



ANNUAL TOWN MEETING  
TOWN OF BERKLEY  
JUNE 4, 2018

Moderator: John D. Blake  
Berkley Middle School

Town Clerk: Deborah Pereira  
Attendance: 730

The Moderator called the meeting to order at 7:23 PM

Mr. Blake started with The Pledge of Allegiance and a moment of silence for the veterans and those that were not with us tonight. He motioned to the exits in the event of an emergency. He also pointed out the guests that were in attendance.

The Moderator entertained a motion and it was seconded, to dispense with the reading of the warrant in its entirety. The Moderator declared the motion carried by majority.

**ARTICLE 1** A motion was made by George Miller and seconded to see if the Town will hear the report of the Finance Committee.

Ed Hoak, Chairman of the Finance Committee, reads the report of the Committee for the Fiscal Year 2019. Mr. Hoak explains the two proposed budgets and recommends voting in approval of Article 6 ATTACHED

No discussion: Vote Quantum: Simple Majority

VOTE, UNANIMOUS, PASSED

**ARTICLE 2** A motion was made by Wendy Cochrane and it was seconded to hear the report of the Capital Improvement Planning Committee.

Richard Morroff, Chairman of The Capital Improvement Planning Committee, addresses both Articles 3 and 17. Mr. Morroff agrees with the department heads that the capital items requested be approved for purchase from the Free Cash. Mr. Morroff also addresses Article 17. He explains the changes suggested to update the Capital Improvement Committee Bylaw.

Some discussion on the floor asking for explanation to some of the items proposed:

Vote Quantum: Simple Majority

VOTE, NO OPPOSITION, PASSED

**ARTICLE 3**

A motion was made by Heather Martin-Sterling and it was seconded to see if the town will transfer and appropriate from Free Cash the following amounts:

<b><u>Department</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
Highway	Snow plowing	\$ 100,000.00
Planning	Master Plan	\$ 20,000.00
Police/School	Update and replace various components of the security system at the Police Station Community School and Middle School	\$ 35,000.00
Highway	Roll-off Truck	\$ 160,000.00
	Small Plow/Dump Truck	\$ 55,000.00
	Roof on Highway Bld. #2	\$ 10,000.00
	Siding of Highway Bld. #2	\$ 2,000.00
	Garage Door Highway Bld. #1	\$ 6,800.00
		\$ 233,800.00
Police	Purchase 4 new cruisers	\$ 187,515.00
Library	Make various exterior and interior repairs to Berkley Pub Library for roof , windows, siding and other related items	\$ 155,000.00
Animal Control	Purchase new ACO Van	\$ 26,000.00
Fire	Two new Automatic External Defibrillators	\$ 4,000.00
	Lucas Auto Pulse CPR machine	\$ 19,000.00
	Command Vehicle	\$ 47,000.00
	Station 2 roof & gutters	\$ 25,000.00
		\$ 95,000.00
School Department	<u>Community School</u> Lighting upgrades	\$ 234,655.00
Subtotal		\$ 1,086,970.00
Stabilization Fund	Transfer	\$ 239,785.00
Total		\$ 1,326,755.00

**AND transfer \$70,000 from line item K-8 Health Insurance to line item K-8 Expenses**

No discussion: Vote Quantum: Simple Majority

VOTE, NEARLY UNANIMOUS, PASSED

**ARTICLE 4**

A motion was made by George Miller and seconded that the Town vote to change the position of Highway Surveyor from an elected position to a position appointed by the Board of Selectmen for a term not to exceed three years, subject to acceptance by the voters at the annual Town elections, provided that the incumbent serving at the time of any such acceptance by the voters shall continue to hold the office and to perform the duties thereof until the expiration of the term for which he or she was elected or until he or she otherwise vacates the office; and to amend ByLaw Article 2, Section 2, by deleting the reference to “Highway Surveyor” as an elected position of the Town.

Discussion from the floor wanting to know the purpose of the change. Mr. Miller explains the reason for the change and suggests that the person in the position should be qualified and not just a popularity vote. Several more residents stood up in opposition not wanting their right to vote taken away.

Vote Quantum: Two Thirds

VOTE, OVERWHELMING MAJORITY, DEFEATED

**ARTICLE 5**

A motion was made by Wendy Cochrane and seconded to table Article 5

VOTE TO TABLE: MAJORITY, DEFEATED

(According to Robert Rules of Order, Article has not been tabled)

A motion was made by Wendy Cochrane and seconded that the Town vote to change the position of Tree Warden from an elected position to a position appointed by the Board of Selectmen for a term not to exceed three years, subject to acceptance by the voters at the annual Town elections, provided that the incumbent serving at the time of any such acceptance by the voters shall continue to hold the office and to perform the duties thereof until the expiration of the term for which he or she was elected or until he or she otherwise vacates the office; and to amend ByLaw Article 2, Section 2, by deleting the reference to “Tree Warden” as an elected position of the Town.

Vote Quantum: Two Thirds

VOTE, OVERWHELMING MAJORITY, DEFEATED

**ARTICLE 6** A motion was made by Heather Martin-Sterling and seconded that the Town vote to raise, appropriate, transfer or otherwise fund an additional \$870,000 for the purpose of providing additional funding for the regional high school district stabilization fund.

Dean Larrabee, Somerset Berkley Regional School Committee, presents a slide show of why it is imperative to vote yes on the question. Thomas Lynch, Superintendent Berkley School Department, also encourages a yes vote to keep all teachers and programs for the K-8 school system in place.

A motion was made and seconded to vote by yes/no paper ballot.

According to MGL Chapter 71 and Roberts Rules of Order, a vote must be taken.

Vote Quantum: Simple Majority

VOTE, MAJORITY, DEFEATED

Moderator explains that the original Article will be voted on by show of hands.

Vote Quantum: Two Thirds

VOTE, PASS, SHOW OF HANDS DETERMINED TO BE MORE THAN TWO THIRDS

**ARTICLE 7** A motion was made by George Miller and seconded to vote to raise and appropriate, and transfer from available funds, or otherwise provide for the payment of the outlays of the following town departments for the ensuing twelve (12) month period through June 30, 2019  
**all as set forth in the budget presented by the Finance Committee:**

**COMPLETE BUDGET BREAKDOWN ATTACHED**

For a total from taxation of	\$4,870,208.00
From E.M.S. Reserve Receipts	\$200,000.00
From Revolving Funds	\$13,215.00
Total	\$5,083,423.00

Vote Quantum: Simple Majority

VOTE, TOKEN OPPOSITION, PASS

**ARTICLE 8**

A motion was made by Wendy Cochrane and seconded that the Town vote to raise and appropriate, or otherwise provide for the payment of the outlays of the following town governmental accounts for Debt Service for the ensuing twelve (12) month period through June 30, 2019

**all as set forth in the budget presented by the Finance Committee:**

**RETIREMENT OF DEBT**

## ACCOUNT NAME

MIDDLE SCHOOL	1,025,000
SCHOOL RENO DEBT 2	10,000
TOWN WELL	20,000
MULTI-USE LAND	75,000
TOWN OFFICE BLDG	145,000
SBRSD HIGH SCHOOL	325,372
Total	1,600,372

**INTEREST**

## ACCOUNT NAME

MIDDLE SCHOOL	84,200
SCHOOL RENO INT. 2	1,100
TOWN WELL	2,200
MULTI-USE LAND	8,100
TOWN OFFICE BUILDING	96,200
SBRSD HIGH SCHOOL	252,350
Total	444,150

For a total from taxation of           \$2,044,522

Vote Quantum: Simple Majority

VOTE, NEARLY UNANIMOUS, PASS

**ARTICLE 9**

A motion was made by Heather Martin-Sterling and seconded that the Town vote to raise and appropriate, and transfer from available funds, or otherwise provide for the payment of the outlays of the following Town School related expenses for the ensuing twelve (12) month period through June 30, 2019

**all as set forth in the budget presented by the Finance Committee:**

**SCHOOL DEPARTMENTS****ACCOUNT NAME**

ACCOUNT NAME	
Berkley School	7,578,360
Salaries Elected School Com.	924
K-8 Transportation	490,530
K-8 Health Insurance	851,618
K-8 Workmen's Comp	43,000
K-8 Liability Insurance	42,000
B.P. Regional High School	829,593
Bristol Aggie. Assessment	27,804
Total	9,863,829

For a total from taxation of \$ 9,863, 829

No discussion, Vote Quantum, Simple Majority

VOTE, TOKEN OPPOSITION, PASS

**ARTICLE 10**

A motion was made by George Miller and seconded that the Town transfer from the Somerset/Berkley Regional School District stabilization fund the sum of \$2,481,326.00 to pay its assessed share of the Somerset/Berkley Regional School District Budget for fiscal year 2019.

No discussion, Vote Quantum, Two Thirds

VOTE, VERY FEW OPPOSED, PASS

**ARTICLE 11**

A motion was made by Wendy Cochrane and seconded that the Town vote to authorize expenditure limitations for the following revolving funds pursuant to G.L. c. 44, § 53E½, for the fiscal year beginning July 1, 2018, 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, \$48,300; Police Department, \$60,000; School Department, \$60,000.

No discussion, Vote Quantum, Simple Majority

VOTE, PASS, UNANIMOUS

## **ARTICLE 12**

A motion was made by Heather Martin-Sterling and seconded that the Town vote to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of any funds allocated by the Commonwealth and/or federally aided programs for the construction, reconstruction and improvements of Town Roads.

No discussion, Vote Quantum, Simple Majority

VOTE, PASS, NEARLY UNANIMOUS

## **ARTICLE 13**

A motion was made by George Miller and seconded that the Town vote to authorize the Board of Assessors 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.

No discussion, Vote Quantum, Simple Majority

VOTE, PASS, UNANIMOUS

## **ARTICLE 14**

A motion was made by Wendy Cochrane and seconded that the Town 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 2018.

No discussion, Vote Quantum, Simple Majority

VOTE, PASS, NEARLY UNANIMOUS

## **ARTICLE 15**

A motion was made by Heather Martin-Sterling and seconded that the Town vote to authorize the Board of Health 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: \$75.00 per perc hole, \$100.00 per well inspection, \$150 per sanitation inspection, \$75.00 per food service inspection, \$50.00 per pumper truck inspection, \$75.00 for other miscellaneous inspections when a license or certificate is required.

No discussion, Vote Quantum, Simple Majority

VOTE, PASS, UNANIMOUS

## **ARTICLE 16**

A motion was made by George Miller and seconded that the Town vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth for a Special Law authorizing the Town to grant an additional license for the sale of alcoholic beverages not to be drunk on the premises, pursuant to G.L. c. 138, § 15, the text of such Special Law to be substantially as printed in the warrant.

No discussion, Vote Quantum, Simple Majority

VOTE, PASS, UNANIMOUS

**ARTICLE 17**

A motion was made by Wendy Cochrane and seconded that the Town vote to amend Article 27 Section 3 of the General ByLaws of the Town of Berkley, entitled “Capital Improvement Planning Committee” by adding the sentence: “No report is required if the committee does not have a quorum to conduct business.”

No discussion, Vote Quantum, Simple Majority

VOTE, PASS, UNANIMOUS

**ARTICLE 18**

A motion was made by Heather Martin-Sterling and seconded that the Town vote to amend Article 21, Zoning, Sec. 5, as by amending Section 5 A, the Table of Dimensional Requirements, by adding “& Rear Yard” after “Side Yard” in Column 5, and by adding a Note thereafter comprised of “\*\*\*\*\*,” which Note will state: “A minimum Side & Rear Yard requirement of 5 feet for buildings not exceeding 120 sq. ft.”

No discussion, Vote Quantum, Two Thirds

VOTE, PASS, UNANIMOUS

Moderator John Blake makes a motion to adjourn and it is seconded

Meeting adjourned at 9:16 PM

A TRUE COPY OF RECORD

*Deborah Pereira*, Town Clerk