Minutes: N/A

Announcements:

The Next Selectmen's Meeting will be held on Monday, November 1st at 7 PM at Town Hall.

TOWN ADMINISTRATOR'S REPORT

- I would like to remind everyone about the One Day Entertainment License that should be requested through the Board of Selectmen's office when holding private/public events. Our office has received some calls regarding events that have been taken place in town, which include live music, DJ services, dance floors, amplifiers, etc. The license and approval from the Board is required prior to the event date. Our office will need at least 2 weeks' notice to prepare the paperwork necessary and receive appropriate approval from the BOS. If anyone has any questions, please call our office and we will help you.

Reminders:

- Customer Notification Letters were mailed on 10/15 to approximately 260 new accounts in Rehoboth from Constellation. This is in regards to the Rehoboth Community Electricity Aggregation Program. Residents are automatically enrolled, but may opt out of the program at any time. This program does not guarantee savings, but locks in a portion of your electric bill at a fixed rate. Your bill will continue to come from National Grid.
- Please check the Town's website for employment opportunities that are available. If there are any questions, please contact the Selectmen's Office.
- The Personnel Board and the IT Committee are looking for volunteers for their committees. If someone is interested in helping them, please forward your talent bank form to the Selectmen's office.

OPEN PUBLIC FORUM:

10/25/21

NEW BUSINESS:

Action Item (1): Discussion Re: Scenic Roads in Town and bylaw-Artie Pierce-Chair of the Historical Commission

Background: Artie Pierce will be present to discuss the bylaw in place for Scenic Roads in Town.

Motion:

Moved:		Second:		Vote:	
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Discussion:

Part I ADMINISTRATION OF THE GOVERNMENT

Title VII CITIES, TOWNS AND DISTRICTS

Chapter 40 POWERS AND DUTIES OF CITIES AND TOWNS

Section 15C SCENIC ROAD DESIGNATIONS; IMPROVEMENTS; FINES

Section 15C. Upon recommendation or request of the planning board, conservation commission or historical commission of any city or town, such city or town may designate any road in said city or town, other than a numbered route or state highway as a scenic road; provided, however, that a numbered route may be designated by a city or town as a scenic road if its entire length is contained within the boundaries of said city or town, and no part of said route is owned or maintained by the commonwealth.

After a road has been designated as a scenic road any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, or if there is no planning board, the selectmen of a town, or the city council of a city, after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place and purpose, the last publication to occur at least seven days prior to such hearing; provided, however, that when a

public hearing must be held under the provisions of this section and under section three of chapter eighty-seven prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the tree warden and the planning board, or if there is no planning board, the selectmen of a town, or the city council of a city, and notice of such consolidated public hearing shall be given by the tree warden or his deputy as provided in said section three of chapter eighty-seven. Any city or town making said scenic road designation may make an ordinance or by-law establishing that a violation of this paragraph shall be punished by a fine not to exceed three hundred dollars.

Designation of a road as a scenic road shall not affect the eligibility of a city or town to receive construction or reconstruction aid for such road pursuant to the provisions of chapter ninety.

Section 28. No person shall permit a tree, branch thereof, hedge, bush or shrubbery growing on his land to extend over or overhang any street, sidewalk or highway so as to interfere with the free and full use of such street, sidewalk, or highway.

Section 29. The word "vehicle" as used in this Article shall include every description of carriage or other artificial contrivance used or capable of being used as a means of transportation on land, except as otherwise provided herein or by law.

Section 30. No person shall build or construct a private sidewalk on a public way without a permit by the Board of Selectmen after recommendation by the Superintendent of Streets.

Section 31. The Superintendent of Streets shall supply any property owner of the Town of Rehoboth or the officer or agent of any such property owner with the lines and grades for sidewalks and streets upon the first laying out, acceptance or relocation of the same. After such time, however, there shall be charged for such data a fee to be fixed and regulated by the Superintendent of Streets with the approval of the Selectmen, and said fees so collected shall be turned over to the Town Treasurer.

Section 32. (Approved as Section 33.) It shall be the duty of the Building Inspector, after consulting maps in the Board of Assessors' office, to assign street numbers to all buildings or parts thereof on or near the line of public or private ways within the Town. A list of the street numbers shall at all times be on file in Town Clerk's Office. Every occupant or owner of such building or buildings shall cause to be displayed upon some suitable portion of said building, or sign or other suitable device, visible from such street or way, the proper street number of said building. No number other than the proper street number as shown by the list on file in the Town Clerk's Office shall be displayed on any such building or part thereof. (Amended/Effective 6/20/1988)

Section 33. Any person violating any of the provisions of this Article shall be liable to a fine of not more than twenty dollars, unless otherwise especially provided.

Section 34. No person shall in any way obstruct or cause to be obstructed a culvert or drainage ditch running under or along a Town Street. Whoever violates this provision shall be liable for costs incurred in the removal of the obstruction. (Added/Effective 1/15/1977)

Section 35. Any person planning to build a driveway or other construction that might cause to be obstructed a culvert or drainage ditch running under or along a Town Street shall first obtain approval from the Superintendent of Streets. The Superintendent of Streets shall require such person to have installed culvert pipes as deemed necessary. (Added/Effective 1/15/1977)

Section 36. Scenic Roads (Added/Effective July 21, 1993)

(1) Procedures

1.1 Filing

This by-law applies only to Town Roads that are designated as Scenic Roads. Any person seeking the consent of the Planning Board under MGL Ch. 40, Sec. 15C (The Scenic Roads Act) regarding road repair and utility services construction, maintenance, reconstruction, or paving work that will involve the cutting or removing of trees or the tearing down of stone walls, or portions thereof, shall file a request with the Planning Board together with the following:

a. Information identifying the location of the proposed action in terms enabling readers to reasonably locate it on the ground, and describing the proposed changes to trees and stone walls;

b. Plans, drawings or other explanatory reference material showing the specific design or engineering details;

c. Except in the case of town agencies, a deposit sufficient for the cost of advertising and notification.

1.2 Notice

The Planning Board shall, as required by statute, give notice of its public hearing by twice advertising in a newspaper of general circulation in the area. The Board shall also send copies of that notice to the Selectmen, Conservation Commission, Historical Commission, Town Engineer, Highway Surveyor, Tree Warden, Department of Public Works, and owners as of the preceding January first of property located in whole or in part within 500 feet of the proposed action.

1.3 Timing

The Planning Board shall hold a public hearing within forty-five days of receipt of a properly filed request, and shall make a decision within sixty days of that receipt, unless a longer time is agreed to by the applicant. The date and time of the public hearing shall be set outside of normal weekday hours (8:00 AM - 5:00 PM, Monday - Friday) so as to encourage maximum citizen participation.

1.4 Tree Warden


Whenever feasible, Planning Board hearings shall be held in conjunction with those to be held by the Tree Warden acting under MGL Ch 87. Consent to an action by the Planning Board shall not be construed as inferring consent by the Tree Warden or vice versa.

1.5 Emergency Repair

The procedures of this article shall not be required when the Tree Warden or his deputy act in an emergency in accordance with MGL Ch. 87 to remove fallen trees or limbs which cause an obstruction to public travel or a dangerous situation with respect to utility lines

(2) Definitions

In the absence of contrary meanings established through legislative or judicial action pursuant to MGL Ch. 40, Sec. 15C, these terms contained in that statute and herein shall have the following meanings:

 "Road" shall mean the entire right of way of a vehicular traveled way plus its necessary appurtenances including bridge structures, drainage systems, retaining walls, traffic control devices, and sidewalks, but not intersecting streets or driveways. The right of way includes the area on and within the boundaries of the public way. If the boundaries are not officially known, any affected tree or stone wall shall be presumed to be within the public right of way until shown otherwise.

"Cutting or removal of trees" shall mean the destruction of more than one tree having a trunk diameter of four inches or more measured one foot from the ground. Trimming of roots, sufficient in the Tree Warden's opinion, to cause eventual destruction of a tree is included in this definition.

"Tearing down or destruction of stone walls" shall mean the destruction of more than twelve linear feet of stone wall involving more than one cubic foot of wall material per linear foot, but shall not include temporary removal and replacement at the same location with the same materials.

(3) Considerations

In acting on scenic roads, the Planning Board shall take into consideration the following:

1. Preservation of natural resources;
2. Environmental and historical values;
3. Scenic and aesthetic characteristics;
4. Public Safety;
5. The characteristics of local residential traffic and resident expectations;

6. Relationship of road design to the standards of the Planning Board's subdivision regulations

- and of the Massachusetts Department of Public Works;
- 7. Compensatory actions proposed, such as replacement trees or walls;
- 8. Functional urgency of the repair, maintenance, reconstruction, or paving;
- 9. Financial and other consequences of design revision to avoid or reduce damage to trees or stonewalls;
- 10. Additional evidence contributed by abutters, town agencies, and other interested parties;
- 11. Other sound planning considerations.

(4) Reporting

The Planning Board shall, within sixty days of receipt of a properly filed request, submit a written determination of consent or denial to the applicant and a copy to the Board of Selectmen and the Town Clerk. A report of denial shall include an indication and what modifications, if any, would lead to consent.

"Road" shall mean the entire right of way of a vehicular traveled way plus its necessary appurtenances including bridge structures, drainage systems, retaining walls, traffic control devices, and sidewalks, but not intersecting streets or driveways. The right of way includes the area on and within the boundaries of the public way. If the boundaries are not officially known, any affected tree or stone wall shall be presumed to be within the public right of way until shown otherwise.

"Cutting or removal of trees" shall mean the destruction of more than one tree having a trunk diameter of four inches or more measured one foot from the ground. Trimming of roots, sufficient in the Tree Warden's opinion, to cause eventual destruction of a tree is included in this definition.

"Tearing down or destruction of stone walls" shall mean the destruction of more than twelve linear feet of stone wall involving more than one cubic foot of wall material per linear foot, but shall not include temporary removal and replacement at the same location with the same materials.

~~Section 37. Handicapped Parking (Added/Effective July 15,1997)~~

PURPOSE: In accordance with Mass. General Laws Chapter 90 and Mass. General Laws Chapter 40, s. 21, it is the intent of this By-Law to provide those who are physically challenged with full use and access of all buildings and facilities to which the public has a right of access in order that they may have the same educational, employment, living and recreational opportunities afforded them as those who are not physically challenged. This is necessary to sustain self-sufficiency.

(a) Any person or body that has lawful control of a Public or Private Way or of improved or enclosed property used as off-street parking areas for business, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential buildings, or for any other place where the public has a right of access as invitees or licensees, to reserve parking spaces in said off-street parking area for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing License Plate authorized by said section two of Chapter ninety or for any vehicle transporting a handicapped person and displaying the special identification plate authorized by section two of Chapter ninety or for any vehicle bearing the official identification of a handicapped person issued by any other state, or any Canadian Province, according to the following formula:

If the number of parking spaces in any such area is more than fifteen but not more than twenty-five, one parking space; more than twenty-five but not more than forty, five percent of such spaces but not less than two; more than forty but not more than one hundred, four percent of such spaces but not less than three; more than one hundred but not more than two hundred, three percent of such spaces but not less than four; more than two hundred but not more than five hundred, two percent of such spaces but not less than six; more than five hundred but less than one thousand, one and one-half percent of such spaces but not less than ten; more than two thousand but less than five thousand, three-fourths of one percent of such spaces but not less than twenty; and more than five thousand, one-half of one percent of such spaces but not less than thirty.

(b) Parking spaces designated as reserved under the provisions of paragraph I shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words "Handicapped

10/25/21

NEW BUSINESS:

Action Item (2): Vote to Approve One Day Liquor License for Holy Ghost Brotherhood of Charity, 43 Broad Street, see details attached

Background: Holy Ghost Brotherhood of Charity will be holding their annual turkey raffle night on 11/20/21, this is for Wine and Malt only. This event will be held at 43 Broad Street.

Motion: Vote to approve the One Day Liquor License for Holy Ghost Brotherhood of Charity for 11/20/21 with transportation of liquor to be on 11/19/21 and 11/21/21.

Moved:		Second:		Vote:	
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Discussion:

Office of
SELECTMEN
148R Peck Street
Rehoboth, MA 02769



Tel.: (508) 252-3758
Fax: (508) 252-5342

NOTICE OF APPROVAL OF SPECIAL LICENSE

The local Licensing Authorities of the Town of Rehoboth have approved, pursuant to the provisions of the Massachusetts General Laws, Chapter 138, Section 14, issuance of a Special License as described herein:

LICENSE NUMBER: **21-14L** FEE: \$25.00 PER DATE **TOTAL: \$25.00**

DATE OF LOCAL AUTHORITY APPROVAL: **October 25, 2021**

NAME OF LICENSEE: **Holy Ghost Brotherhood of Charity**
ADDRESS OF LICENSED PREMISES: **43 Broad Street, Rehoboth, MA 02769**

EFFECTIVE DATE(S) OF LICENSE: **11/20/2021**

Transportation of Alcohol: **11/19/2021-11/21/2021**

AUTHORIZED HOURS OF SALE: **6:00pm to 12:00pm**

LICENSE IS FOR THE SALE OF:

- a. ALL ALCOHOLIC BEVERAGES
- b. WINE & MALT BEVERAGES
- c. WINE ONLY
- d. MALT BEVERAGES ONLY

LICENSED ACTIVITY/ENTERPRISE IS:

- FOR PROFIT
- NON-PROFIT

WITNESS OUR HAND THIS 25th DAY OF OCTOBER 2021

Frederick E. Vadnais, Jr., Chairman

David A. Perry, Vice Chairman

James Muri, Clerk

George Solas, Member

Michael Deignan, Member

Cc:
___ Police Dept
___ Fire Dept
___ Inspector of Buildings
___ BOH
___ ABCC
___ Other _____

REHOBOTH BOARD OF SELECTMEN

21-194

CK# 8370-10/20/2021



APPLICATION FOR SPECIAL LICENSE

Date: 10/12/2021

FEE: \$25.00 PER DT.

NAME OF LICENSEE: Holy Ghost Brother Hood of Charity

ADDRESS OF LICENSEE: 43 Broad Street, Rehoboth, MA 02769

DAYTIME TEL. # 401-864-3477 or 401-829-2224

EFFECTIVE DATE(S) OF LICENSE(S): 11/20/2021

REQUESTED HOURS OF SALE: 6:00pm to 12:00pm

DESCRIPTION OF THE LICENSED PREMISES: Annual Turkey Raffle beer & wine sales only.

LICENSE IS FOR THE SALE OF:

LICENSED ACTIVITY/ENTERPRISE IS:

ALL ALCOHOLIC BEVERAGES
WINE & MALT BEVERAGES X
WINE ONLY
MALT BEVERAGES ONLY

FOR PROFIT:
NON-PROFIT: X


IS THE LICENSE FOR A DINNG HALL MAINTAINED BY AN INCORPORATED EDUCATIONAL INSTITUTION AUTHORIZED TO GRANT DEGREES? NO

PURSUANT TO M.G.L. CH. 62C, SEC. 49A, I CERTIFY THAT UNDER THE PENALTIES OF PERJURY THAT I, TO MY BEST KNOWLEDGE AND BELIEF, HAVE FILED ALL STATE TAX RETURNS AND PAID ALL STATE TAXES REQUIRED UNDER LAW.

04-2579946
SOCIAL SECURITY/FED. IDENT. #

Holy Ghost Brotherhood of Charity
SIGNATURE OF INDIVIDUAL
OR CORPORATE NAME

Send to:
Dean Botelho
43 Broad St.
Rehoboth MA 02769

BY: 
CORPORATE OFFICER
(if applicable)
TREASURER

10/25/21

NEW BUSINESS:

Action Item (3): Vote to Approve Hawkers Peddlers License-Trinity Solar-Nicholas Frenette, see details attached

Background: Another representative from Trinity Solar is requesting a Hawkers Peddlers License to reach out to residents about the option of having solar.

Motion: Vote to approve the Hawkers Peddlers License for Nicholas Frenette from Trinity Solar.

Moved:		Second:		Vote:	
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Discussion:



COMMONWEALTH OF MASSACHUSETTS

TOWN OF REHOBOTH

LICENSE NO: 21-51G

FEE: \$50.00

HAWKERS & PEDDLERS LICENSE

This is to certify that: Nicholas Frenette

Representative of: **Trinity Solar Inc.**
2211 Allenwood Rd,
Wall, NJ 07719

Is hereby authorized to sell the articles listed below, within the limits of said Rehoboth in accordance with the the Laws of the Commonwealth relating thereto and such regulation as may be made by the local authorities governing the licensed business, and *shall expire on DECEMBER 31st 2021* unless sooner revoked.

The person granted the license shall post his/her name in a conspicuous manner on the outer side of all vehicles used in the conveyance and sale of goods.

SOLICITATION OF REHOBOTH RESIDENTS FOR PURCHASE OF SOLAR ENERGY PRODUCTS. HAWKERS & PEDDLERS BYLAWS (copy attached).

WITNESS OUR HANDS THIS 25th DAY OF OCTOBER 2021

Solicitations are to cease 30 minutes prior to sunset.

Must wear ID at all times.

Rehoboth Police Dept must be notified of all dates
And times during which the applicant plans on making
solicitations.

Frederick E. Vadnais, Jr., Chairman

David A. Perry, Jr., Vice Chairman

James Muri, Clerk

George M. Solas, Sr., Member

Michael P. Deignan, Member

REHOBOTH BOARD OF SELECTMEN

21-516
COMMONWEALTH OF MASSACHUSETTS
TOWN OF REHOBOTH
APPLICATION FOR LICENSE (GENERAL)

CK# 158971
Junc 10/19/21



To the Licensing Authority:

The undersigned hereby applies for a license in accordance with the provisions of the Statutes relating thereto:

Nick Frenette

Print applicant's name

Trinity Solar Inc.

Print full name of business

Print d/b/a (if appropriate)

TYPE OF LICENSE/PERMIT BEING APPLIED FOR: (check all that apply)

- COMMON VICTUALLER—\$25
- AUTOMATIC AMUSEMENT—see schedule for fee
- POOL TABLE—\$20 per table
- AUCTION
- LIVERY--\$25 per vehicle
- OTHER door knocking
- JUNK (ANTIQUE) LICENSE* - \$20
- HAWKERS & PEDDLERS--\$50
- 7-DAY ENTERTAINMENT—\$50
(PLEASE COMPLETE ENTERTAINMENT LICENSE)
- AUTO CLASS I II III
(Please check appropriate #)--\$125

Business Address:

2211 Allenwood Road Wall, NJ 07719

Mailing Address:

(if different than business address)

Home Address:

(REQUIRED)

40 Roundville St New Bedford MA

Business Phone:

732-780-3779

Home Phone:

508-971-6117

Email Address:

~~nick~~ nicholas.frenette@trinity-solar.com

Nick Frenette

Applicant's Signature

PLEASE COMPLETE FOLLOWING SECTION:

Required: Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all State Tax Returns and paid all State and Local taxes required under law.

FID Number (if applicable)

Signature of Individual or Corporate Name

Date of Birth

By: _____
Corporate Officer (if applicable)

* For any new applications for Auto, Junk/Antique or Hawkers & Peddlers license, please sign attached CORI form.

10/25/21

NEW BUSINESS:

Action Item (4): Vote to Approve and Sign Municipal Project Agreement-State Funded Design between MassDOT and TOR for Reed Street Bridge Project, see details attached

Background: As part of the Reed Street project MassDOT has sent an agreement that the Board needs to review, approve and the Chairman needs to sign it. Both Town Counsel and Superintendent of the Highway Dept have reviewed the documents and passed on their approval.

Motion: Vote to approve the Municipal Project Agreement-State Funded Design between MassDOT and TOR for the Reed Street Bridge Project and allow the Chairman to sign the documents.

Moved:		Second:		Vote:	
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Discussion:



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



October 12, 2021

Bridge Replacement Br. No. R-04-004 (Pre-Stressed Concrete Deck Beams) Reed Street over
Palmer River
Agreement Number 116528(State Funded Design Project Agreement)

Town of Rehoboth
148 Peck Street
Rehoboth, MA 02769
Att: Deborah Arruda-Town Administrator

Dear Deborah Arruda:

Enclosed please find Agreement number 116528 between the Massachusetts Department of
Transportation – Highway Division (MassDOT) and the Municipality of Rehoboth relative to cost
overruns and future maintenance for the above -mentioned project.

Please have both Agreements signed by an authorized signatory in addition to the Contractor
Authorized Signatory Listing Form. **Please sign the 2 agreements and the contractor form
and return the entire package to this office within 7 days to:**

Guy Rezendes, P.E.
Massachusetts Highway Department
Ten Park Plaza – Room 6340
Boston, MA 02116

The Department requires an original signature on each of the Contract Forms. The fully executed
agreements will be dated after signed by all parties. Please do not date page one of the agreement
as it is not fully executed until signed by all parties.

If you have any questions or comments, please direct them to the MassDOT Project Manager,
Stephen Soma Stephen.Soma@dot.state.ma.us

Sincerely,

Guy F. Rezendes, P.E.
State Utilities Engineer

Enclosures

**MUNICIPAL PROJECT AGREEMENT
STATE-FUNDED DESIGN**

Agreement By and Between
The Massachusetts Department of Transportation
And The
City/Town of Rehoboth

Agreement Number 116528

Agreement made this ___ day of _____, 2021 by and between the Massachusetts Department of Transportation, established pursuant to Chapter 6C of the General Laws, having its principal place of business in the State Transportation Building at 10 Park Plaza, Boston Massachusetts 02116 (hereinafter referred to as the "MassDOT") and the City/Town of Rehoboth, (hereinafter referred to as the "City/Town").

WHEREAS MassDOT is proposing Bridge Replacement Br. No. R-04-004 (Pre-Stressed Concrete Deck Beams) Reed Street over Palmer River (hereinafter referred to as the "Project"), and where the said Bridge Replacement are under the jurisdiction of the City/Town of Rehoboth, in the County of Bristol, in said Commonwealth, and

WHEREAS, in accordance with Chapter 81 of the General Laws, MassDOT may at its discretion and subject to appropriation by the Legislature expend monies to improve and upgrade local roads under local jurisdiction, and

WHEREAS, MassDOT has procured the services of a consulting firm for the Project, and the consulting firm has prepared a complete set of plans, specifications, and estimates for the Project, and

WHEREAS, MassDOT advertised and awarded a contract for construction of the Project,

NOW, THEREFORE, in consideration thereof, MassDOT and the City/Town hereby agree each with the other, as follows:

DIVISION OF WORK

MassDOT shall execute the construction contract and issue the Notice to Proceed upon the execution of this Municipal Project Agreement.

MassDOT shall provide construction oversight of the Project.

MassDOT shall be responsible for any and all design and engineering required for the Project, including construction phase engineering.

The City/Town shall be responsible for any and all maintenance of the facilities included in the Project, after completion of the Project.

DIVISION OF EXPENSE

MASSDOT FUNDED ("PARTICIPATING") WORK

MassDOT shall be responsible for all design and construction engineering costs.

MassDOT shall be responsible for all construction costs, less any construction costs identified as "Non-Participating" in the bid documents and for which a separate "Non-Participating Agreement" has been executed by the City/Town and MassDOT.

CITY/TOWN FUNDED ("NON-PARTICIPATING") WORK

The City/Town shall be responsible for all construction costs when the City/Town requests work that FHWA and/or MassDOT determine is unnecessary to complete the Project. This work shall be deemed "non-participating" and the City/Town shall pay the full cost of the work. If the determination of "non-participating" was made before the construction Project was bid, the work is identified as "Non-Participating" in the bid documents and in a separate "Non-Participating Agreement" executed by the City/Town and MassDOT.

Types of non-participating construction costs that may arise after the construction contract is executed includes, but are not limited, to the following:

1. Bid item overruns and additional work requested by the City/Town.
2. Additional traffic control assigned by MassDOT at the request of the City/Town.
3. Interest charges on late contractor payments, levied pursuant to M.G.L. c. 30, § 39G, when the payments are the responsibility of the City/Town.

The City/Town shall be responsible for all maintenance costs upon completion of the Project.

PROJECT SCOPE – ADDITIONAL COSTS/REDUCTION IN SCOPE

In the event that the City/Town is responsible for additional costs and additional funds are not obtainable by the City/Town, then the MassDOT Resident Engineer and the City/Town shall identify items of work that can be eliminated from the Project to bring the contract within available funding. Once the items to be eliminated have been identified by the MassDOT Resident Engineer and the City/Town, these shall be forwarded to the MassDOT Construction Engineer for concurrence by the Highway Division Administrator, or other MassDOT staff as necessary. No items shall be eliminated until such concurrence is obtained. For FHWA oversight projects, additional concurrence shall be obtained from the FHWA Area Engineer. If items of work cannot be eliminated from the Project, the parties shall consider whether Local Aid "Chapter 90" funds may be utilized for the Project.

PAYMENTS TO THE CONTRACTOR FOR CONSTRUCTION OVERRUNS

The payment process for work that is identified as "Non-Participating work" in the construction bid documents is set forth in the "Non-Participating Agreement" executed by and between the City/Town and MassDOT. If a Non-Participating Agreement exists and additional non-participating work is identified during construction, the payment for that work shall be added to the Non-Participating Agreement.

If a Non-Participating Agreement does not exist, and non-participating work is identified during construction, then the MassDOT Resident Engineer shall prepare and send to the City/Town a "zero estimate" and a "Town estimate," authorized by MassDOT for payment, and attach copies of all signed Resident Engineer's Reports of Change (Form CSD 683) to document the source of the costs. The Resident Engineer will also forward a printout of the Contract Quantity Estimate (CQE) for non-participating work to the City/Town, and the City/Town shall pay the Contractor directly. The Contractor shall not invoice the City/Town directly.

REVIEW OF PROJECT DOCUMENTS

The Governor or his/her designee, the Secretary of Administration and Finance, and the State Auditor or his/her designee shall have the right at reasonable times and upon reasonable notice to examine the books, records and other compilations of data of the City/Town which pertain to the performance of the provisions and requirements of this Agreement.

FINAL COMPLETION AND FUTURE MAINTENANCE

The City/Town's representative shall be made available to attend MassDOT's final inspection of the Project. When all punch list items identified as part of the final inspection are addressed to the satisfaction of MassDOT, MassDOT shall notify the City/Town in writing that the Project has been completed. Upon such date of notification, the City/Town shall be responsible thereafter for the maintenance of the facilities included in the Project. This obligation includes reasonable efforts to remove snow and ice to allow only temporary and isolated interruptions in accessibility, in accordance with the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12101 et seq., 28 CFR § 35.133, and 23 U.S.C. § 116 (Maintenance).

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate on the day and year first above written.

**MASSACHUSETTS
DEPARTMENT OF TRANSPORTATION**

**CARRIE LAVALLEE, P.E.
ACTING CHIEF ENGINEER**

CITY/TOWN OF REHOBOTH

(Signature)

(Name-Printed)

(Title)

Massachusetts Department of Transportation CONTRACTOR AUTHORIZED SIGNATORY LISTING



CONTRACTOR LEGAL NAME:
CONTRACTOR VENDOR/CUSTOMER CODE: VC

INSTRUCTIONS: Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

NOTICE: *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
David A. Perry, Jr	Vice Chairman
James Muri	Clerk
Michael Deignan	Member
George Solas	Member

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.

Signature

Date: 10/25/21

Title: Chairman of The Board of Selectmen

Telephone: 508-252-3758

Fax: 508-252-5342

Email: darruda@rehobothma.gov

[Listing can not be accepted without all of this information completed.]

A copy of this listing must be attached to the "record copy" of a contract filed with the department.

Massachusetts Department of Transportation
CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May
2004



CONTRACTOR LEGAL NAME:
CONTRACTOR VENDOR/CUSTOMER CODE: VC

PROOF OF AUTHENTICATION OF SIGNATURE

It is a requirement of MassDOT to obtain authentication of signatures
for all signatories listed on the attached Contractor Authorized Listing

This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.

Signatory's full legal name (print or type): Frederick E. Vadnais, Jr.

Title: Chairman of the Board of Selectmen

X _____

Signature as it will appear on contract or other document (Complete only in presence of notary):

AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

I, _____ (NOTARY) as a notary public certify that I witnessed the signature of the
aforementioned signatory above and I verified the individual's identity on this date:

_____, 20 ____.

My commission expires on:

AFFIX NOTARY SEAL

I, _____ (CORPORATE CLERK) certify that I witnessed the signature of the
aforementioned signatory above, that I verified the individual's identity and confirm the individual's authority as an
authorized signatory for the Contractor on this date:

_____, 20 ____.

AFFIX CORPORATE SEAL

10/25/21

NEW BUSINESS:

Action Item (5): Vote to Accept Report from Town Hall Building Committee, see details attached

Background: Dave Perry will speak to this subject. This is regarding the architectural services from Rowse Architects.

Motion: Vote to accept the report that was presented for the architectural services from Rowse Architects.

Moved:		Second:		Vote:	
---------------	--	----------------	--	--------------	--

Discussion:



October 13, 2021

Ms. Deborah Arruda
Town Administrator
Town of Rehoboth
148 Peck Street
Rehoboth, MA 02769

Re: New Town Hall Building
340 Anawan Street

Dear Ms. Arruda,

We look forward with assisting the Town with providing architectural services for renovations and additions to the existing building. We understand that Public Works will be performing most of the work with exception of the new elevator addition. We will review the building for handicap accessibility and provide any drawings as necessary.

We will prepare construction documents for the new elevator and assist the Town in bidding and overseeing the construction work. Our fee shall be on an hourly basis per the attached hourly rate sheet and shall not exceed nine thousand five hundred dollars (\$9,500). All structural, mechanical, electrical, and HVAC if required shall be performed by other engineers and shall be invoiced directly from vendor to the Town as direct cost.

We will coordinate with Michael Costello on an as need bases and will make ourselves availably any time. Please sign below or issue a P.O. indicating you agree with the above.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Edward A. Rowse', is written over a horizontal line.

Edward A. Rowse
President

Board of Selectmen



Rowse Architects

2021 HOURLY RATES

Principal-In-Charge	\$200
Senior Project Manager	\$180
Project Architect	\$160
Specifications	\$140
Sr. Production Staff	\$110
Production Staff	\$ 95
Administrative	\$ 85

10/25/21

OLD BUSINESS:

Action Item (1): Continuance of Public Hearing-Class II Application for Barry Bixby Automotive, LLC dba European Motor Cars, see details attached

Background: This is a continuation of last week's Public Hearing. Mr. Bixby will be supplying the Board with a parking lot plan to show where customers, employees, and vehicles for sale will be located. Any other questions that the Board may need answered will be dealt with as well.

Motion: Vote to Continue the Public Hearing for Barry Bixby Automotive, LLC dba European Motor Cars.

Roll Call Vote:

Motion: Vote to Close the Public Hearing.

Roll Call Vote:

Motion: Vote to Approve the Class II License for Barry Bixby Automotive, LLC dba European Motor Cars on 74 Fall River Avenue, Rehoboth (List any restrictions that may apply).

Moved:		Second:		Vote:	
---------------	--	----------------	--	--------------	--

Discussion:



RECEIVED
OCT 04 2021
BOARD OF SELECTMEN

COMMONWEALTH OF MASSACHUSETTS
TOWN OF REHOBOTH

APPLICATION FOR A CLASS I OR II AUTO LICENSE TO BUY, SELL, EXCHANGE OR ASSEMBLE SECOND HAND MOTOR VEHICLES OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a:
 Class I or Class II Auto License to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. Name of Applicant: Barry Bixsy Automotive LLC
(Sole Proprietor, Partnership, LLP, Corporation, LLC, etc.)
D/B/A if different from applicant name: European Motor Cars 02769
Business address of license premises: 24 Fall River Ave Rehoboth MA
Business Telephone No: 401-465-1900
Email Address: barry@barrybixsyautomotive.com

2. Is the above applicant an/a: Individual, association or corporation?
If an individual (sole proprietor): Print full name: _____
Print residential/home address: _____
Business Telephone #: 401 465 1900 Home/Cell #: 401 465 1900

3. If a co-partnership, state full names and residential/home addresses of persons comprising it:

Name: _____	Home Address: _____
Name: _____	Home Address: _____

4. If association, LLP, LLC or a corporation, state full names and residential addresses of principles:

President Name: <u>Barry R. Bixsy</u>	Home Address: <u>30A Glen Meade Dr</u>
Secretary Name: _____	Home Address: <u>PORTSMOUTH 0102871</u>
Treasurer Name: _____	Home Address: _____
Other Name: _____	Home Address: _____

5. Manager of Licensed Premises, if not applicant:

Name: _____	Home Address: _____
Day Phone #: _____	Home/Cell #: _____

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles?
 Yes No
If so, is your principal business the sale of new vehicles? Yes No
Is your principle business the buying and selling of second hand motor vehicles? Yes No
Is your principal business that of a motor vehicle junk dealer? Yes No

7. Give a complete description of all the premises to be used for the purpose of carrying on the business: OFFICES and LOT @ 74 TELL RIVER AVE
REHOBOTH MA 02769

8. Are you a recognized agent of a motor vehicle manufacturer? Yes No
If yes, state name of manufacturer: _____

Do you have a signed contract with manufacturer as required by MGL C.140, Section 58, Class I:
 Yes No - Attach copy of signed contract, if applicable.

9. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof?
 Yes No

If so, in what city/town _____

Did you receive a license? _____ For what year? _____

10. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? Yes No

11. Identify each individual who owns at least 40% of the business not previously listed above:

12. Required documents which must accompany this application for new license or renewal of license:

For Class II Auto License a \$25,000.00 Surety Bond Name of Insurance Co: NGM INSURANCE CO.

Workers Comp Insurance Signed Affidavit with Certificate of Liability Insurance attached (if applicable)

\$125.00 License Fee - Checks Payable to the Town of Rehoboth

Sign your name in full: [Signature]

Print Name: BARRY R. BIKSY

Home Address: 36A GLEN MEADE DR. PORTSMOUTH RI 02871

Date: 10/4/2021

APPLICANT WILL NOT FILL IN THE FOLLOWING BLANKS

LICENSE NUMBER _____ GRANTED _____ FEE \$125.00

REHOBOTH BOARD OF SELECTMEN

COMMONWEALTH OF MASSACHUSETTS
TOWN OF REHOBOTH
APPLICATION FOR LICENSE (GENERAL)

To the Licensing Authority:

The undersigned hereby applies for a license in accordance with the provisions of the Statutes relating thereto:

Barry R. Bixby
Print applicant's name

Barry Bixby AUTOMOTIVE LLC
Print full name of business

European Motors
Print d/b/a (if appropriate)

TYPE OF LICENSE/PERMIT BEING APPLIED FOR: (check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> COMMON VICTUALLER—\$25 | <input type="checkbox"/> JUNK (ANTIQUE) LICENSE* - \$20 |
| <input type="checkbox"/> AUTOMATIC AMUSEMENT—see schedule for fee | <input type="checkbox"/> HAWKERS & PEDDLERS--\$50 |
| <input type="checkbox"/> POOL TABLE—\$20 per table | <input type="checkbox"/> 7-DAY ENTERTAINMENT—\$50
(PLEASE COMPLETE ENTERTAINMENT LICENSE) |
| <input type="checkbox"/> AUCTION | <input type="checkbox"/> AUTO CLASS <input type="checkbox"/> I <input checked="" type="checkbox"/> II <input type="checkbox"/> III
(Please check appropriate #)--\$125 |
| <input type="checkbox"/> LIVERY--\$25 per vehicle | |
| <input type="checkbox"/> OTHER _____ | |

Business Address: 74 Fall River Ave Rehoboth MA 02768

Mailing Address: (if different than business address) Same

Home Address: (REQUIRED) 36 Glen Meade Dr Portsmouth RI 02871

Business Phone: 401 465 1900 Home Phone: 401 465 1900

Email Address: barry@barrybixbyautomotive.com

[Signature]
Applicant's Signature

PLEASE COMPLETE FOLLOWING SECTION:
Required: Pursuant to M.G.L. Ch. 62C, Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge, have not been convicted of a crime involving moral turpitude and paid all State and Local taxes required under law.

[Redacted]

[Signature]
Signature of Individual or Corporate Name

By: _____
Corporate Officer (if applicable)

* For any new applications for Auto, Junk/Antique or Hawkers & Peddlers license, please sign attached CORI form.



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 600 Washington Street
 Boston, MA 02111
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Barry Bixby Automotive LLC

Address: 24 Fall River Ave P

City/State/Zip: Belmont MA 02469 Phone #: 401 465 1900

Are you an employer? Check the appropriate box:

- 1. I am an employer with _____ employees (full and/or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 10/07/2021

Phone #: 401-465-1900

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

- 1. Board of Health
- 2. Building Department
- 3. City/Town Clerk
- 4. Licensing Board
- 5. Selectmen's Office
- 6. Other _____

Contact Person: _____ Phone #: _____



File No. 2023
 Expiration Date: 10/4/2025
 Filing Fee \$50.00 Ch 7/12/68

BUSINESS CERTIFICATE
 TOWN OF REHOBOTH

IN CONFORMITY WITH THE PROVISIONS OF CHAPTER ONE HUNDRED AND TEN, SECTION FIVE OF THE GENERAL LAWS, AS AMENDED, THE UNDERSIGNED HEREBY DECLARES THAT A BUSINESS IS CONDUCTED UNDER THE TITLE OF:

o BRB
 Barry Bixby Automotive LLC dba European Motor Cars _____ AT

(BUSINESS NAME)
 74 Fall River Ave. Rehoboth, MA 02769

(ADDRESS) _____ (TELEPHONE)
 barry@barrybixbyautomotive.com _____

(EMAIL) _____ (EMERGENCY TELEPHONE)
 401-465-1900 _____

BY THE FOLLOWING NAMED PERSON(S): (include corporate name and title if corporate officer)

FULL NAME	RESIDENCE
Barry R. Bixby _____	36A Glen Meade Dr. Portsmouth, RI 02871 _____
_____	_____
_____	_____

NATURE OF BUSINESS: The Sale of pre-owned vehicles

SIGNATURES: _____

ON Oct. 4, 2021 THE ABOVE NAMED PERSON(S) PERSONALLY APPEARED BEFORE ME AND MADE OATH THAT THE FOREGOING STATEMENT IS TRUE.

Laura L. Schuel
 TOWN CLERK OR NOTARY PUBLIC

(SEAL) _____

IN ACCORDANCE WITH PROVISIONS OF CHAPTER 337 OF THE ACTS OF 1985 AND CHAPTER 110, SECTION 5 OF THE M.G.L., BUSINESS CERTIFICATES SHALL BE IN EFFECT FOR FOUR YEARS FROM THE DATE OF ISSUE AND SHALL BE RENEWED EACH FOUR YEARS THEREAFTER. A STATEMENT UNDER OATH MUST BE FILED WITH THE TOWN CLERK UPON DISCONTINUING, RETIRING, OR WITHDRAWING FROM SUCH BUSINESS OR PARTNERSHIP.

COPIES OF SUCH CERTIFICATES SHALL BE AVAILABLE AT THE ADDRESS AT WHICH SUCH BUSINESS IS CONDUCTED AND SHALL BE FURNISHED ON REQUEST DURING REGULAR BUSINESS HOURS TO ANY PERSON WHO HAS PURCHASED GOODS OR SERVICES FROM SUCH BUSINESS.

VIOLATIONS ARE SUBJECT TO A FINE OF NOT MORE THAN THREE HUNDRED DOLLARS (\$300.00) FOR EACH MONTH DURING WHICH SUCH VIOLATION CONTINUES.

DATE RECORDED Oct. 4, 2021
Laura L. Schuel
 TOWN CLERK

(SEAL)

Town of Rehoboth

Sign off sheet for business certificate
Effective July 1, 2010

Mandated Inspection must be done by the Building Inspector, Zoning Officer, Board of Health and Fire Department

DATE: 10/01/2021
Location of Project: 24 Fall River Rd
Rehoboth MA 02769
Name of Business: Barry Bixsy Automotivelle dba
European Motor Cars
Type of Business: Selling Pre-owned cars

NK Board of Health

PM Fire Department

Inspector of Buildings
William Malgou

Zoning Officer
William Malgou

There will be a \$50.00 fee for each Department that requires a site investigation paid to the individual departments. (i.e. Plumbing, gas, electrical, storm water, etc.) Check made out to the Town of Rehoboth.

In order for the Town Clerk to issue a Business Certificate, please sign and date this form once the applicable departments have signed off and return it to the Town Clerk's Office.

Signature: [Signature] Date: 10/4/21

CC: Building Department



The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

William Francis Galvin
Secretary of the
Commonwealth

September 29, 2021

TO WHOM IT MAY CONCERN:

I hereby certify that a certificate of organization of a Limited Liability Company was filed in this office by

BARRY BIXBY AUTOMOTIVE LLC

in accordance with the provisions of Massachusetts General Laws Chapter 156C on **September 28, 2021.**

I further certify that said Limited Liability Company has filed all annual reports due and paid all fees with respect to such reports; that said Limited Liability Company has not filed a certificate of cancellation; that there are no proceedings presently pending under the Massachusetts General Laws Chapter 156C, § 70 for said Limited Liability Company's dissolution; and that said Limited Liability Company is in good standing with this office.

I also certify that the names of all managers listed in the most recent filing are: **BARRY R BIXBY**

I further certify, the names of all persons authorized to execute documents filed with this office and listed in the most recent filing are: **BARRY R BIXBY**

The names of all persons authorized to act with respect to real property listed in the most recent filing are: **BARRY R BIXBY**



In testimony of which,
I have hereunto affixed the
Great Seal of the Commonwealth
on the date first above written.

William Francis Galvin
Secretary of the Commonwealth