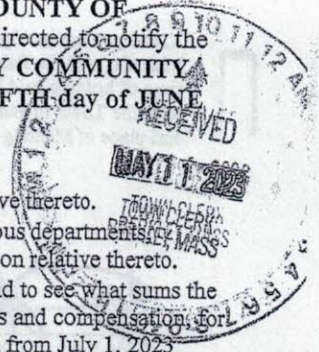




2023 ANNUAL TOWN MEETING

TO EITHER OF THE CONSTABLES OF THE TOWN OF BERKLEY, IN THE COUNTY OF BRISTOL, GREETING: In the name of the Commonwealth of Massachusetts, you are directed to notify the inhabitants of the Town of Berkley qualified to vote in elections to meet at the BERKLEY COMMUNITY SCHOOL GYMNASIUM, 59 South Main Street,, in said Berkley on MONDAY, the FIFTH day of JUNE 2023 AT 7:00 P.M. then and there to act the following articles viz:




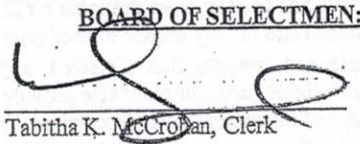
- ARTICLE 1:** To see if the Town will vote to hear the report of the Financial Committee, or to take any other action relative thereto.
- ARTICLE 2:** To see if the Town will vote to appropriate and transfer from available FY23 funds a sum of money to various departments, including the Ambulance User Fee Account, and for capital expenditures and for any unpaid bills of prior years, or to take any other action relative thereto.
- ARTICLE 3:** To see if the Town will vote to fix salaries and compensation of elected / appointed officers / employees, and to see what sums the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide for the payment of said salaries and compensation, for a reserve fund, and for the charges, expenses and outlays of the several town departments for the twelve (12) month period from July 1, 2023 through June 30, 2024, or to take any other action relative thereto.
- ARTICLE 4:** To see if the Town will vote to raise and appropriate the necessary monies for the following governmental accounts for Debt Service: *Exempt Debt Service*: Somerset Berkley Regional School Debt Service; Mult. Equip. Debt Service; Bristol Plymouth Debt Service; Town Office Building Debt Service; or to take any other action relative thereto.
- ARTICLE 5:** To see if the Town will vote to raise and appropriate and/or transfer the necessary monies for the following governmental accounts: School Committee Salaries; Berkley School Department; Bristol County Agricultural High School and Bristol-Plymouth Regional Technical School District, or to take any other action relative thereto.
- ARTICLE 6:** To see if the Town will approve the Somerset/Berkley Regional School District budget for fiscal year 2024 of \$3,026,221 and raise and appropriate or transfer from the Somerset/Berkley Regional School District stabilization fund the sum of \$2,779,717 and raise and appropriate or transfer from taxation the sum of \$246,504, or to take any other action relative thereto.
- ARTICLE 7:** To see if the Town will vote to authorize expenditure limitations for the following revolving funds pursuant to G.L. c. 44, § 53E½, for the fiscal year beginning July 1, 2023, to be expended in accordance with Article 35 of the General Bylaws: wiring inspector, \$10,000; gas inspector, \$10,000; plumbing inspector, \$10,000; Board of Appeals, \$5,000; Planning Board, \$10,000; Soil Conservation Board, \$5,000; Board of Health, \$60,000; Police Department, \$200,000; School Department, \$60,000; or to take any other action relative thereto.
- ARTICLE 8:** To see if the Town will vote to authorize the Board of Selectmen to accept and enter into a contract for the expenditure of any funds allocated by the Commonwealth and/or federally aided programs for the construction, reconstruction and improvements of Town roads, or to take any other action relative thereto.
- ARTICLE 9:** To see if the Town will vote to authorize the Board of Assessors, in accordance with Massachusetts General Laws, Chapter 41, Section 4A to hire one or more of its members to do annual tax maintenance on real and personal property and to set the fee paid to said members at \$15.00 per parcel. Said funds to be paid from Annual Tax Maintenance Account, or to take any other action relative thereto.
- ARTICLE 10:** To see if the Town will vote to accept the provisions of Ch. 126 of the Acts of 1988, amending Sec. 4 of Ch. 73 of the Acts of 1986 to allow an additional exemption which shall be for all exemptions and none of which shall exceed 25% of said exemption for which they qualify in Fiscal Year 2024, or to take any other action relative thereto.
- ARTICLE 11:** To see if the Town will authorize the Board of Health in accordance with Chapter 41, Section 4A to appoint one or more of its members as agents(s) of the Board of Health as well inspectors and sanitation inspectors and to set the dollar amount for said agents Inspector fees as follows: \$75 per perc hole, \$100 per well inspection, \$150 per sanitation inspection, \$75 per food service inspection, \$75 per pumper truck inspection, \$75 for other miscellaneous inspections when a license or certificate is required, or to take any other action relative thereto.
- ARTICLE 12:** To see if the Town will vote to amend the "Official Zoning Map Town of Berkley" referenced in the Berkley Zoning By-Law, being Article 21 of the Town's General By-Laws, Section 2.B, by rezoning the following lots as part of and to be included in the General Business District: 27 Locust Street (Map 11 Lot 37); 29 Locust Street (Map 11 Lot 38); 31 Locust Street (Map 11 Lot 38-02); and 37 Locust Street (Map 11 Lot 38-1), or to take any other action relative thereto.
- ARTICLE 13:** To see if the Town will vote to amend the Berkley Zoning By-Law, being Article 21 of the Town's General By-Laws, as follows: (i) by deleting, in their entireties, the following Sections of the existing Berkley Zoning By-Law, Article 21 as aforesaid, including all provisions comprising the same, but NOT the Town's Official Zoning Map: Section 1: Purpose; Section 2: Establishment of Districts; Section 3: Definitions; Section 4: Use Regulations by Zoning District; Section 5: Dimensional Regulations; Section 6: Nonconforming Buildings and Uses and Structures; Section 7: Administration and Procedures; Section 8: Rate of Development; Section 9: Off Street Parking; Section 10: Signage; Section 11: Adult Entertainment Uses Sexually Oriented Business; Section 12: Aquifer Protection District; Section 13: Accessory Apartments, which Sections together constitute the entirety of said Zoning By-Law (excepting the aforementioned Zoning Map); and (ii) by substituting therefor, the following new Sections, the complete text of which is contained in a document entitled: "Berkley Zoning By-Law, Draft 9 March 7, 2023", on file with the Town Clerk and the Planning Board: Section 1.0: Purpose and Authority; Section 2.0: Districts; Section 3.0: Use Regulations; Section 4.0: Dimensional Regulations; Section 5.0: Nonconforming Uses and Structures; Section 6.0: General Regulations; Section 7.0: Special Regulations; Section 8.0: Special Residential Regulations; Section 9.0: Special Districts; Section 10.0: Administration and Enforcement; Section 11.0: Definitions, or to take any other action relative thereto.
- ARTICLE 14:** To see if the Town will vote to hear a report of the Berkley Public Library Board of Trustees, or to take any other action relative thereto.
- ARTICLE 15:** To see if the Town will vote to amend the General Bylaws of the Town of Berkley by adding a new Article 28 thereto, entitled "Wetlands Bylaw," comprised of Sections including I. Purpose, II. Jurisdiction, III. Applications for Permits and Requests for Determination, IV. Notices and Hearings, V. [Omitted], VI. Permits and Conditions, VII. Setbacks, VIII. Regulations, IX. Definitions, X. Enforcement, XI. Burden of Proof, XII. Appeals, XIII. Relationship to the Wetlands Protection Act, and XIV. Severability, the complete text of which is contained in a document entitled "Regulations, Bylaws, & Policies for Berkley Massachusetts," as revised through May 3, 2023, on file with the Town Clerk, or to take any other action relative thereto.
- ARTICLE 16:** To see if the Town will vote to adopt a certain Petition for Article for Annual Town Meeting, as submitted in writing by ten or more registered voters of the Town, entitled "Regulations, Bylaws, & Policies for Berkley Massachusetts," as revised through April 5, 2023, the complete text of which is on file with the Town Clerk, or to take any other action relative thereto.

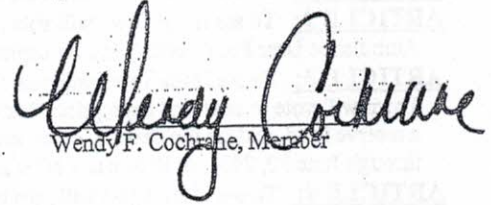
ARTICLE 17: To see if the Town will vote to adopt a certain Petition for Article for Annual Town Meeting, as submitted in writing by ten or more registered voters of the Town, entitled "Right to Farm," the complete text of which is on file with the Town Clerk, or to take any other action relative thereto.

...and you are hereby directed to serve this Warrant by posting up attested copies thereof, one at the Old Town Hall, Public Library, Common Crossing - 11 North Main St., and the Public Safety Building Lobby, Fire Station #2 at 6 Grove Street, in addition to The Town Hall, all in said Berkley fourteen days at least before the time of holding said Meeting. Said Warrant shall also be distributed by the Board of Selectmen by bulk-rate mailing to every residence in the Town in accordance with the Town of Berkley by-law Article 2, Section 1. Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk of the time and place of Meeting as aforesaid.

Given under our hands, this, the 10th day of May, in the year two thousand twenty three.


Joe Freitas, Chairman

BOARD OF SELECTMEN:

Tabitha K. McCrohan, Clerk


Wendy F. Cochrane, Member

BRISTOL, SS:

Berkley, 5/11, 2023

I have served the above Warrant by posting up attested copies, one at each of the above-named places in said Berkley, fourteen days at least before the time of holding said meeting.

ATM WARRANT FY20

Constable of Berkley Paul Givitt