

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 8/31/2022

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

TOPIC		ACTION
	Meeting Convened at 6:03 p.m. in the COA Room	
Minutes to be Approved	<ol style="list-style-type: none"> June 6, 2022 Meeting Minutes July 13, 2022 Meeting Minutes July 20, 2022 Meeting Minutes <p>The Board voted to approve Meeting Minutes to June 6, 2022 and July 13, 2022. The Board voted to table the Meeting Minutes of July 20, 2022.</p>	<p>Cochrane to motion to approve 6/6 & 7/13 MM, Larabee 2nd, voted.</p> <p>Cochrane to motion to table 7/20 MM, Larabee 2nd, voted.</p>
Meeting Mail	<p>Board to review email from the Department of Public Utilities regarding Public Awareness and Participation Procedures, Enhancing Public Awareness and Participation, and Request for Comments. The Board voted to file the email.</p> <p>Board to review invitation from the Taunton Area Chamber of Commerce to the Business Resource and Networking Reception to be held on Wednesday, September 21, 2022 from 5:00 p.m. to 7:00 p.m. at Bristol County Agricultural High School Student Center. Mr. Larabee agreed to attend the reception. Mr. Partridge noted it was also open to local business owners. The Board voted to file the invitation.</p> <p>Board to review letter from Xfinity dated July 29, 2022 regarding changes to Xfinity TV services. Mr. Miller proceeded to read the letter. The Board 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>
New Business	<p>Board to review and possibly approve fee increases as it relates to weights and measures. David Enos, Sealer of Weights and Measures for the Town of Berkley who requested the fee increases, was not present. Mr. Partridge stated Mr. Enos wanted to increase fees to remain competitive with the surrounding communities. Mr. Miller asked when the last time the fees were increased, and noted that the proposed increases were quite significant. Mr. Miller requested more information before making any decisions regarding increasing fees, and to see what surrounding communities are charging. The Board voted to table the discussion until more information is provided.</p> <p>Board to review and sign letter from the Daughters of the American Revolution regarding the anniversary of the signing of the Constitution. Mr. Miller proceeded to read the letter. Mr. Miller asked Mr. Partridge to reach out to the Berkley Public Schools to see if they were doing anything to celebrate Constitution Week, which is the week of September 17, 2022. The Board voted to sign the Proclamation. Mr. Miller proceeded to read the Proclamation as well.</p>	<p>Larabee to motion to table, Cochrane 2nd, voted.</p> <p>Cochrane to motion to sign, Larabee 2nd, voted.</p>
Old Business (taken out of order)	<p>Board to review preliminary plans on Myricks Street Field, possibly set up a public information meeting, and review request for application to Ruby Lin Foundation for a grant. Andrea Perry of the Historical Commission and Engineer Byron Holmes were present for the discussion. Mr. Holmes presented a physical copy of the map with the preliminary plans to the Board. He explained the plan is to redo the existing softball field, then put in a playground, a picnic area and a tie-off, which is required by the State as a condition of the grant. The plan is to also put in a gravel parking lot for approximately 50 cars. The plan for the rest of the area is the trees will be cut down, and it will be loamed and seeded as a large open area for a possible soccer field or other activities. There will also be an 8 foot wide walking path around the perimeter of the area. Mr. Miller asked what the timeline on this project will be. Mr. Holmes replied after a public meeting is held and design specifications are brought before the Board, he anticipates construction won't start until early next year. Mr. Partridge noted he spoke with the town's insurance company regarding use of the field, and they stated any functions that are not town related that happen on town property need to provide the town an insurance certificate. Ms. Perry noted the field would be called The</p>	<p>Information only; no action needed.</p>

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	<p>Grove at St. Yves Field when completed. Mr. Miller suggested to have the public informational meeting on the next scheduled meeting of September 14, 2022, and to get it on the cable network scroll so people see it, as well as the website.</p> <p>Ms. Perry stated she wanted to send out a request to the Lin foundation to see if they can get some financial backing for playground equipment, benches, etc., and wasn't sure if the Historical Commission needed permission from the Board to do so. Mr. Miller suggested to hold off until the public information meeting is held, and they can take a vote on it afterwards.</p>	
Personnel Board #7 (taken out of order)	<p>Board to interview and possibly hire Jo-Ellen Senechal for Treasurer Clerk position. Ms. Senechal was present for the meeting. Ms. Cochrane recused herself from the Board of Selectmen hiring process due to her position as the Town Treasurer. The Interview Committee voted to hire Jo-Ellen Senechal for the union position as Treasurer Clerk in the Treasurer's office.</p>	<p>Cochrane to motion to hire, Larabee 2nd, BOS, Partridge, & Cochrane voted.</p>
Personnel Board #2 (taken out of order)	<p>COA to have a discussion with the Board of Selectmen to change COA Director position to Clerk. Margaret Moroff was present on behalf of the COA for the discussion. She noted the COA wasn't looking to change the COA Director position to Clerk. She stated the COA would like to hire a current town employee for the same thing she has been helping out with temporarily until the COA has a Director. She suggested the position be up to 10 hours a week at \$20 per hour. Ms. Moroff made it clear this temporary clerk would not have any authority as a director would. Mr. Freitas asked if there was going to be a timeframe on it. Ms. Moroff stated it would be until they had a Director or once there was a full COA Board, as there are only 2 members on the board currently. Mr. Miller suggested it should be up to 6 months. Ms. Cochrane explained a COA member or a town employee are the only ones authorized to open the senior center. Mr. Larabee voiced his concerns about the creation of a position without any job description or wages, and the determination of finding a qualified COA Director instead of putting a "Band-Aid" on the problem. The Board voted to create and authorize a temporary clerk position for the Council on Aging not to exceed 10 hours a week up to 6 months, as a non-benefit employee. The Board then voted to hire Chloe DeFaria to fill the temporary COA Clerk position up to 10 hours a week up to 6 months for the hourly rate of \$20 per hour pending a review from Town Counsel.</p>	<p>Cochrane to motion to create temp. pos., Larabee 2nd, voted. Larabee to motion to hire pending TC review, Cochrane 2nd, voted.</p>
Personnel Board #5 (taken out of order)	<p>Board to review request from the Cable TV Advisory Committee to create a Studio Manager position. Arlene Medeiros was present to discuss the matter. Mr. Miller asked if the position they are trying to create is fully funded by cable TV funds, to which Ms. Medeiros stated yes. Ms. Medeiros discussed with the Committee what they should come up with for hours, responsibilities, etc. She provided to the Board a job description as well as a projected cost breakdown for a year. Because it's 25 hours a week, benefits would need to be provided. Ms. Medeiros took the COA Director job description and adapted it to the Studio Manager position as far as responsibility, which falls under the Board of Selectmen's jurisdiction. She asked the Board if a new line item would be created for this at the November Special Town Meeting. Ms. Medeiros suggested the position be a year to year contract, which Mr. Miller agreed. She wanted to know if this position could be promoted from within instead of it getting posted. Ms. Cochrane explained the Board can choose to either post or promote from within, but will double check on it. The Board voted to table and revisit the request from the Cable TV Advisory Committee to create a Studio Manager position.</p>	<p>Larabee to motion to table, Cochrane 2nd, voted.</p>
Public Input (taken out of order)	<p>Judith Plogger of 10 Babbitt Way was present to discuss concerns regarding a letter she gave to Ms. Cochrane. The letter was a request to send a representative out to the Rodrigues Farm on weekends. Mr. Partridge explained that the Building Inspector went out with the Conservation Commission and found one of the barns had a lean-to attached to it that was not properly permitted, and the property owners were advised to come to the office and pull a permit for it, to which they complied. They have a permit for the gazebo as well, which Ms. Plogger questioned. He also explained the Board of Health went out on a Saturday to see if any food trucks were there, to which they were not. The Rodrigues Farm owners are in the process of obtaining a food permit. Mr. Miller suggested that Mr. Partridge reach out to the Board of Health to see if they can do more spot checks on the property. Mr. Partridge also noted the Police Chief was advised to do speed checks in that area.</p>	<p>Information only; no action needed.</p>

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Personnel #6 (taken out of order)	Board to review proposal from Fire Chief Scott Fournier to hire a Confidential Executive Assistant to the Fire Chief to be placed on the November Special Town Meeting warrant. Fire Chief Scott Fournier and Deputy Chief Jason Perry were present to speak on the matter. Chief Fournier explained the Fire Department identified a funding source this year in the form of the CTE program. He identified the pay scale by borrowing it from the school's paraprofessional standards. Deputy Perry explained the CTE program. He stated it comes out of MassHealth/Medicaid, and is very much like a grant; they formulate the amount of money to give back to a community based on various expenses. The Town of Freetown's secretary's salary is 100% paid by the program that gets submitted every year. This money would go into the ambulance user fee account to pay the employee. Mr. Miller asked if this position would be contractual, to which Chief Fournier replied most surrounding towns that do this are non-union. He mentioned he borrowed the job description from similar towns. It would be a 40 hour/week position, and as of now, this particular is broken up between the chiefs and other Fire personnel. This position will have to be posted, with the sole decision making of hiring from the Chief. Ms. Cochrane noted the Board would still have to sign the contract for this individual. Mr. Miller suggested a projection of the job over the next few years before making a decision on the position. The Board voted to table this discussion until the next scheduled meeting.	Larabee to motion to table, Cochrane 2 nd , voted.
New Business #3 (taken out of order)	Board to discuss question on September ballot regarding the addition of Freetown to BP. Mr. Partridge stated Freetown is looking to join the BP School district. He stated he has amended the agreement, and has sent it to Adam Costa from Town Counsel for review. The article Mr. Partridge put together was approved by Town counsel that will go to town meeting vote. Mr. Miller noted the addition of Freetown lowers the town of Berkley's obligation for the cost of the new BP school. The Board voted to file the information regarding the November 14, 2022 Special Town Meeting vote on whether or not to add the Town of Freetown to the BP Vocational Technical School District.	Larabee to motion to file, Cochrane 2 nd , voted.
New Business #4	Board to sign Retail Package Store Liquor License for Berkley Beverage Corp. d/b/a Bristol County Wine & Spirits which expires on December 31, 2022. Mr. Partridge noted the license has been approved by the ABCC. The Board signed the license.	Information only; no action needed.
Personnel Board #1 (taken out of order)	Board to review request from the Planning Board regarding the annual salary C.O.L.A. increase be applied to the Planning Board Secretary position for FY23. Ms. Cochrane stated the Planning Board clerk spoke with her and reminded her that the Board had agreed for the Board's Secretaries that they would do a cost of living increase for them. She stated it would have to be approved by the Board of Selectmen to give the Board's secretaries a cost of living raise, and that the grid would be retroactive until possibly July 1, 2022. She noted the Zoning Board of Appeals and the Conservation Commission should also be made aware of this so they can also submit a request to the Board of Selectmen. The Board voted to table and continue the request from the Planning Board regarding the annual salary C.O.L.A. increase to be applied for FY23 until more information is provided.	Larabee to motion to table, Cochrane 2 nd , voted.
Personnel Board #3 (taken out of order)	Board to accept resignation letter from Erin Bettes, Assistant Treasurer effective September 1, 2022. Mr. Miller read the resignation letter. The Board voted to accept the resignation letter, and wish her the best. Ms. Cochrane recused her vote due to her position as Treasurer.	Larabee to motion to accept, Cochrane abstained, Miller 2 nd , voted.
Personnel Board #4	Board to vote to post Assistant Treasurer position. The Board voted to post the Assistant Treasurer position, via in-house and outside advertisement. Ms. Cochrane abstained from the vote due to her position as Treasurer.	Larabee to motion to post, Cochrane abstained, Miller 2 nd , voted.
Town Administrators Report	Interim Town Administrator to discuss DEP MS4 Grant Program. Mr. Partridge updated the Board on the Grant program. He stated they have until September 28, 2022 to complete their Year 4 MS4 Report activities. He noted it is in the works, however over the last 3 years, no activity has been done to improve the town's storm water requirements. The EPA contacted the Highway Surveyor and told him that the town was not in compliance. Mr. Partridge asked the EPA to give the town a year to get at least 25% of the town's outflows completed. For the	Larabee to motion to authorize, Cochrane 2 nd , voted.

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Town Administrators Report	<p>DEP MS4 Grant, there has to be at least 2 communities together on it, and Mr. Partridge stated he reached out to Dighton and they're working on putting a joint application together to take a look at updating and confirming all the areas needed to be updated. Mr. Partridge requested to the Board to allow him to hire a consultant for up to 20 hours at a rate of \$60 per hour to assist the town with their MS4 Year 4 Report to get the town completed for this year. If the town is not awarded this grant, Mr. Partridge stated he will come back to the Board at a later date for additional money to hire someone to pay to do all the outflow inspections. He is going to talk with Mr. Freitas about the ARPA money set aside to pay for storm water for the funding for this. The Board voted to authorize the Town Administrator to expend up to \$1,200, not to exceed that amount, for consulting services for wastewater management needs for FY23.</p>	Information only; no action needed.
Finance Committee Update	<p>Interim Town Administrator to discuss ARPA update. Mr. Partridge stated they did receive their second allotment from the Federal Government for the local ARPA money, which brings the total to \$717,084. He also noted all three projects that were submitted, 2 for the Fire Department and 1 for the school, have been approved through Bristol County ARPA.</p> <p>Mr. Freitas stated in regard to the 20-30% increase in weights and measures, they are minimal if looking at dollar amounts. Percentages are a misrepresentation. Mr. Miller noted for small businesses, those expenses can add up.</p> <p>Mr. Freitas asked if the Board has hired for the Treasurer Clerk position. He noted that was once an appointed position or contractual hire. Ms. Cochrane stated it is a union position.</p> <p>Mr. Freitas stated he wanted to talk about the upcoming budget and having a plan in place for revenue growth for the debt exclusion in regard to BP.</p>	Information only; no action needed.
Executive Session	<p>Board to enter into Executive Session under MGL Ch. 30A §21 (a) 3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. The Board voted to enter into Executive Session, and announced a public hearing will be held on Tuesday, September 6, 2022 at 6:00 p.m., and the next scheduled meeting will be held on Wednesday, September 14, 2022 at 6:00 p.m., and the Board will not be returning to open session.</p>	Larabee to motion to enter into E.S., Cochrane 2 nd , voted.

George F. Miller, Chairman

Dean R. Larabee, Clerk

Wendy F. Cochrane, Member

Kevin Partridge, Interim Town Administrator