

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 6/13/2018

SELECTMEN IN ATTENDANCE: George F. Miller, Chairman Heather Martin-Sterling, Clerk Wendy F. Cochrane, Member

TOPIC		ACTION
	Meeting Convened at 6:07 pm at Town Hall Hearing Room, 1 North Main St.	
Public Hearing	- Public Hearing opened at 6:05pm regarding Vanda Lopes of 78 Jerome Street as posted on May 23, 2018 and May 30, 2018 Cochrane read aloud the hearing as follows: Pursuant to Article 21, "Zoning," Section 7C, "Special Permits," of the General Bylaws of the Town of Berkley, the Board of Selectmen will hold a public hearing on June 13, 2018, at 6 p.m. in the Hearing Room at the Town Office Building, One North Main Street, Berkley, Massachusetts, regarding the application of Vanda Lopes for a special permit to operate a Home Salon at property known as and numbered 78 Jerome Street, Berkley, Massachusetts, further identified in the Assessor's records at Map 9, Lot 26. 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. Board of Selectmen George F. Miller, Chairman Wendy F. Cochrane, Clerk Heather Martin-Sterling, Member Miller asked Vanda for a description of the business. Vanda stated anything that has to do with hair i.e. balayage, cutting, dying, etc. and there will be no employees and it will be by appointment only no walk-ins with only one client at a time. Miller asked how long have you resided there, she replied 4 years. Town Administrator stated that all abutters had been notified and sign offs were given from all departments Board of Assessors, Board of Appeals, Conservation Commission and Board of Health. Miller asked her about the products for use being only organic. She stated only organic will be used, yes, even the bleach and it won't wreck the septic. He asked if she appeared before the other boards, Vanda stated she only appeared in front of the Planning Board about the sign off. Donna Leary spoke and said she was not here for this matter just here to listen but she was concerned about parking. Vanda stated that there is an eight car parking lot. Miller asked will there be on street parking. Vanda no. Miller asked Leary why the Planning Board did not sign, she stated that she didn't know she needed to. She thought it was for info only. Town Administrator asked Vanda about signage and she replied that she spoke to someone who gave her the measurements allowed and it will be on the lawn. Miller stated he is not prepared to vote on the matter could he close the public hearing without voting. Mr. Coutinho suggested it be continued. Miller wants to get certain restrictions suggested from other Boards placed on the permit and he would like to see what the sign looks like and that it will only be 2 weeks more. Miller would like to see the lettering and name. Miller anticipated that he should be able to make a decision then. Miller would like her to bring in a drawing of the signage.	Motion to open made by Cochrane, Sterling sec. - Voted Motion to adjourn made by Cochrane, Sterling sec. - Voted Cochrane motion to continue the public hearing on June 27, 2018 at 6pm in the Hearing Room, Sterling sec. - Voted

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Meeting taken out of order to Appointments

Motion to take out of order made by Cochrane, Sterling sec. – Voted

Appointments

- The Board met with James 'Bud' Cornell and Attorney William Solomon. Bud has to resign in a week and the cable negotiations just opened. Solomon stated he took the Town from 0% revenue to 4% revenue and was hoping to go up to 5% to get an access director. He was a municipal attorney for 30 yrs, has been doing cable television work for over 20 yrs, and has represented about 100 communities. He stated he does Comcast and Verizon contracts. Solomon went on to say that there are lots of tech potential risks. He would like to do the license again. Solomon wanted to take a look to see that there are no breeches with cable access. He would like to review where we are and where we want to go. He stated he will give a letter that sets out the rate and anticipated workings. He stated that Verizon is not here because of the market, not because of anything the Town has done or not done. He would like to make sure we meet our federal requirements. Miller thanked him and felt he was in tune with that area of the law. Miller would like to have a conversation with him at a later time. He agreed to leave his info. Bud stated he did a fantastic job at a great price. Miller told Bud it was appreciated by the whole Board for his work here of over 30 years with the Town. Bud said the greatest satisfaction was helping Beth who was interested since 4th grade and he has 3 or 4 young people doing the same thing and that is satisfying. Miller stated we were very fortunate to have not just a novice but we got Bud who's this was his profession. Even when in the old Town Hall the building was falling down and yet our broadcasts were still running smoothly. Miller noted he made a big sacrifice when we opened the new Town Hall and there was to be a fully operational cable studio and Bud gave that to the senior center and found a location on Padelford St. to run from. He also outfitted here and did the wiring in the new Town Hall. His actions are much appreciated and we should dedicate the booth to Bud and call it Bud Cornell Control Booth. Bud thanked him. Cochrane stated she knew him a long time and will truly miss him, he is an asset to this Town and he didn't realize it. He was always available. Miller will make sure that he is sent a photograph of the plaque.

Cochrane motion to dedicate the control booth to Bud Cornell with a plaque, Sterling sec. – Voted

Meeting taken out of order to Personnel Board

Cochrane motion to take out of order to Personnel Board, Sterling sec. – Voted

Personnel Board

- Board interviewed Erica Grady for Library Assistant Circulation Services – Miller asked if she lived in town, Grady replied, no I live in Middleboro. Miller asked if there was more than one applicant. The Library Director stated there were 4 but Erica was the only one that was qualified. Miller asked Grady why she wanted to come work in Berkley. Her response was that her aunt is a resident and knew she was looking for work. She visits the library often. Grady says she spent time in the nursing home and she met Vicki and is happy to meet people and utilize the skills she has gained over

Motion to hire Erica Grady made by Cochrane, Sterling sec. – Voted

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the years. Miller asked Grady if she has confirmed the pay scale. He also noted that it doesn't move very much. She replied yes she understands. She likes the idea of health insurance her husband owns his business it's expensive. Miller asked Vicki if she would like to add anything. Vicki stated Grady has worked with various ages and done lots of volunteer work.

- The Board interviewed police candidates Catherine M. Connolly, Matthew Engstrom, & Matthew Melo:

Catherine M. Connolly – Miller asked where she lived, she replied East Bridgewater is currently a reserve officer for a year now and loves it. Miller asked if she applied to other depts. She stated she works full time in East Bridgewater, Miller asked if she inquired at other municipalities, she replied no. The board reviewed her application. Miller referred to her working for the Plymouth County Sheriff, she replied she was Deputy Sheriff with horses, she currently works at an animal care center. She would like to stay working there as well. Cochrane asked Chief Labonte do they have to go to a full time academy, Labonte stated yes, the 1st academy is in Randolph and we can't put all officers in at once. Next academy is in September. Miller asked Connolly if she reviewed the salary, she replied yes. Miller stated to Labonte he has done an excellent job on selecting candidates. Miller would like someone who looks for policing as a community not to harass. Not someone overbearing or hard headed. He told her she didn't seem like that. He stated that Selectmen are here to back up our officers so long as they are performing in a way that is proper. Miller has full confidence in her being appointed as full time.

Matthew Engstrom – Miller asked when did he interview before, he replied four years ago. The Board reviewed his application. He is currently employed at BCC and an officer there. Miller asked if he planned to leave there if he is appointed here, he replied yes. Miller noted he was employed by Bristol County Sherriff, as Deputy Sheriff for transports. Miller noted he has a Bachelors in Criminal Justice. Miller asked if he resides in Town, he replied yes. Miller asked if he envisioned living and working here long term. Engstrom replied, yes his wife and he just built a house. Miller asked if he was aware of the pay scale, he replied yes. Miller noted that Berkley cannot afford to pay what Taunton pays and do you understand that, he replied yes. Miller stated that the kind of police he looks for are community oriented, you will be enforcing law to neighbors and friends it can be tough and he only asks that everyone be treated with respect not gung-ho writing tickets for everything. His hope is that Engstrom will continue to do as he has done.

Matthew Melo - Miller questioned Melo asking since he has been a reserve officer for a year now, how is it. Melo replied he loves it. He resides in New Bedford. Miller asked do you think you would move here, he stated yes. He stated he is still in college for a couple years majoring in criminal justice, and currently works as dispatch for New Bedford Police Dept. Miller asked if he interviewed in other towns, just New Bedford he said. He was an armored guard for a few years. Miller asked if appointed did he anticipate staying for an extended time. Melo replied, yes I would

Motion to appoint Matthew Engstrom as full time police officer as of June 13, 2018 effective June 14, 2018 made by Cochrane, Sterling sec. – Voted

Motion to appoint Catherine Connolly as full time police officer effective July1, 2018 made by Cochrane, Sterling sec. – Voted

Motion to appoint Matthew Melo as full time police officer effective July 1, 2018 made by Cochrane, Sterling sec. – Voted

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	like to set my roots and career here and he was waiting for something to open up here in Berkley. Miller stated his hope is that if we appoint him and he goes to the academy he will stay here. Miller then asked if he was aware of the pay scale, Melo replied yes. Miller then told him they are looking for the type of officer that treats people with respect and not gung-ho out there with tickets everywhere. Miller stated we really don't get complaints about the Chief's officers other than we must not give out enough speeding tickets because people are complaining about others speeding. This is a small town with a small population and most people know each other. We are going to make appointments tonight but we need to speak to the Chief about the order in which we are going to do so. The Board spoke at length with the Chief on who to send to the academy first since they can't send all three at once. If they did they would fall short or reserve officers. Chief mentioned that he may apply for a waiver to make them full-time until they can get into the academy. Miller stated he felt they were all equal in performance and the Chief agreed. Labonte stated that Catherine had more flexibility in her schedule and was able to come in more than the others and the only difference on who they send in to the academy first is how it affects their seniority.	
Minutes	- Miller asked if the fundraiser that was to be held at the American Legion had been held because they never returned with the paperwork required for it. Sterling stated that they did have it, they had soda and water outside and a Chinese raffle on the legions license and food outside as well. - Minutes approved for May 30, 2018 – Regular Session	Motion to approve made by Cochrane, Sterling sec. – Voted
Meeting Mail	- The board reviewed a letter of reorganization from the Finance Committee. Miller read the letter aloud: This is to notify you that at the Finance Committee Meeting held Tuesday, June 5, 2018 the town of Berkley Finance Committee reorganized in accordance with Town of Berkley Bylaws Article 7 §1. By unanimous vote Joe Freitas, 18 Country Lane, Berkley, Ma 02779 was elected Chairman. Ms. Melinda Paine-Dupont 1 Macomber Street, Berkley Ma. 02779 was unanimously elected committee secretary. - The Board reviewed a letter of reorganization from the Berkley Planning Board. - The board reviewed a request from the County Commissioners of Bristol County regarding the selection of a member to the Bristol County Advisory Board as well as notice of a July 19, 2018 meeting. Selectman Sterling stated she would represent Berkley.	Motion to file made by Cochrane, Sterling sec. – Voted Motion to file made by Cochrane, Sterling sec. – Voted Motion to have Selectman Heather Martin-Sterling as the Berkley representative on the Bristol County Advisory Board

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New Business	- The Selectmen reviewed a letter from Joseph McArdle from Massachusetts Labor's Council regarding reopening of Highway Department Contract. Miller asked the Mr. Coutinho if it was his preference to have a member from Selectmen do this. Coutinho replied, yes. Cochrane stated that she was the Selectmen in negotiations and they had no idea where everyone stood with the override and that they were having a hard time keeping staff without compatible pay. So, in good faith the Selectmen bargained with them and did a percentage raise that was for 1 (one) year instead of 3 (three) years. Because of the stress of the override they felt it was fair and they were fair as well. Cochrane felt it was fair to reopen the contract since they were so fair in taking no change on the contract. - Selectmen read a letter of resignation from Barbra Miller from the Finance Committee. Miller read the letter aloud and noted that they appreciate her time on the Committee. - The Board reviewed a letter of resignation from Pricilla Martin from the Council on Aging. Miller read the letter aloud and stated that he appreciates the time she gave of some 12 years to the Council on Aging and that she was a great supporter and an aggressive lobbyist. Cochrane stated that she was a wonderful spokesperson. - The Board reviewed a notice from Berkley Zoning Board of Appeals regarding a meeting on June 18, 2018 on the application for BayCoast Bank. The bank was looking for a variance for parking within 35 feet of the street. Cochrane apologized she had missed that meeting she was supposed to attend. Mr. Coutinho stated that they did not have the correct quorum so they did not have the meeting. - The Selectmen voted to go forward with Special Legislation as authorized by article 16 of the warrant for the June 4, 2018 Annual Town Meeting and signed the petition which is to be sent to Senator Marc Pacheco and Representative Keiko Orrall for Special Legislation. Cochrane read the motion as follows: Dear Senator Pacheco and Representative Orrall: On behalf of the Town of Berkley Board of Selectmen, I hereby submit the Town's petition to the Legislature to pass proposed legislation authorizing the Town to grant an additional license for the sale of alcoholic beverages not be drunk on the premises to Wakil Khan, d/b/a Berkley Farms, located at 539 Berkley Street in Berkley. A copy of the proposal is annexed hereto.	made by Cochrane, Miller sec. – Voted Motion to table made by Cochrane, Sterling sec. – Voted Motion to file made by Cochrane, Sterling sec. – Voted Motion to accept made by Cochrane, Sterling sec. – Voted Motion to file made by Cochrane, Sterling sec. – Voted Motion read by Cochrane, Sterling sec. – Voted
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Also provided are:

- (i) the certified vote on Article 16 of the warrant for the June 4, 2018 Annual Town Meeting, whereby Berkley voters authorized the Selectmen to submit the aforesaid special legislation for action by the Legislature;
- (ii) the minutes of said Town Meeting, as applicable to Article 16; and
- (iii) the minutes of the Board of Selectmen's June 13, 2018 meeting, at which its Members voted to submit the special legislation to you, as authorized by the foregoing Town Meeting vote.

Thank you for your attention to the above. Should you have questions, please do not hesitate to contact me.

Sincerely,
George F. Miller
Chairman

- The Board reappointed Debra Labonte to Registrar of Voters. Town Administrator explained to the Board that Debra had been appointed to the Historical and as so by default was no longer eligible to be Registrar of Voter. Ms. Labonte decided that she wanted to be registrar instead so she resigned from the Historical Commission and asked to be reappointed as registrar.

Motion to appoint made by Cochrane, Sterling sec. – Voted

- Mr. Coutinho noted that Kimberly Hebert had invited the Board to attend the 8th grade graduation and to please let Kerry know if they would like to attend so that she can let Kimberly know. Sterling noted that she planned to attend she was asked already by Larabee and was asked about doing the address speech on the day of the event June 21, 2018. Cochrane stated she may attend.

Motion to file made by Cochrane, Sterling sec. – Voted

- Mr. Pontes requested that he speak to the Soil Board. Miller stated that they were not there as the Soil Board no Soil Board meeting had been scheduled that night. Mr. Coutinho stated to Mr. Pontes that his legal representative had reached out to the Planning Board and the Soil Board and his counsel came in to review everything the Board had and we were waiting to hear back. Pontes stated that counsel had nothing to do with Soil Board and they are not representing him on anything to do with the Soil Board. Miller stated that it was the lawyers fault then for referencing the Soil Board. Miller told Pontes to reach out to him and be sure he does not represent him in the Soil Board Hearing.

Informational – No action taken

Town
Administrator
Report

Public Input

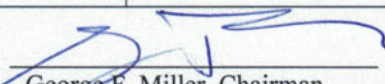
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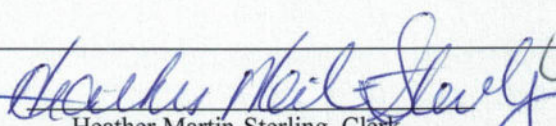
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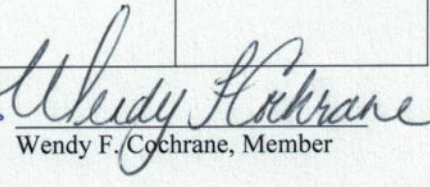
Meeting Adjourn

Motion to enter into Executive Session to meet with Town Accountant to discuss negotiations with union contracts and not to enter back into Regular Session made by Cochrane, Sterling sec, Miller third – Voted unanimous roll call Vote 3-0

Next Regular Meeting June 27, 2018


George F. Miller, Chairman


Heather Martin-Sterling, Clerk


Wendy F. Cochrane, Member

Alan G. Coutinho, Town Administrator