

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 3/2/2022

SELECTMEN IN ATTENDANCE: George F. Miller, Chairman, Dean R. Larabee, Clerk, Wendy F. Cochrane, Member

TOPIC		ACTION
	Meeting Convened at 6:13 p.m. in the Moitoza – Pettey Hearing Room	
Minutes to be approved	<ol style="list-style-type: none"> 1. February 16, 2022 Meeting Minutes 2. February 16, 2022 Meeting Minutes – Executive Session (roll call vote) 	Cochrane to motion to approve & sign, Larabee 2 nd , voted.
Personnel Board	<p>Board to vote and sign Side Letter of Agreement for the Highway Department Contract. The Side Letter is in regard to a grid change of a current employee. The BOS voted in favor.</p> <p>Board to review, approve and sign addendum for Side Letter of Agreement for Chief of Police Scott Labonte's contract. This item has been tabled by the BOS until further notice.</p> <p>Board to review and accept Letter of Retirement from Chief of Police Scott Labonte, effective September 30, 2022. This item has also been tabled by the BOS until further notice.</p>	<p>Cochrane to motion to sign, Larabee 2nd, voted.</p> <p>Cochrane to motion to table, Larabee 2nd, voted.</p> <p>Cochrane to motion to table, Larabee 2nd, voted.</p>
Meeting Mail	<p>Board to review letter regarding the Berkley Fire & Rescue Awards & Retirement Banquet for John Franco & Amasa Harmon on Saturday, March 19, 2022 at 6:00p.m. Ms. Cochrane stated she plans on attending. The BOS voted to file the letter.</p> <p>Board to review letter from Berkley Fire & Rescue regarding a celebration of 75 years of service to be held on Wednesday, March 30, 2022 at 6:00p.m. at Berkley Fire Station #1. The Board noted this event falls on the same date and time as a Selectmen's Meeting. Ms. Martin-Sterling suggested the meeting start at 5:00p.m., take a recess to attend the celebration, then reconvene if needed. The BOS agreed, then voted to file the letter.</p> <p>Board to review letter from Berkley Public Schools regarding surplus items. The item listed for discussion is a Chevrolet Equinox that was formerly used for Special Education students and has over 200,000 miles on it. The BOS voted to file the letter.</p>	<p>Cochrane to motion to file, Larabee 2nd, voted.</p> <p>Cochrane to motion to file, Larabee 2nd, voted.</p> <p>Cochrane to motion to file, Larabee 2nd, voted.</p>
Old Business	Board to discuss update on Jeff Duhancik of 57 Locust St. with regard to the Conservation Committee and the Soil Board about wetland fill on property. Ms. Martin-Sterling stated she did not have an update at this time. The BOS voted to table the discussion until more information is presented.	Cochrane to motion to table, Larabee 2 nd , voted.
New Business	<p>Board to discuss animal control officer by-law, and to discuss town fees for Town Clerk & Building Department. Ms. Martin-Sterling stated the town voted to amend the animal control by-law in 2014, removing the Board of Health (BOH) and the BOS as part of the approval process depending on how big the kennel license was going to be, and making it the sole purpose of the animal control officer. She has been informed by the Barn Inspector that some of those regulations do not comply with some of the MGL animal control regulations and it should be re-visited, and it should also include the animal control officer as well as the BOH as it had before. Ms. Martin-Sterling also stated that the Town of Berkley's by-laws were changed and do not match the Town of Berkley's fee schedule. Mr. Miller questioned if there will be increases in fees, to which Ms. Martin-Sterling stated that the fee schedule has to match the by-laws. Mr. Miller stated the BOS will take a look at the fee schedule, but is hesitant to increase fees right now due to increases in real estate taxes, inflation, etc.</p> <p>Ms. Martin-Sterling stated she has asked the Building department to do some comparisons on the fee schedule, and that it hasn't been updated since 2016. The building permit fees pertain to existing home upgrades on doors, windows, fences, decks, etc. Mr. Miller stated they'll take a look at the fee schedule. Mr. Freitas of the Finance Committee stated he understands the hesitancy people may have about increasing fees, but states the town has to remain competitive in order to preserve a first class municipality. Mr. Miller stated the Board can do a quick analysis to see what revenue could be generated from increased fees, but noted there should be some type of senior discount. Ms. Cochrane requested that Ms. Martin-Sterling update the Board on how many dog licenses, marriage and death certificates, and building permits were issued so the Board can have a better idea as far as</p>	Larabee to motion to table discussion, Cochrane 2 nd , voted.

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how much the revenue would be, as well as the costs. The Board voted to table the discussion on fee adjustments for the Town of Berkley.

Board to review, discuss and approve update on how a One-Day Liquor License is issued. Ms. Martin-Sterling noted this was discussed briefly in the last meeting when a 1 day liquor license was issued, and the motion was made for the transportation of liquor for the day before the event and after. She stated this issue had come to her from the Chief of Police, and the letter the Chief received from the ABCC regarding this matter was issued back on May 19, 2011, with no update since. The letter suggested that for one-day liquor licenses, a time is to be written on the license for pickup and return of the liquor that is being brought in for the event, because the one-day liquor license does not protect them in the transportation process. Ms. Martin-Sterling requested that the BOS to take a look at MGL Chapter 138 Section 14, and that it would also require the Police and Fire Chiefs sign off on it similar to what is done for Common Use forms. Mr. Miller asked if MGL Chapter 138, Section 14 should be adopted at town meeting. Ms. Martin-Sterling suggested to check with Town Counsel. The BOS voted to table the discussion until after consulting with Town Counsel.

Board to sign Liquor, Victualler, and Restricted Music Licenses for Chamberlain Farms Inc. d/b/a Chamberlain Farm Stand. The BOS voted to sign the Liquor, Victualler, and Restricted Music Licenses for Chamberlain Farms Inc. d/b/a Chamberlain Farm Stand, and that each of those licenses expire on November 30, 2022.

Board to review and approve Common Use for the Berkley Firefighter's Association Annual Parade and Muster dated June 19, 2022 from 7:00a.m. – 4:00p.m., contact person is Russell Horgan. Ms. Martin-Sterling stated the reason she had put these on the agenda so early because there was some concern from the Fire Chief regarding where the set-up will be for the fire muster and the car show, and access to the space where the Library's Story Walk is. Library Director Carol Buote was present to speak about the concerns. She stated the Story Walk has a line of poles that are stuck in the frozen ground right now, and as soon as they can be pulled out, there will be more access in that particular area of the Common. She also stated they usually put up a tent there with programs in it, but they would make sure that on these days it was empty for the aforementioned events. Ms. Buote noted the Library would like to have a small Story Walk around the gazebo, and that they're also thinking of doing a Story Walk around the playground on the fence, with the Fire Department and the Board of Selectmen's approval.

Board to review and approve Common Use for the Berkley Firefighter's Association Annual All Motor Vehicle Show dated August 21, 2022 from 7:00a.m. – 4:00p.m., contact person is Russell Horgan. Ms. Martin-Sterling stated this is the bigger concern for the Story Walk, as it eliminates a big portion of the lawn on the Common. Ms. Cochrane stated if the BOS allows her, she'd be willing to sit in on a joint meeting with the Fire Chief, Library, and Russ Morgan to discuss these issues and come up with a plan. The Board agreed. The BOS voted to approve the Common Use for the Berkley Firefighter's Association Annual Parade and Muster, as well as the Berkley Firefighter's Association Annual All Motor Vehicle Show, with the understanding that conversations will take place in order to resolve issues with the Library, and contingent upon approval by both the Police and the Fire Chief.

Board to approve agreement for Access Records Storage Management Services. Ms. Martin-Sterling stated this is the formalized 3 – year agreement that was previously discussed at the last Selectmen's meeting regarding electronic records retention. Ms. Cochrane motioned to enter into an agreement with Access Records Storage Management Services. Ms. Martin-Sterling requested the motion be amended to authorize her to sign for the agreement, which Ms. Cochrane complied. The BOS voted to sign and enter into this agreement.

Board to review and discuss Dog Licensing Fees and Fee Comparisons for the Town of Berkley. The Board voted to table the discussion on fee adjustments for the Town of Berkley.

Larabee to motion to table discussion, Cochrane 2nd, voted.

Larabee to motion to sign, Cochrane 2nd, voted.

Larabee to motion to approve Annual Parade & Muster w/ contingency, Cochrane 2nd, voted.

Larabee to motion to approve Annual All Motor Vehicle Show w/ contingency, Cochrane 2nd, voted.

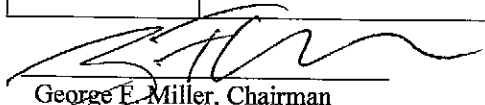
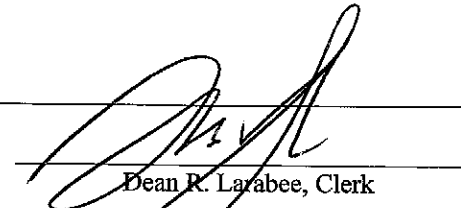
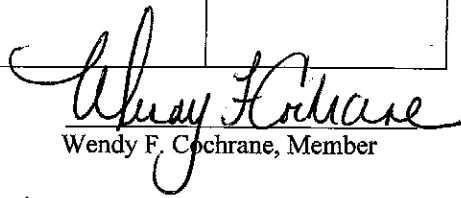

Cochrane to motion to sign, Larabee 2nd, voted.

Larabee to motion to table, Cochrane 2nd, voted.

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	<p>Board to review and discuss Building Department Fee Comparison (Residential) for the Town of Berkley. The Board voted to table the discussion on fee adjustments for the Town of Berkley.</p> <p>Board to sign letter of agreement between the Town of Berkley and Waste Management regarding the Holloway St. Project. Ms. Martin-Sterling stated this letter of agreement is to extend the water line on Holloway St. approximately 1100 feet to the last 3 residents on the street for drinking water. She explained there is a provision in this agreement that states the town would not grant well permits for anyone along that line that has access to drinking water. She stated that she spoke with Town Counsel about this, and the BOH had to make that rule and regulation because they directly handle the well permits, and the BOS cannot supersede the BOH. The Town Counsel has adopted this, and they have to post it as a public notification. The Town of Berkley has agreed to waive all permits that may be required and supply all of the detail work for Holloway St., the County St. side of Berkley, as well as the County St. side of Taunton. She has confirmed with the Town Auditor that the waived fees will be covered through ARPA funds. The next step will be the IMA, which is the inter-municipal agreement between the Town of Berkley and the City of Taunton. Ms. Martin-Sterling noted there are provisions in the IMA that will need to have a town meeting vote. The BOS voted to sign and enter into agreement.</p>	<p>Larabee to motion to table, Cochrane 2nd, voted.</p> <p>Cochrane to motion to sign, Larabee 2nd, voted.</p>
Appointments	Board to reappoint Debra Labonte to the Board of Registrars. Mr. Miller abstained from this vote. The remaining members of the BOS voted to reappoint Ms. Labonte, with an expiration of March 31, 2023.	Cochrane to motion to reappoint, Larabee 2 nd , Miller abstained, voted.
Town Administrators Report	Ms. Martin-Sterling noted that on Wednesday, March 16, 2022, the Somerset Berkley Regional High School Committee is meeting to have further discussions on their preliminary budget, and is requesting the BOS have their meeting earlier that evening so she can attend. The BOS, due to other scheduling issues, have decided the next BOS meeting is to be determined. Ms. Martin-Sterling also noted that she has started her budget for her departments.	Information Only; no action needed
FAC Update	Mr. Freitas stated there is no update at this time.	Information Only; no action needed
Adjournment	The BOS voted to adjourn the meeting, and noted that the next scheduled meeting is to be determined.	Cochrane to motion to adjourn, Larabee 2 nd , voted.


George F. Miller, Chairman
Dean R. Larabee, Clerk
Wendy F. Cochrane, Member
Heather Martin-Sterling, Town Administrator