

ANNUAL TOWN MEETING  
MONDAY, JUNE 6, 2022

Moderator: George Miller  
Attendance: 146

Town Clerk: Heather Almy

Called to order: 7:22 PM

Moderator started the meeting with the Pledge of Allegiance

Moderator, George Miller made a motion and it was seconded to read the warrant as printed in its entirety, so moved

Article 1 Selectman Larabee made a motion and it was seconded to hear the report of the Finance Committee.

Report was read by Joe Freitas, Chairman of Finance Committee

## **Finance Committee**

### **Town of Berkley FY23 Annual Report**

The Fiscal Year 2023 budget season has been a long and arduous process. As we all have had to live with the continuous waves of COVID-19, historical inflation, rising interest rates, rising gas prices, and the continuous political divide amongst our political parties with no compromise in site. Inflation at an increase of 8.3% according to the Bureau of Labor statistics for the month ending April 2022, which has led to price increases to every aspect of our lives and have stretched this towns finances in every department's budgets. Just in transportation costs alone, this accounted for an 13.11% increase and in real dollars that's an increase of 69,543 dollars.

With no end in site to the high rate of inflation and the attempt of the Federal Reserve to increase of interest rates to cool inflation, it will have an impact on members of the community dealing with increase mortgage payments and the legitimate risk of a recession later in the year. For this committee, it meant being committed to conservative spending, even if other revenue streams materialize. Eliminating the structural deficit through consistency, rather than radical cuts that will hurt the same departments that have been modernized and have been suggested by previous audits.

This would also preclude adding monies to the unemployment line to pay for laid off staff and maintaining the level of services that we have in the town of Berkley. FY 23's budget that will be presented is an unbalanced budget of 70,117 left to be appropriated during the November Special Town meeting. This is not surplus monies, the financial team must complete contract negotiations for the Police Department, Communications(Dispatchers), Clerical Staff, and Contract employees. All of the above employees' contracts expire June 30, 2022.

One of the Finance Committee's objective this year was to reduce the usage of Free Cash (Available Funds) for the operational budget. Fiscal Year 22 we utilized 305,000 towards the budget, FY 23 we reduced it further to 225,000 with a reduction of 140,000 in the last two budget cycles.

**The total proposed budget for FY23 is 21,192,691 that is an increase of 633,161 or a 3.08% increase from the previous year. This includes a onetime amount of 164,728 that was added for the Police Chief buyout and regulatory measures. The one time buy out was already put aside from last years appropriations.**

Summary of the Finance Committee's budget recommendation for Fiscal Year 2023 include:

1. Overall the Budget increased by \$633,161 or 3.08% from FY 2022.
2. Revenue for FY 23 is proposed at \$22,152,739 an increase from \$21,509,291. When excluding free cash, revenue has increased \$723,978, or 3.41%.
3. Fully fund the Somerset Berkley Regional High School District budget request of \$2,694,331 an increase of \$141,737.
4. K-8 Budget is \$9,013,428 from \$8,737,365 an increase of \$276,063
5. Bristol Plymouth Regional Technical High School assessment decreased from \$991,871 to \$969,035 a decrease of \$22,836.
6. Bristol County Agriculture High School assessment increased from \$72,451 to \$137,950 an increase of \$65,499.
7. Library fully funded.
8. All elected positions received a 1.5% increase, this total was \$ 1995.00
9. A Police cruiser wasn't added to the Operational Budget for the 2<sup>nd</sup> consecutive year and is being requested through the Debt Exclusion.

The Financial Advisory Committee met and approved the following items from available funds, also known as Free Cash. (\$1,019,894)

1. November Town Meeting utilized 174,892.00
2. Balance for to Replace Engine 1 - 367,281.00
3. Snow and Ice account - 81,805.99
4. OPEB contribution by FAC Bylaw - 22,444
5. Voting Tabulators (Originally on Debt Exclusion) – 15, 500
6. Fiscal Year 23 Budget - 225,000
7. Balance Rollover to next year's Available Funds - 132,971

The Finance Committee would like to thank all Departments for their understanding that the requests they submitted couldn't all be fulfilled. The Town of Berkley faces many hurdles as this committee has been stating at every annual town meeting and during all our meetings. We as a committee have attempted to continue the modernization of all departments. Education continues to be the biggest driver of our budget and will be in the near future with the Community School assessment, the Bristol Plymouth Technical High School, Bristol Agricultural High School's increased assessment and the continued funding of Somerset Berkley High School.

With regards to Article 12, the Finance Committee supports the purchase of the listed items through debt exclusion. Available funds have proven inadequate to serve the needs of all town departments in an equitable fashion. This Committee's absolute priority is to eliminate free cash from the operating budget over the course of future FYs, allowing those funds to be directed towards capital purchases. Even in that event, available funds may not always be capable of shouldering the burden alone. With a yes vote on Article 12, you will provide necessary equipment to the departments of this town to better serve you.

The Finance Committee members at attendance voted to support all Articles on the town warrant.

Joe Freitas, Chairmen  
Michelle Hamilton, Secretary  
Nancy Gajoli, Member  
Tabitha McCrohan, Member  
Matthew Chabot, Member

**Article 2** Selectman Cochrane made a motion and it was seconded that the Town transfer and appropriate from available FY22 funds the following amounts:

1. Snow and Ice Account	\$81,806.00
2. OPEB Account	\$22,444.00
3. Fire Truck Replacement E1	\$367,281.00
4. Tabulators for Town Clerk	\$15,500.00
Totaling	\$487,031.00

No discussion, Motion carried unanimously

**Article 3** Selectmen Larabee made a motion and it was 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 departments for the ensuing twelve (12) month period through June 30, 2023 **all as set forth in the budget presented by the Finance Committee:**

**READ OFF BUDGET SHEET LABLED ARTICLE 3**

For a total from taxation of	\$ 5,975,577.00
From Ambulance User Fees	\$ 300,000.00
Post Retirement Buy-Out Account	\$ 164,728.00
Totaling	\$ 6,440,305.00

# ARTICLE # 3 BUDGET SHEET

REQUEST  
FY 2023

FINCOM  
RECOMM

**DEPARTMENT NAME**  
ACCOUNT NAME

**RESERVE FUND**

Expense	25,000	25,000
<b>Total</b>	<b>25,000</b>	<b>25,000</b>

**DEPARTMENT NAME**  
ACCOUNT NAME

**MODERATOR**

Stipends	100	102
Expense	3,200	3,200
<b>Total</b>	<b>3,300</b>	<b>3,302</b>

**DEPARTMENT NAME**  
ACCOUNT NAME

**SELECTMEN**

Salaries Elected	11,374	11,545
Salaries	88,892	88,892
Expense	6,586	6,586
<b>Total</b>	<b>106,852</b>	<b>107,023</b>

**DEPARTMENT NAME**  
ACCOUNT NAME

**FINANCE COMMITTEE**

Expense	1,330	1,330
<b>Total</b>	<b>1,330</b>	<b>1,330</b>

**DEPARTMENT NAME**  
ACCOUNT NAME

**TOWN ACCOUNTANT**

Salaries	89,295	89,295
Expense	29,750	29,750
Capital Outlay	0	0
<b>Total</b>	<b>119,045</b>	<b>119,045</b>

**DEPARTMENT NAME****ASSESSORS**

ACCOUNT NAME

Salaries Elected	11,658	11,545
Salaries	51,800	30,615
Expense	27,880	38,715
Capital Outlay	0	0
Total	91,338	80,875

**DEPARTMENT NAME****TOWN TREASURER**

ACCOUNT NAME

Salaries Elected	31,854	31,698
Salaries	44,628	44,628
Expense	19,715	19,715
Capital Outlay	0	0
Total	96,197	96,041

**DEPARTMENT NAME****TOWN COLLECTOR**

ACCOUNT NAME

Salaries	32,854	32,698
Salaries	29,892	29,892
Expense	15,000	14,615
Capital Outlay	0	0
Total	77,746	77,205

**DEPARTMENT NAME****TOWN COUNSEL**

ACCOUNT NAME

Expense	45,000	45,000
Total	45,000	45,000

**DEPARTMENT NAME****DATA PROCESSING**

ACCOUNT NAME

Salaries	0	0
Expense	88,244	88,244
Capital Outlay	5,000	5,000
Total	93,244	93,244

**DEPARTMENT NAME****TOWN CLERK**

ACCOUNT NAME

Salaries Elected	31,854	31,698
Salaries	20,864	20,864
Expense	6,700	6,700
Capital Outlay	1,000	1,000
Total	60,418	60,262

**DEPARTMENT NAME****ELECTIONS & REGISTRATIONS**

ACCOUNT NAME

Salaries	7,500	7,500
Expense	9,600	9,600
Capital Outlay	0	0
Total	17,100	17,100

**DEPARTMENT NAME****PLANNING BOARD**

ACCOUNT NAME

Salaries Elected	924	938
Total	924	938

**DEPARTMENT NAME****TOWN BUILDINGS**

ACCOUNT NAME

Salaries	13,400	12,000
Expense	39,747	39,747
Total	53,147	51,747

**DEPARTMENT NAME****PUBLIC SAFETY BUILDING**

ACCOUNT NAME

Expense	73,239	67,239
Capital Outlay	6,000	6,000
Total	73,239	73,239

**DEPARTMENT NAME****POLICE DEPT.**

ACCOUNT NAME

Salaries	1,258,133	1,408,014
Expense	107,015	105,765
Capital Outlay	68,596	0
Total	1,433,744	1,513,779

**DEPARTMENT NAME****FIRE DEPARTMENT**

ACCOUNT NAME

Salaries	156,060	153,448
Expense	66,110	66,110
Capital Outlay	10,000	10,000
Total	232,170	229,558

**DEPARTMENT NAME****EMERGENCY MEDICAL SERVICES**

ACCOUNT NAME

Salaries	496,980	463,980
Expense	68,900	68,650
Capital Outlay	6,000	2,500
Total	571,880	535,130

**DEPARTMENT NAME****BUILDING DEPARTMENT**

ACCOUNT NAME

Salaries	43,502	43,086
Expense	1,750	1,750
Capital Outlay	0	0
Total	45,252	44,836

**DEPARTMENT NAME****COMMUNICATIONS DEPT.**

ACCOUNT NAME

Salaries	327,265	327,265
Expense	13,565	13,565
Capital Outlay	0	0
Total	340,830	340,830

**DEPARTMENT NAME****ANIMAL CONTROL/DOG OFFICER**

ACCOUNT NAME

Salaries	18,724	23,900
Expense	2,570	2,570
Total	21,294	26,470

**DEPARTMENT NAME****FORESTRY**

ACCOUNT NAME

Salary Elected	3,534	3,417
Expense	64,700	20,000
Total	68,234	23,417

**DEPARTMENT NAME****HIGHWAY DEPARTMENT**

ACCOUNT NAME

Salaries Elected	70,573	68,221
Salaries	524,872	503,724
Expense	365,055	365,055
Capital Outlay	5,000	5,000
Total	965,500	942,000

**DEPARTMENT NAME****VETERANS GRAVES**

ACCOUNT NAME

Expense	1,250	1,250
Total	1,250	1,250

**DEPARTMENT NAME****STREET LIGHTS**

ACCOUNT NAME

Expense	5,000	4,000
Total	5,000	4,000

**DEPARTMENT NAME****CEMETERY**

ACCOUNT NAME

Salaries	366	371
Expense	7,500	7,500
Total	7,866	7,871

**DEPARTMENT NAME****HEALTH DEPARTMENT**

ACCOUNT NAME

Salaries Elected	2,258	2,292
Capital Outlay	0	0
Total	2,258	2,292

**DEPARTMENT NAME****COUNCIL ON AGING**

ACCOUNT NAME

Salaries	26,000	26,000
Expense	10,090	9,715
Capital Outlay	0	0
Total	36,090	35,715

**DEPARTMENT NAME****VETERANS DEPARTMENT**

ACCOUNT NAME

Salaries	8,487	8,487
Expense	4,500	4,500
Veterans Benefits	40,000	40,000
Total	52,987	52,987

**DEPARTMENT NAME****LIBRARY DEPARTMENT**

ACCOUNT NAME

Salaries	117,579	116,202
Expense	39,555	37,733
Capital Outlay	0	0
Total	157,134	153,935

**DEPARTMENT NAME****CELEBRATIONS 6692**

ACCOUNT NAME

Expense	1,000	1,000
Total	1,000	1,000

**DEPARTMENT NAME****HISTORICAL COMMISSION**

ACCOUNT NAME

Expense	100	100
Total	100	100

**DEPARTMENT NAME****MISCELLANEOUS**

ACCOUNT NAME

Town Fuel	100,000	100,000
SRPEDD	1,231	1,231
Unfunded Liability	30,000	30,000
Total	131,231	131,231

**DEPARTMENT NAME****PENSIONS**

ACCOUNT NAME

BRISTOL COUNTY RETIREMENT	777,334	777,334
MEDICARE	180,000	180,000
Total	957,334	957,334

**DEPARTMENT NAME****HEALTH INSURANCE**

ACCOUNT NAME

BLUE CROSS/ BLUE SHIELD HEALTH	430,000	430,000
FLEXIBLE BENEFIT PLAN	0	0
Total	430,000	430,000

**DEPARTMENT NAME****LIABILITY INSURANCE**

ACCOUNT NAME

INS. PR. DIS.-FIRE-POL. ACC. H	56,516	56,516
LIABILITY INSURANCE	79,390	79,390
Total	135,906	135,906

**DEPARTMENT NAME****WORKERS COMPENSATION**

ACCOUNT NAME

FRINGE BENEFIT/CHARGES	14,313	14,313
Total	14,313	14,313

**DEPARTMENT NAME****UNEMPLOYMENT COMPENSATION**

ACCOUNT NAME

UNEMPLOYMENT INSURANCE	5,000	5,000
Total	5,000	5,000

**For a Total from taxation of****\$ 5,975,577.00****From Ambulance User Fees****\$ 300,000.00****OPEB Post Retirement****\$ 164,728.00****Totaling****\$ 6,440,305.00**

Moderator George Miller explained the Communications Dept., Fire Chief Scott Fournier questioned the Ambulance User Fees, No further discussion motion carried unanimously.

**ARTICLE 4**

Selectman Cochrane made a motion 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, 2023 **all as set forth in the budget presented by the Finance Committee:**

**RETIREMENT OF DEBT**

ACCOUNT NAME

TOWN OFFICE BLDG	160,000
SBRSD HIGH SCHOOL	370,668
TOTAL	530,668

**INTEREST**

ACCOUNT NAME

TOWN OFFICE BUILDING	39,675
SBRSD HIGH SCHOOL	211,294
Total	250,969

For a total from taxation of \$ 781,637.00

No discussion, Motion carried unanimously

**ARTICLE 5** Selectman Larabee made a motion 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, 2023 **all as set forth in the budget presented by the Finance Committee:**

**SCHOOL DEPARTMENTS**

Berkley School Spending	\$ 8,261,472
Salaries Elected School Com.	938
K-8 Out of District Special Education	152,000
K-8 Health Insurance	918,685
K-8 Transportation	599,956
K-8 Workers Comp. Insurance	54,300
K-8 Liability Insurance	71,500
B/P Reg. Voc. High School	969,035
Bristol Aggy Assessment	137,950
For a total from free cash of	\$ 225,000.00
For a total from taxation of	\$ 10,940,836.00
Totaling	\$ 11,165,836.00

Finance Committee Chairman Joe Freitas discussed the report further, Superintendent Melissa Ryan gave more of a breakdown of the K-8 School Dept. budget, No further discussion motion carried unanimously.

**ARTICLE 6** Selectman Cochrane made a motion that the Town approve the Somerset/Berkley Regional School District its assessed share of the Somerset/Berkley Regional School District Budget for fiscal year 2023.

For a total from High School Stabilization of	\$ 2,694,331.00
For a total from taxation of	\$ 110,582.00
Totaling	\$ 2,804,913.00

No discussion, Motion carried unanimously

**ARTICLE 7** Selectman Larabee made a motion 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, 2022, 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.

No discussion, Motion carried unanimously

**ARTICLE 8** Selectman Cochrane made a motion 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, Motion carried unanimously

**ARTICLE 9** Selectman Larabee made a motion that the Town 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 the Annual Tax Maintenance Account.

No discussion, Motion carried unanimously

**ARTICLE 10** Selectman Cochrane made a motion 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 2023.

No discussion, Motion carried unanimously

**ARTICLE 11** Selectman Larabee made a motion that the Town vote to authorize the Board of Health, in accordance with Chapter 41, Section 4A, to appoint one or more of its members as agents 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, \$150.00 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, Motion carried unanimously

**ARTICLE 12** Selectman Larabee made a motion that the Town appropriates the sum of \$750,000.00 to pay the costs of purchasing 2 police cruisers for the Police Department, 1 plow sanders, a water trailer, a lift and a street sweeper for the Highway Department, a new heating system for the Public Safety Building and, as well as to make heating (system) improvements to the Public Safety Building including the payment of all other costs incidental and related thereto; and that, to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow said amount under the pursuant to G.L. c, 44, §§ 7 and 8, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

A slideshow presentation was shown. Highway Surveyor/ Tree Warden Robert Rose explained the need for the said replacements, Police Chief Scott Labonte explained the need for the said replacements, Selectman/ Tax Collector/ Treasurer Wendy Chochrane discussed how taxes will be effected, No further discussion motion carried unanimously.

**ARTICLE 13** Selectman Cochrane made a motion that the Town vote to amend the Berkley Zoning Bylaw, being Article 21 of the Town’s General Bylaws, by deleting the existing Zoning Bylaw in its entirety, excepting only the Town’s official zoning map, and by substituting therefor, a new Zoning Bylaw, the complete text of which is shown on the Annual Town Meeting handout entitled “Berkley Zoning By-Law, Draft #6, May 1, 2022.”

Attorney Mark Bobrowski presented for the Planning Board.

**Amendments:**

Planning Board Member Marc Oliviera made a motion to Delete Zoning Bylaw Article 21 Section 4.5.3.3

“Recreational vehicle storage or parking in a required side or rear yard, The “required yard” is that space between the property line and distance required in Table 2 for the side or rear yard.

Called for vote, motion carried unanimously. Approved

Planning Board Member Marc Oliviera made a motion to Delete Zoning Bylaw Article 21 Section 4.5.2.3

Flag poles of a height not to exceed 20 feet are permitted and shall be exempt from the setback requirements of this Section.

Called for vote, motion carried unanimously. Approved

Hillary Bucklin, resident voter made a motion to Delete Zoning Bylaw Article 21 Section 7.5.5.6

No Marijuana or marijuana product shall be smoked, eaten or otherwise consumed or ingested on the premises. All Marijuana Establishments permitted under the Section shall comply with all state and local laws, rules and regulations governing the smoking of tobacco.

Called for vote, Hand Count 52 Yes 55 No, Not Approved

A motion was made to Table any further discussion, motion carried unanimously.

**ARTICLE 14** Tabitha McCrohan, resident voter made a motion that the Town vote to authorize the Board of Selectmen to petition the General Court for special legislation to change the position of Assessor from an elected position to a position appointed by the Board of Selectmen, the form of said petition to be as printed in the Annual Town Meeting warrant; and to allow the General Court to make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves bill amendments before enactment which are within the scope of the general public objectives of the petition.

Tabitha McCrohan explained the reasoning for the petition. Elected Town Assessors Mark Pettey and George Moitoza stated they were opposed to the petition, After more discussion from the floor the article was motioned for a vote and defeated unanimously.

**ARTICLE 15** Tabitha McCrohan, resident voter made a motion that the Town vote to authorize the Board of Selectmen to petition the General Court for special legislation to change the position of treasurer-collector from an elected position to a position appointed by the Board of Selectmen, the form of said petition to be as printed in the Annual Town Meeting warrant; and to allow the General Court to make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves bill amendments before enactment which are within the scope of the general public objectives of the petition.

A motion was made for a vote and defeated unanimously.

A motion was made to adjourn and it was seconded.

Time adjourned 9:44 PM

*A True Copy Attest*

*Heather J. Almy  
Town Clerk*