

# MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 02/05/2025

SELECTMEN IN ATTENDANCE: Tabitha K. McCrohan, Chairwoman, Jennifer Vincent, Clerk, Joe Freitas, Member

TOPIC		ACTION
	Meeting Convened at 6:01 p.m. in the Moitoza-Petty Hearing Room	
Public Hearing	<p>Pursuant to Article 12, Section 4, of the General Bylaws of the Town of Berkley, the Soil Conservation Board will hold a public hearing on Wednesday, February 5, 2025, at 6:00 p.m. in the Moitoza – Petty Hearing Room at the Town Office Building, One North Main Street, Berkley, Massachusetts, regarding the application of Malloch Construction Co., Inc. for an Earth Alteration Permit to perform work at property known as and numbered 43 Elm Street, Berkley, Massachusetts, further identified in the Assessor's records at Map 4, Lot 81. Interested parties are welcome to attend and comment. A copy of the aforesaid application is on file with the Town Clerk and is available for public inspection during the Town Offices' regular business hours.</p> <p>Freitas inquired if all the abutters were notified and they were via mail Chabot answered.</p> <p>Carol Malloch said one more year should be sufficient, they thought they would have it finished by now.</p>	<p>McCrohan motion to enter Public Hearing; Vincent 2<sup>nd</sup>; voted.</p> <p>McCrohan motion to approve; Vincent 2<sup>nd</sup>; voted.</p> <p>McCrohan motion to close Public Hearing; Vincent 2<sup>nd</sup>; voted.</p>
Appointments	<p>Board to appoint Melissa Frappier to the position of Treasurer Clerk. Frappier worked in two municipalities over the last two years; Freetown and Marion in the Treasurer's office for both.</p> <p>Freitas said he is conflicted because he said we have talked about professionalizing everything and as he looks at Frappier's resume she has everything we are looking for however it is a union position and we need to take into consideration budget. Even though it is a budgeted position, it is still a union position and he cannot support this role at this time and give his vote. Freitas asked where does it come down to as the board to making these decisions on where we are going to cut from. Freitas stated he would hate to hire someone and put them in a position and then six months later have to get rid of the position due to a matter of timing. Freitas just wants to be consistent.</p> <p>Vicent said she agrees but we had the conversation when we decided to post this position and wants to take away some of the negativity now that she is sitting in front of us about to be hired.</p> <p>McCrohan confirmed that the Town of Berkley is facing some challenging budget times and we essentially need to make cutbacks and make our foundation better but she is comfortable with this position moving forward.</p> <p>General government can't be cut anymore in this building we already only offer 20 hours to the general public.</p> <p>Freitas said only saving grace here is it isn't a new position and is an existing position.</p>	<p>McCrohan recommend to Personnel Board; Chabot 2<sup>nd</sup>; voted.</p> <p>McCrohan motion to hire; Vincent 2<sup>nd</sup>; voted.</p> <p>Vincent called for a vote; McCrohan 2<sup>nd</sup>; voted. Freitas nay.</p>
New Business	<p>Capital Improvement Planning Committee Appointments is discussed. Freitas said he thinks where we need to go is a bylaw change. Freitas stated, as we have learned through the many years of working and doing the right thing for Berkley, sometimes there are regulations in place that were a good idea at one time to keep a small-town feel. However, sometimes we over-regulate he stated. There are have a lot of problems with town bylaws from what</p>	

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	<p>Freitas says he has learned. Freitas thinks it's time to go back to the towns people and make a change. We don't have the funds for a town planner but we can modify restrictions.</p> <p>Board discussed the potential to authorize signature of letter of support of Massachusetts Broadband Institute (MBI).</p> <p>Verizon applied to be part of the MBI.</p> <p>McCrohan thinks it would be great for the town because it would be a great competitor for Comcast. TMLP does work in some spots as well.</p> <p>Board discussed and considered Recall Process.</p> <p>McCrohan stated we don't have a recall process for elected officials. Fairhaven did it a couple years ago and they were able to implement the recall process. We haven't needed one thus far but doesn't mean we won't in the future so we should look into bylaws surrounding this.</p> <p>Vincent stated there is an example in the meeting materials from Lakeville. Vincent said there are state guidelines we will have to follow.</p> <p>McCrohan stated that just so everyone knows there are many towns that get to the state level and get denied because they do not meet the guidelines. There are stipulations that need to be abided by. We can adjust things but for the most part it is pretty black and white and the individual needs to be negligent in their role.</p> <p>Board to review and approve One Day Liquor License for Bay State Beagle Club.</p> <p>Board to discuss suggestions on behalf of the town to the 3A committee. February 21, 2025 does not give us a lot of time.</p> <p>Freitas stated that is how it is intended to be so they don't give you a lot of time to have these discussions.</p> <p>Vincent said she suggests we submit these comments to Chabot by end of week. We don't have a meeting before this deadline and McCrohan suggested BOS meets next week to discuss just this topic.</p> <p>Freitas stated that we include Public Input. Chabot said he will include a handful of departments to get input from the building.</p>	<p>Information Only; No Action Needed</p> <p>McCrohan motion to sign MBI and send; Freitas 2<sup>nd</sup>; voted.</p> <p>Information Only; No Action Needed</p> <p>McCrohan motion to approve one day liquor license; Freitas 2<sup>nd</sup>; voted.</p> <p>Information Only; No Action Needed</p>
Old Business	<p>Board to review and sign declaration for Junior Selectmen position in the Town of Berkley.</p> <p>Freitas stated for the record as we discuss this, he did pass an email to Mr. Miller to get some of his input. The process is up to the BOS, tonight is just to get the position signed for.</p> <p>Mr. Miller stated he envisioned this position as an 8<sup>th</sup> grade position that the kids get to choose who is elected. But he said for this it would not be handpicked, but a kid who wants to serve the community. Coordinating with the school could help so they can let kids know they can join something like this.</p>	

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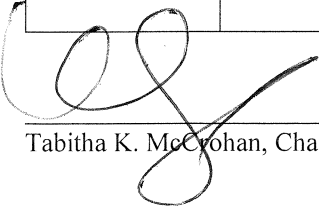
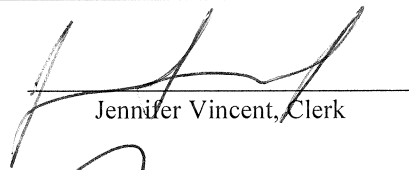

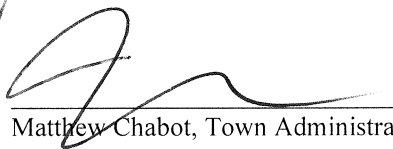
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	<p>Freitas stated he thinks this is a great idea and McCrohan agreed.</p> <p>Chabot stated the only concern is term; if they think one year is too much we can adjust. McCrohan suggested they elect end of 7<sup>th</sup> grade through the summer and into 8<sup>th</sup> grade. Elect in May and then go into their 8<sup>th</sup> grade year and be done before the enter high school.</p> <p>Freitas said he likes the year idea so they know it isn't just through the school year but also through summer.</p>	<p>McCrohan moved the declaration; Freitas 2<sup>nd</sup>; voted.</p>
Meeting Mail	<p>Confirmation of Interim Compliance with MBTA Communities Law. We are in compliance for the adjacent small-town law. This will happen until December 31, 2025.</p>	<p>McCrohan motion to file; Freitas 2<sup>nd</sup>; voted.</p>
Meeting Minutes	<p>Board to approve Meeting Minutes of January 23, 2025.</p> <p>Board to approve Executive Session Minutes of January 23, 2025.</p>	<p>McCrohan motion to accept all Meeting Minutes; Freitas 2<sup>nd</sup>; voted.</p>
Town Administrator Report	<p>New website launch. Timeline for website launch has moved up. Department heads just need to review their pages and then we will be ready to go hopefully around February 20, 2025.</p> <p>The intention is to match the branding for the Fire and Police Department in Berkley. This will also allow staff to be able to control their pages.</p> <p>Freitas asked if it would improve his email service, Chabot replied no and that server is a whole different issue.</p> <p>You can also pay your taxes online with the updated website launch.</p>	
	<p>MIIA Rate Increases. Chabot stated that health and dental insurances are seeing increases for FY26. We were at a 7.21% increase from last year but this year is 9.9%-19.9% increase. Higher premium costs. We already have a 60-40 split with employees right now.</p>	<p>Information Only; No Action Needed</p>
Public Input	<p>Mark Horsfall states he talked with Rob Rose and Mr. Rose said he doesn't have enough help for snow. Horsfall said he has the proper snow removal equipment and will be willing to help if the town would allow some type of charge off or tax deduction.</p> <p>Vincent stated Norton has something similar to this maybe we can inquire.</p> <p>Freitas stated he likes the idea.</p> <p>Horsfall said he is fine with volunteer labor but the equipment he would like to be insured.</p>	

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	<p>Chabot stated that he will look into this.</p> <p>Freitas said there is a lot of legal aspects to this but we can definitely look at this and it is something we should look at especially when we are not looking at town equipment.</p> <p>Horsfall brings up the January 30, 2025 Public Records request. Horsfall said the next day he got a threatening phone call.</p> <p>Freitas had asked to release the public record in regard to this. At that point, he was given an email back to say that both selectmen were okay with it being released redacted. All emails sent and received are not private.</p> <p>Freitas stated he cannot be held accountable for others actions. Horsfall asked if he always forwards his public records requests to Mr. Miller to which Freitas replied that he seeks council when he sees fit.</p>	
Executive Session	<p>Board to enter into Executive Session pursuant to M.G.L. c. 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; review of matter; votes may be taken.</p> <p>Board to enter into Executive Session pursuant to M.G.L. c. 30A, § 21(a)(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; review of matter; votes may be taken.</p>	Information Only; No Action Needed
Adjournment	<p>The Board voted to enter into Executive Session and not return to open session with the next scheduled meeting being Wednesday, February 26, 2025 at 6:00 p.m.</p>	McCrohan motion to enter into Executive Session; Freitas 2 <sup>nd</sup> ; voted.

  
Tabitha K. McCrohan, Chairwoman  
Jennifer Vincent, Clerk  
Joe Freitas, Member  
Matthew Chabot, Town Administrator