



ANNUAL TOWN MEETING TOWN OF BERKLEY JUNE 5, 2017

Moderator: John D. Blake
Berkley Middle School

Clerk: Deborah Pereira
Attendance: 755

The Moderator called the meeting to order at 7:20 p.m.

Mr. Blake started with The Pledge of Allegiance and a moment of silence for those that couldn't be at the meeting. He motioned to the exits in the event of an emergency.

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 it was seconded to see if the Town will vote to hear the report from the Finance Committee, or to take any action relative thereto. Ed Hoak reads the report in its entirety from The Finance Committee (attached)

VOTE: PASS, UNANIMOUS

ARTICLE 2: A motion was made by Wendy Cochrane and seconded to see if the Town will vote to appropriate and transfer from available FY17 funds a sum of money to various departments, and for any **unpaid bills of prior years**, or to take any other action relative thereto. No discussion

VOTE, PASS, MAJORITY, Little opposition

ARTICLE 3: A motion was made by Gilbert Pontes and seconded to see if the Town will vote to hear the report of the **Capital Improvement Planning Committee**, or to take any other action relative thereto. John Blake announces that there is no one present at the meeting to report therefore he is closing the Article

ARTICLE 4: Closed Article 4, No report to read. To see if the Town will vote to hear the report of the **Town Hall Building Committee**, or to take any other action relative thereto

ARTICLE 5: A motion was made by Wendy Cochrane and seconded to see if the Town will vote to raise, appropriate, transfer or otherwise fund an additional \$950,000 for the purpose of providing additional funding for the regional high school district stabilization fund and that said funding shall be contingent upon the passage of a proposition two and one-half over ride, so-called, pursuant to G.L. c. 59 sec. 21C(g), or take any action relative thereto.

Presentations were led by Paula Dugan, Member of The Board of Library Trustees, Dean Larabee, Vice Chair of The Somerset Berkley Regional School Committee, Jeffrey Schoonover, Superintendent of Somerset Schools. Discussion from the floor, motion to move to a vote. Mr. Blake explains the majority show of hands, if he cannot make a clear determination, we will move to a paper vote. He also explains that if the Article passes, we will

TABLE Article 6

VOTE, PASS, MAJORITY (show of hands)

ARTICLE 6: To see if the Town will vote to raise, appropriate, transfer or otherwise fund an additional \$675,000 for the purpose of providing additional funding for the regional high school district stabilization fund and that said funding shall be contingent upon the passage of a proposition two and one-half over ride, so-called, pursuant to G.L. c. 59 sec. 21C(g), or take any action relative thereto.

TABLED

ARTICLE 7: A motion was made by George Miller and seconded 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 ensuing twelve (12) month period thru June 30, 2018, or to take any other action relative thereto. George Miller reads full report (FY18) (attached)

Mr Miller also adds that the funding only funds the Library for ½ year.

Questions from the floor to explain library funding, questions regarding funding that doesn't seem complete. Joe Botelho, voter, questions on how to amend the motion. He proposes to move \$20,000 from line item to Library

funding. He submits a letter stating the proposal but Mr. Blake explains that in absence of a hold placed on the reserve fund, the motion to amend is out of order.

VOTE, PASS, MAJORITY

ARTICLE 7	Department	Account	FY18 FINCOM Recommended
114	Moderator	Salary	\$74
		Expense	\$1,100
			\$1,174
122	Selectman	Salary	\$9,460
		Personnel	\$76,365
		Expense	\$3,519
		Sealer of Weights and Measures	\$1,000
			\$90,344
131	FINCOM	Expense	\$990
			\$990
132	Reserve	Reserve	\$25,000
			\$25,000
135	Accountant	Personnel	\$48,304
		Expense	\$31,075
			\$79,379
141	Assessor	Salary	\$10,933
		Personnel	\$18,846
		Expense	\$9,500
		CAMA	\$5,375
		Recertification	\$5,000
		Tax Maintenance	\$6,000
			\$55,654
145	Treasurer	Salary	\$28,850
		Personnel	\$12,222
		Expense	\$14,455
			\$55,527
146	Collector	Salary	\$28,850
		Personnel	\$27,267
		Expense	\$9,975
			\$66,092
151	Counsel	Town Counsel	\$32,500
			\$32,500

158	Tax Title	Tax Title Expense	\$7,250
			\$7,250
161	Town Clerk	Salary	\$28,850
		Personnel	\$18,317
		Expense	\$7,100
			\$54,267
162	Elections	Elections	\$15,000
			\$15,000
163	Registration	Registration	\$2,100
			\$2,100
175	Planning Board	Salary	\$924
			\$924
192	Town Office Building	Town Hall Maint Expense	
		Maintenance Personnel	\$28,572
		Expense	\$24,225
			\$52,797
193	Town Water	Public Water Supply	\$0
			\$0
210	Police	Personnel	\$785,579
		Expense	\$77,623
		Union Contract	\$56,750
		Contracted Services	\$4,445
		Critical Incident Training	\$5,000
			\$929,397
220	Fire	Personnel	\$172,112
		Expense	\$38,000
		Turnout Gear (2); Oxygen Bottles	\$8,000
			\$218,112
230	Ambulance	Personnel	\$294,960
		Expense	\$54,275
		Contracted Services	\$9,916
			\$359,151

241	Building Department	Personnel	\$26,413
		Expense	\$1,800
			\$28,213
250	Public Safety Building	Expense	\$39,066
			\$39,066
290	Tree Warden	Salary	\$3,300
		Expense	\$8,000
			\$11,300
292	Animal Control Officer	Personnel	\$9,360
		Expense	\$2,920
			\$12,280
299	Communications	Personnel	\$261,286
		Expense	\$8,000
		Union Contract	\$19,822
			\$289,108
420	Highway / DPW	Salary, Surveyer	\$63,336
		Personnel	\$375,159
		Expense	\$172,000
		Contracted Service	\$48,500
		Union Contract	\$14,500
		Snow Removal	\$65,000
		Storm water Management	\$5,000
			\$743,495
425	Lights	Street Lights	\$3,000
			\$3,000
491	Cemetery	Salaries	\$366
		Expense	\$4,000
			\$4,366
510	Board of Health	Salary	\$2,258
			\$2,258
541	Council on Aging	Council on Aging	\$6,500
			\$6,500

543 Veterans	Personnel	\$8,036
	Veteran's Benefits	\$40,000
	Expense	\$4,500
		\$52,536
610 Library	Library Trustees Salary	\$605
	Salary	\$23,418
	Personnel	\$24,364
	Expense	\$14,649
		\$63,036
710 Veterans Graves	Care Vets Graves	\$250
	Memorial Day & Vets	\$700
		\$950
830 Assessments	Bristol City Retirement	\$534,002
	SRPEDD	\$1,143
		\$535,145
910 Insurance	Health Ins-Town	\$279,582
	Medicare	\$145,000
		\$424,582
940 Miscellaneous	Insurance Premium Town	\$120,899
	Software Maintenance	\$21,100
	IMC-CJS Software	\$18,000
	Town Fuel Account	\$120,000
	Municipal Lease	\$75,000
	Internet/Telephone Service	\$15,020
	Harpers Payroll	\$13,000
	Unemployment	\$31,500
	Record Archiving	\$1,000
	Historic Commission	\$100
		\$415,619
LINE TOTALS		\$4,677,112
	Ambulance User Fee	\$200,000
	Stabilization	\$0
	Other Revolving Funds	\$0
	Free Cash	\$0
	Taxation & State Aid	\$4,477,112
TOTAL AVAILABLE FUNDS		\$4,677,112
SURPLUS / (DEFICIT)		\$0

ARTICLE 8: A motion was made by Wendy Cochrane and seconded 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:** Middle School debt service; School Renovation Debt Service; Well Debt Service; Multi-use Land Debt Service; Somerset Berkley Regional School Debt Service; Town Office Building Debt Service; Fire Tanker; or to take any other action relative thereto. No discussion.
VOTE, PASS, UNANIMOUS

711	Exempt Debt	Middle School Debt Service	\$970,000
		Middle School Interest Service	\$123,000
		School Renovation Debt 2	\$10,000
		School Renovation Interest 2	\$1,300
		Town Well Debt	\$20,000
		Town Well Interest	\$2,600
		Multi Use Land debt	\$80,000
		Multi-Use Land Interest	\$9,700
		Town Office Building Debt	\$145,000
		Town Office Building Interest	\$99,100
		SBRSD High School Debt	\$330,096
		SBRSD High School Interest	\$264,765
		Fire Tanker Truck Debt	\$134,000
		Fire Tanker Truck Interest	\$2,000
			\$2,191,561

ARTICLE 9: A motion was made by Gilbert Pontes 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. No discussion
VOTE, PASS, UNANIMOUS

300	Schools	School Committee Salary	\$924
		Berkley School	\$7,392,425
		K-8 Health Coverage	\$835,759
		K-8 Insurance Premiums	\$81,000
		SBRSD	\$0
		Transfer High School	\$0
		Bristol County Agricultural High School	\$16,936
		Bristol Plymouth High School	\$792,455
			\$9,119,499

ARTICLE 10: A motion was made by George Miller to see if the Town will approve the Somerset/Berkley Regional School District budget for fiscal year 2018 and raise and appropriate or transfer from the Somerset/Berkley Regional School District stabilization fund the sum of \$2,490,364.00 contingent upon the passage of a proposition two and one-half stabilization override vote pursuant to G.L. c.. 59 sec. 21C (g) to pay its assessed share of that budget, or take any other action relative thereto. Needs a 2/3 majority to pass. With a show of hands, Mr. Blake determines and announces it has **PASSED with a 90 – 95% majority**.

ARTICLE 11: A motion was made by Wendy Cochrane 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. No discussion.
VOTE, PASS, UNANIMOUS

ARTICLE 12: A motion was made by Gilbert Pontes to see if the Town will vote to hear the report of the **Somerset Berkley Regional Planning Board**, or to take any other action relative thereto.

VOTE, PASS, UNANIMOUS

ARTICLE 13: A motion was made by George Miller 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. No discussion.

VOTE, PASS, UNANIMOUS

ARTICLE 14: A motion was made by Wendy Cochrane 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 2018, or to take any other action relative thereto. No discussion.

VOTE, PASS, UNANIMOUS

ARTICLE 15: A motion was made by Gilbert Pontes 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: \$75.00 per perc hole, \$100.00 per well inspection, \$150 per sanitation inspection, \$75.00 per food service inspection, \$75.00 per pumper truck inspection, \$75.00 for other miscellaneous inspections when a license or certificate is required, or to take any other action relative thereto. No discussion.

VOTE, PASS, UNANIMOUS

ARTICLE 16: A motion was made by George Miller to see if the Town will vote to authorize the following accounts to reestablish **revolving funds** under MGL, Ch 44, Sec 53E½ and to amend the Town of Berkley General Bylaws by adding a new Article 35 entitled "Revolving Funds":

Wiring Inspector – limit: \$10,000.00; source: fees; purpose: salaries/ advertising/ postage/general office expenses/equipment/mileage & training. **(To be expended by the Building Inspector)**

Gas/Plumbing Inspector – limit \$10,000.00; source: fees; purpose: salaries/ advertising/postage/general office expenses/equipment/mileage & training. **(To be expended by the Building Inspector)**

Board of Appeals - Source: fees; use: advertisement/postage/professional fees, excluding legal/general office expense/equipment. Spending limit is set at \$5,000.00.

Planning Board – Source: fees; use: advertising/postage/professional fees, excluding legal/general office expenses/Planning Board Clerical and equipment. Spending limit is set at \$10,000.00.

Soil Conservation Board - Source: filing fee expense; use: advertisement/clerical /postage/professional fees, excluding legal/general office expense & equipment. Spending limit is set at \$5,000.00.

Board of Health – Inspection Account – Source: all fees and charges received from ANY inspections. Use: salaries, expenses and professional services, including ALL inspections. Spending limit is set at \$48,300.00.

Police Department - Source: fees; Use: police detail salaries. Spending limit is set at \$60,000.00.

School Department – Source: Somerset/Berkley Regional School District; Use: reimbursement for expenses incurred for transporting special needs students to Somerset/Berkley Regional High School; spending limit is set at \$60,000.00

New article to read as follows:

ARTICLE 35
Departmental Revolving Funds

SECTION 1. PURPOSE

This by-law establishes and authorizes revolving funds for use by Town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.

SECTION 2. EXPENDITURE LIMITATIONS

A. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:

1. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
2. No liability shall be incurred in excess of the available balance of the fund.
3. The total amount spent during a fiscal year shall not exceed the amount authorized by Town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the select board and finance committee.

SECTION 3. INTEREST

Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.

SECTION 4. PROCEDURES AND REPORTS

Except as provided in General Laws Chapter 44, § 53E½ and this by-law, the laws, charter provisions, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of Town monies and the expenditure and payment of Town funds shall apply to the use of a revolving fund established and authorized by this by-law. The Town accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the Town accountant provides the department, board, committee, agency or officer on appropriations made for its use.

SECTION 5. AUTHORIZED REVOLVING FUNDS

A. the Table establishes:

1. Each revolving fund authorized for use by a town department, board, committee, agency or officer,
2. The department or agency head, board, committee or officer authorized to spend from each fund,
3. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the town accountant,
4. The expenses of the program or activity for which each fund may be used,
5. Any restrictions or conditions on expenditures from each fund,
6. Any reporting or other requirements that apply to each fund, and
7. The fiscal years each fund shall operate under this by-law.

FUND	REVENUE SOURCE	AUTHORITY TO SPEND FUNDS	USE OF FUNDS	FISCAL YEARS
<i>Wiring Inspector</i>	Monies paid for fees	Building Inspector	Salaries/advertising Postage/general office/equipment	Fiscal Year 2018 and subsequent years
<i>Gas / Plumbing Inspector</i>	Monies paid for fees	Building Inspector	Salaries/advertising Postage/general office/ equipment	Fiscal Year 2018 and subsequent years
<i>Board of Appeals</i>	Monies paid for fees	Board of Appeals	Salaries/advertising postage/general office/and equipment	Fiscal Year 2018 and subsequent years
<i>Planning Board</i>	Monies paid for fees	Planning Board	Salaries/advertising/ postage/general office expense/and equipment	Fiscal Year 2018 and subsequent years
<i>Soil Conservation Board</i>	Monies paid for fees	Board of Selectmen	Salaries/advertising/ postage/general office expense/and equipment	Fiscal Year 2018 and subsequent years

Board of Health	Monies paid for fees and charges received for any inspection	Board of Health	Salaries/advertising/postage/general office expense/and equipment /professional services including all inspections	Fiscal Year 2018 and subsequent years
Police Department	Monies paid for details	Police Chief	Salaries for police details	Fiscal Year 2018 and subsequent years
School Department	Somerset Berkley regional school district	Berkley School Committee	Reimbursement for expenses incurred for transporting special needs students to Somerset Berkley regional High School	Fiscal Year 2018 and subsequent years

B. Motion: That the Town authorize the total expenditures for the following revolving funds pursuant to G.L. c. 44 Section 53E ½ for the fiscal year beginning July 1, 2017 to be expended in accordance with the bylaws heretofore **approved**

FUND	SPENDING LIMIT
Wiring Inspector	10,000.00
Gas/Plumbing Inspector	10,000.00
Board of Appeals	5,000.00
Planning Board	10,000.00
Soil Conservation Board	5,000.00
Board of Health	48,300.00
Police Department	60,000.00
School Department	60,000.00

C. Motion: I move that the Town authorize revolving funds under MGL Chapter 44, Section 53E½ for the fiscal year beginning July 1, 2017 as set forth in Table 1. and Table 2. as described in the prior motion and printed above.

No discussion, **VOTE, PASS, UNANIMOUS**

ARTICLE 17: A motion was made by Wendy Cochrane to see if the Town will vote to amend Article 28 of the General by Laws of the Town of Berkley, entitled "Quorum" as follows: delete 100 voters and replace with 75 voters, or take any other action related thereto. Some discussion.
VOTE, DEFEATED

The Moderator made a motion to adjourn and it was seconded. Meeting adjourned at 9:33PM

A TRUE RECORD ATTEST

Deborah Pereira Town Clerk