

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 4/3/2019

SELECTMEN IN ATTENDANCE: George F. Miller, Chairman Heather Martin-Sterling, Clerk Wendy F. Cochrane, Member

TOPIC		ACTION
	Meeting Convened at 6:00 pm at Moitoza - Pettey Hearing Room, 1 North Main St.	
Minutes	<ul style="list-style-type: none"> - Minutes approved for March 20, 2019, 2019 – Regular Session <p>Meeting taken out of order</p>	<p>Motion to approve made by Cochrane with changes to her statement regarding double chip deal, Sterling sec. – Voted</p>
Personnel Board	<ul style="list-style-type: none"> - Request from Highway Surveyor to hire Dylan Holdsworth for laborer position. Miller asked if there were other candidates. Rose stated there were other applicants but not good candidates. Miller noted they defer to the Dept. Head for hires. 	<p>Motion to hire Dylan Holdsworth for the laborer position for the Highway Department made by Cochrane, Sterling sec. – Voted</p>
New Business	<ul style="list-style-type: none"> - Ch. 90 request from Highway Surveyor Robert Rose regarding Bryant St. Rose stated that over by the used auto - parts place the road was never built properly and gets lost of frost heaves. He would like to fix it before it gets worse or they lose that part of the road. He also noted that there is a dip where it freezes over but you don't see it until you are over the hill and when frozen over he is worried someone is going to get in an accident. Rose also noted that the money he is using for this project is the old money not the new money they just received. Miller asked Rose if there was a prioritized list of roads that that need to be taken care of and if so he would like to see that list. - Board reviewed the contract from Covanta Sustainable Solutions for solid waste disposal. Cochrane asked if raising the rates for bags would help offset the costs of the new contract. Rose stated that it would but that Berkley is pretty much in line with other towns similar to ours. Miller wanted Council to go over the contract before they sign it. 	<p>Motion to approve Ch. 90 request regarding Bryant St. made by Cochrane, Sterling sec. – Voted</p>
Meeting Mail	<ul style="list-style-type: none"> - Board reviewed a notice from Somerset Berkley Regional School District regarding FY20 assessment which is up \$1 more than the previous year. - Board read a letter from the Town of Harwich Town Administrator regarding a dangerous dog order. The owners previously lived in Harwich and have moved to Berkley with their two dogs that were ordered to be euthanized. Mr. Coutinho and Chief Labonte notified Mille that this was a Harwich issue and they have been in contact with Harwich regarding the matter. Harwich is awaiting the court order to come to Berkley to remove the dogs. Miller wanted to reach out to Council regardless to see what Berkley could do. 	<p>Motion to table made by Cochrane, Sterling sec. – Voted</p> <p>Motion to file made by Cochrane, Sterling sec. – Voted</p> <p>Motion to file made by Cochrane, Sterling sec. – Voted</p>

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Appointments

- Meeting with Jean Fox Project Manager South Coast Rail regarding update of the rail project. Fox noted that there will be two new layovers. One will be in Fall River and one will be in New Bedford. IT will take 1 ½ hours to get to Boston. Fox stated that it would be roughly 13 new trains coming through Berkley now. Sterling then corrected the South Coast Rail representatives stating that it will not be 13 trains it will be 26 trains every 24 hours. Fox stated that the earliest trains will run through Berkley at 6:00 am and the latest train will be running through at 8:30/9:00 pm. Cochrane asked how long it would take for the trains to go through a crossing. The representatives collaborated and stated that it would be about 45 seconds for the gates to come down, 15 seconds for the train to go by, and then another 45 seconds for the gates to go back up. Fox touched on noise mitigation and noted that severe noise impact would be compensated starting at \$5,000 and up to \$30,000 and that it is up to the homeowners to reach out for this matter. Fox stated that there are approximately 14 homes that will be eligible for this compensation. Miller noted that Berkley will be cut off from the other side of Town when trains are passing and there is no ambulance on that side of Town. Miller and Fox agree that it would be beneficial to have a meeting with public safety. Miller noted that the Town of Berkley now has 5 new crossings going in and all the noise it is going to bring yet the Town is receiving nothing in return. Yet the Town of Assonet is. Miller questions quiet zones where whistles and bells won't be able to sound. Fox stated that he would have to reach out the Federal Govt. for that and that Lakeville is looking into that as well. Miller asked if they were done with negotiations with the current home owners. Fox replied no and that one home owner had lived there for 40 years. Miller asked what happens if there is no agreement made. Fox replied they would take it by imminent domain. Freitas asked about relocation for these people and could they relocate anywhere they want. Fox replied yes. Freitas then asked if the Town could mitigate say a one to three year lost revenue due to taxes, real estate values and assessments. Fox replied no. Freitas then went on to tell the representatives that he thought it was horrible that they would do business in such a way that costs the Town so much money with nothing in return and then say that they would take the home owners homes by imminent domain if they don't come to an agreement. Closing of the roads at the crossings when construction begins will be from 9:00pm on a Friday until 5:00am on that Monday. Fox stated that there would only be one closing at a time they would not be doing construction on more than one crossing at a time. Sterling then noted that the trains will be coming through the crossing at pretty much the same time due to the fact that they are all getting to Boston around the same time. That means that all the trains coming from both New Bedford and Fall River will almost be back to back. Cochrane asked Fournier if it were possible to have an ambulance waiting on the other side of the crossing while construction is going on. Fournier stated they could do something like that similar to when they built the highway bridge. Leary asked if there was an education program. Fox stated that there is and they are age appropriate programs and that there is also training. Fournier stated he would like to train every year. Fox and the other reps discussed the possibility of the Town taking over the buildings that are on the land MBTA is acquiring. Miller wanted to get

Information only –
No action taken

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Old Business	<p>more information regarding values. South Coast will pay all costs to move the buildings to a Town owned property if the Board decides to acquire them. Miller asked them again if they were 100% sure that the MBTA takes on all of the costs. The reps stated that yes, as long as the land is owned by the Town.</p> <ul style="list-style-type: none">- Common Use Request from the Friends of the Berkley Library- Review and discuss Host Community Agreement for Berkley Botanicals LLC. Michael Mizrahi of Berkley Botanicals spoke with Miller about the agreement. The Town gets 3% of gross revenue of sales and 1.5% from manufactured. Miller noted that it was totally voluntary that they agreed to donate \$10,000 to the Town annually and the Board can decide where it will go. Two examples given were the Friends of the Berkley Library and the Friends of the Council on Aging. Miller then noted that this is not a final thing that there are still several steps to go through as far as landscaping, lighting, permits, etc. Freitas asked about projected yearly sales. Mizrahi stated that realistically 10 million but that he is conservative and was thinking about 75% of that. Miller then noted that this is only for five years per the State but it could possibly be renegotiated again at the end of that term unless the State prohibits renegotiations.	<p>Motion to grant permission made by Cochrane, Sterling sec. – Voted</p> <p>Motion to approve Host Community Agreement made by Cochrane, Sterling sec. – Voted</p>
New Business	<ul style="list-style-type: none">- Request from Bob Veronneau for a water tie in at 46 County Street. Miller asked which lot he was referring to. Veronneau stated it was lot #3 and that Taunton said that there is currently no water at that location and no intermunicipal agreement for water with Berkley. This is for Fit Fine Wines corporate office. Veronneau stated he just needs a letter from the Board giving permission.- 2019 Seasonal Population Increase Estimate Form from ABCC. Town Clerk estimated a population of 6,600 come June 2019.- Appointment of Catherine Westgate as Registrar of Voters for term to expire March 31, 2022- Review contract for Fire Chief effective July 1st 2019	<p>Motion to write a letter in favor of a tie in made by Cochrane, Sterling sec. – Voted</p> <p>Motion to approve and sign made by Cochrane, Sterling sec. – Voted</p> <p>Motion to appoint made by Cochrane, Sterling sec. – Voted</p> <p>Motion to approve and sign contract made by Cochrane, Sterling sec. – Voted</p>

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- Selectmen to set date for the Annual Town Meeting and open and close warrant for the Annual Town Meeting. Opening of the Warrant April 3, 2019 closes April 11, 2019 at noon. Annual Town Meeting to be held Monday, June 3, 2019.
- Discussed hourly rate structure for EMT and EMT/ Fire Fighters.
- Recruit training fee and partial wage reimbursement agreement for Catherine Connolly, Matthew Engstrom and Matthew Melo.

Motion to open Warrant April 3, 2019 and close Warrant April 11, 2019 and call for Annual Town Meeting on June 3, 2019 at 7:00pm made by Cochrane, Sterling sec. – Voted

Motion to approve made by Cochrane, Sterling sec. – Voted

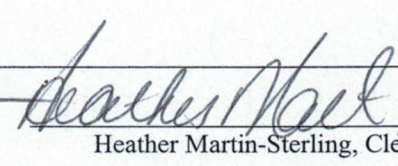
Motion to sign agreements for Catherine Connolly, Matthew Engstrom, & Matthew Melo made by Cochrane, Sterling sec. – Voted

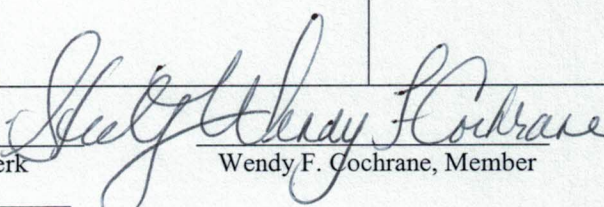
Motion to adjourn to executive session to review Town Accountant contract and not to return to regular session made by Cochrane, Sterling sec., Miller third - Voted unanimous

Meeting Adjourn

Next Regular Meeting April 17, 2019


George F. Miller, Chairman


Heather Martin-Sterling, Clerk


Wendy F. Cochrane, Member

Alan G. Coutinho, Town Administrator