

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 6/27/2018

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

TOPIC		ACTION
	Meeting Convened at 6:05 pm at Town Hall Hearing Room, 1 North Main St.	
Public Hearing	- Continuation of Public Hearing from June 13, 2018 regarding a special permit for 78 Jerome Street as posted on May 10, 2018 Vanda Lopes stated her name and the Board reviewed the diagram of the proposed sign. Miller asked about hours of operation. Vanda stated Monday – Saturday 9am-6pm and not open on Sunday. She stated that she went to Zoning and went through the requirements with them. Miller went back over the same questions asked in the previous hearing on June 13th, asking that there will only be one customer at a time, only off street parking in her driveway, all organic compounds, and if she were to change to non-organic she would then need to have a tight tank installed by a licensed plumber with permit as she was told by the Board of Health earlier, and she is to be the only hair dresser working. She replied yes to all of the above. He also noted that this permit, if granted, would only be valid so long as the conditions on the permit are met and that it is not transferrable with the transfer or sale of the home.	Motion to reconvene made by Cochrane, Sterling sec. – Voted Motion to close the public hearing for 78 Jerome Street made by Cochrane, Sterling sec. – Voted
Minutes	- Minutes for June 13, 2018 – Regular Session	Motion to table until next meeting made by Cochrane, Sterling sec. – Voted
Meeting Mail	- Selectmen reviewed the letter sent to them from Richard Sandman from Rodman, Rodman & Sandman, P.C. regarding opioid litigation and representing the Town of Berkley. Miller asked the Town Administrator to reach out to Counsel and see what his thoughts were in this matter. - Cochrane read a letter aloud received from a Berkley resident Yvonne Germond. She was concerned that “the town NEEDS to do a better job at promoting the voice of the administration.” This needs to be done for the sake of transparency. She offered many suggestions such as 1) Create a social media page managed by town administration through which announcements can be posted and questions can be submitted to the board and responses published. This page should also be used to communicate official statements of the Board and Town Administrator during times of controversy. 2) All Selectmen meeting minute’s notes should be accessible online. 3) All public meetings should be accessible online. Many people do not have cable and as a result do not have access to the local channel. 4) The Town website needs a facelift and needs to be used more effectively as a means of communication. For example, when you land on the home page, the bulk of the screen is dedicated to an historical overview of the town. This is valuable space that can be used to push information to residents. We	Motion to table until next meeting made by Cochrane, Sterling sec. – Voted

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pay annually for website maintenance, we should at least have an effective user interface from which residents can benefit.

Town Administrator stated that Sterling was in the Town Hall working with Kerry Paradise and the company that established the telecommunications. They spoke about having the Selectmen's meetings posted and available. Sterling stated that she agrees that the Town should have a Town run page where Town officials can post so that there is less hearsay. Miller agreed with that. Sterling stated that she is willing to work with Paradise on the issues but we need to look at having all of the meetings posted, not just the Selectmen's. Miller stated he agreed that all meetings should be recorded, ConCom, Assessors, Board of Health, etc. and should be available to broadcast and online. The one issue is that it is time consuming. The residents mention other ways but much of it is very time consuming and costly and he is sure that if the Selectmen were to ask for more money in the budget to do so it would get voted down. Miller stated that he agreed with many of the points Yvonne made. He is not a fan of social media and public official posts as things can be taken out of context and conflict of interests can occur. He also noted that a social media page by administration would be a part time job in itself. The webpage is the job of the Town Clerk, not the Selectmen. Mr. Coutinho stated that in the previous Town he worked for they had a video on demand where the meetings were available right away and it is linked to the Tighrope program which we have we just haven't had anyone who knows how to utilize it. Miller liked the idea. Coutinho stated that the other Town had actual employees to handle this and were paid as it took time to convert and edit. Miller thinks it's a great start. Cochrane thought it would be a good idea to have a page of just dialogs run by administration for a while and see how that goes. She asked Sterling if she would be willing to work on something like that. Sterling replied she would be willing to work on it with Paradise. Miller stated that he thought it was a good thing when Berkley Rise was recording the meetings and posting them on Facebook. Cochrane said she was in favor of these things and gives her blessing but she didn't think it was fair to dump all of it on the Town Administrator and would help if she can. That when you only have 22 hours of clerical staff hours it is hard to do and very time consuming, there just is not enough time to do everything everyone wants.

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

- Selectmen reviewed a letter from the Highway Surveyor Robert Rose regarding repair work to Town's vibrating roller. Miller appreciated the very detailed letter and offered a public thank you. He would like a response sent to him thanking him. Miller also noted that there are a lot of people that do things like that for nothing that help the Town and we thank them as well.
- The Board read a letter from Berkley Cultural Council regarding reorganization.

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

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Appointments	- The Selectmen reviewed a memo that was signed by various Boards & Committees regarding a drop mailbox in Town Hall. Miller asked Coutinho if he had any input. Coutinho said that he spoke with some of them as well as the Town Clerk and they were trying to come up with something. He felt that all mail should go to the Town Clerk because a box would not work as some departments are only here every two weeks. The Town Clerk spoke up and stated that some of the mail is time sensitive and she does not always see everyone that we need a more updated system. Donna Leary from the Planning Board spoke up saying that some of them are only in the Town Hall at night and would not see the Town Clerk. Miller stated he is sure there will be a solution. - The Board looked at the list of school surplus items sent over by Lynch. - Council on Aging Director Joan Blake came in to speak. She stated that they needed some direction on how and when they can post for the position of a COA director. Cochrane noted that there is a two day workshop coming up that she forwarded on grant writing. Joan stated that she would like someone who is qualified not just thinks they can do it. Mr. Coutinho stated that we need to post this in house first then post outside if you have the funds to do so. Miller suggested that the Town Administrator find some sample contracts from other Towns. Miller stated he would like to see the top three candidates and the resumes of the rest. - The Board received a request form Berkley Cultural Council to appoint Stephanie Malloch and Sue Barrett. The ladies stated that Jeanne Russo had spoken to them and they were interested.	Motion to file made by Cochrane, Sterling sec. – Voted Motion to file made by Cochrane, Sterling sec. – Voted Motion to post for Council on Aging Director made by Cochrane, Sterling sec. – Voted Motion to appoint made by Cochrane, Sterling sec. – Voted
Old Business	- The Board reviewed a request form the Massachusetts Laborers Union regarding reopening negotiation on contract. Cochrane stated that when they were negotiating there were some word changes they proposed and the agreed to do so. Miller stated that the Town didn't have a lot of money and they agreed to a one year contract until we all saw the financial state of the Town. Now that the Pop 2 ½ override passed they want to open the contract negotiations back up. Cochrane said she didn't know exactly why they wanted to and that they were having trouble keeping people. The Town Administrator worked countless hours and they were successful. She doesn't want it all to be for nothing. She stated that they played fair and she wants to be fair. Cochrane asked if she could call them in to see what they want, Miller replied no that they would have to open up negotiations again. Mr. Coutinho stated that if the Selectmen want to reopen he suggests Cochrane reach out to the Laborers Union and discuss some of the parameters prior to and then she can get back to the Board. Cochrane had questions about reclassifying positions. Mr. Coutinho noted that just because they meet does not mean that they are obligated to change anything but he felt that they should at least meet.	Motion to grant Cochrane permission to reach out to the union made by Sterling, Miller sec. – Voted

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	- The Board reviewed and read aloud a follow-up memo from the Fire Chief regarding issues with the cistern tank. Cochrane asked if a cost to fix the issue came with the memo. There was not. She also asked why when we were going over free cash the Chief didn't bring it up to be fixed if it's such a safety issue. Cochrane and Miller wanted to know why again when talking about the distribution of free cash he did not place it on the list. Mr. Coutinho said he didn't know and that they would have to speak to him about it. Miller asked for it to be put on the agenda. A resident in the audience mentioned that when the building was finished in 2015 it should have been tested and that the Building Committee should have done it. Miller stated that we will have the Fire Chief come in to help us understand this better and if we can make a general contractor pay for it we will. Miller also stated that if it is a public safety issue we should have used the free cash to fix the issue and then chase the contractor down. Miller also asked that we reach out to Building Committee members for more info too.	Motion to reach out to the Fire Chief and question the issue made by Cochrane, Sterling sec. – Voted
New Business	- The Board went over an application for Under the Big Top Circus to be held at the American Legion grounds. Mr. Coutinho noted that every department has already signed off on it. Rich Mangles was in attendance and noted that they have it every year at the Legion and they usually ask to have the Board of Health fee, electrical, and building permit fees waived. Rich mentioned that the profits that the Legion makes helps people in need of things like heating oil, if their house catches fire, or to keep the lights on at the Post. Last year they sold out. Tickets are \$10 for adults and includes one free child admittance. Meeting taken out of order	Motion to approve the Entertainment License and waive the fees for the Wiring, Building Department, and Entertainment License fees made by Cochrane, Sterling sec. – Voted Motion to take meeting out of order for Personnel Board made by Cochrane, Sterling sec. – Voted
Personnel Board	- The Selectmen looked over a memo from Carla Lyman Chairman of the Board of Library Trustees to increase the Library Assistant for Circulation position from 20 to 22 hours per week. The reason for the increase is that she wanted to take a family plan for health insurance but she won't make enough to pay for it unless she works 22 hours. Miller noted that the union rep had no problem with it. The Library Director also noted that they would need help covering vacation hours to the others in the library because between the 4 of them that is 10 weeks.	Motion to increase the position hours from 20 to 22 made by Cochrane, Sterling sec. – Voted
New Business Cont.	- Selectman Cochrane motioned to appoint the Berkley Police Officers for a term to expire on June 30, 2019 and read aloud the attached list below. Sterling second - Voted - Selectman Cochrane motion to appoint the following to the Capital Improvement Committee per the attached list below - Richard Moroff for a term to expire 2021, Rick Rose for a term to expire 2021, Joseph Abreau for a term to expire 2020 seconded by Sterling – Voted.	Motion to appoint made by Cochrane, Sterling sec. – Voted Motion to appoint made by Cochrane, Sterling sec. – Voted

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- Selectman Cochrane motion to appoint various members with a term to expire June 30, 2019 to the perspective Boards & Committees per the attached list below.
- The Board discussed the implementation of additional Town Hall hours. Cochrane stated that there had been discussion about extending the days and not coming in on Friday possibly in the 8-4 range. Miller noted that we have been talking about this for years and the hours offered are inadequate and people have a hard time getting in here. Cochrane noted we realized that this had to be negotiated so we aren't in unfair labor practice. Miller thinks it's a good idea and it's something we need to negotiate with the union and that we should reach out. He also noted that not everyone will be ok with it and there will be one that says it won't work.
- The Selectmen discussed marijuana cultivation and distribution in the Town of Berkley. Miller stated that he and Mr. Coutinho were conversing with a company Frozen 4 regarding a place on Myricks Street and they are still in the initial stages and what it would bring to the Town for personal and property taxes. People have been pushing us very aggressively and this is good for the town. Also, it is cultivation not distribution with a significant revenue for the town equivalent to what you get from 12 residential properties. It doesn't over tax our schools or impact our public safety. We have given two other developers our blessing but they couldn't make it work. It also has the potential to offer jobs. They do need our letter of support to go forward. Miller stated it seems to be the wave of the future and akin to alcohol. Cultivation is extremely low impact. Mike Olivera asked about the water supply for the sprinklers and what not. Miller stated they would tie into the Taunton pipeline.
- The Town Administrator and the Board of Selectmen addressed the recent issue regarding a fire fighter's procession request from Dighton. The Town Administrator read a letter addressing the residents. Cochrane read aloud a letter from Joe Freitas supporting the decision. Sterling read a letter aloud from a Berkley resident in support and understanding. Miller asked Berkley Police Chief Labonte if he had anything to add. Labonte stated that he was called to Berkley Fire Chief Scott Fournier's office. When he arrived the Dighton Fire Chief was there and stated they had an event coming through Town tomorrow and a parade of vehicles coming down Padelford Street. Chief Labonte asked the Dighton Fire Chief what time this was going to happen and the Dighton Fire Chief replied he didn't know. Chief Labonte then asked how many vehicles was he thinking, and the Dighton Fire Chief replied he did not know how many vehicles. Chief Labonte told the Dighton Fire Chief he did not have the authority to 'OK' a parade and he would get the Town Administrator. Labonte then went to the Town Administrator's office and filled Mr. Coutinho in on the request. Mr. Coutinho then went over to the Berkley Fire Chief's office to talk with the Dighton Fire Chief. Mr. Coutinho then asked essentially the same questions and got the same answers. Mr. Coutinho then told the Dighton Fire Chief that he did not have the authority to grant the event and that there would

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

Motion to allow Cochrane to reach out to the union to discuss working hours made by Miller, Sterling sec. – Voted

Motion to provide a letter of support to Benjamin Virga of Frozen 4, LLC as a marijuana cultivator to be located at 130 Myricks St, made by Cochrane, Sterling sec. – Voted

Informational – No action taken

Town Administrator Report

Public Input

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have to be a meeting but since they were talking about tomorrow if Dighton only needed a couple of vehicles then we can accommodate that. Mr. Coutinho then said I hope that will help. The Dighton Fire Chief replied, no that doesn't help. Virginia Starvish came up to speak her opinion on the matter. She stated that she is an oncology nurse and that there would have been no way to know when the parade would be coming though. She noted that the parade ended up going through Taunton with about 20 vehicles and that Taunton accommodated them the week before. Miller mentioned that the head of the Fire Department in Dighton put a post out on social media stating that the Town Administrator told him no and so did two of the Selectmen but then he retracted it. The first thing Selectman Cochrane did was reach out to the Dighton Fire Chief and said we wanted to help and he told her that it was too late. She stated that she had respect for the rules and regulations and the consensus would have been yes but the Town Administrator and the Berkley Police Chief do not have the right to grant that permission. We as Selectmen can do it. Virginia Starvish spoke again and compared the parade to a funeral procession. Miller stated that a funeral procession is different than parking all vehicles on the side of the road. She stated that they didn't want that. Cochrane and many of the others in the room stated that yes that is exactly what Dighton wanted. Mr. Coutinho stated that he and the Police Chief didn't want the 20 plus vehicles parked on the side of Padelford St. blocking traffic. We were going to escort them to a lot where all of the vehicles could have staged and parked and continue from there. Cochrane stated that she reached out and nothing was good enough and that in fact when they did do the parade the next day they had to meet in a parking lot in Taunton that was big enough to accommodate all of the vehicles in the BJ's parking lot. Starvish then stated that we can never have this then. Cochrane replied yes we can, if we are given the time. Cochrane stated that you cannot have all of these vehicles just parked on the road on Padelford Street not to mention it is also a no siren zone all the way to pine street because of the horses and we cannot obstruct traffic. Miller stated that with all of that we as a Board probably would have said yes. Miller said that the Dighton Fire Chief sounds like a very nice guy but it was my understanding that he reached out to other communities and they were able to anticipate this. In the end it ended up better for this child. Miller also stated that if they were just coming through Town and not staging on the side of the road it would have been different. Miller stated he whole heartedly believes the Police Chief. He has never made any misrepresentations. Carla Medeiros stated her problem with it is that it took a whole week to get a formal statement and she knows that Miller doesn't like social media but it is the way of the world. Miller noted that the Board cannot put out an official statement until it is voted on and Town Counsel had advised that they not post on social media. Sterling noted that most people do not understand that the Board cannot have a meeting without posting 48 hours in advance. The Selectmen stated that Sterling and Cochrane both called the Dighton Chief to try and fix things. However, the suggestion was not accepted and you just cannot simply park 20 vehicles on that road and then everyone would complain to us that they couldn't get through.

Informational – No
action taken

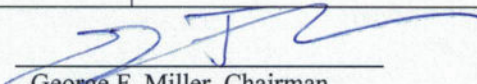
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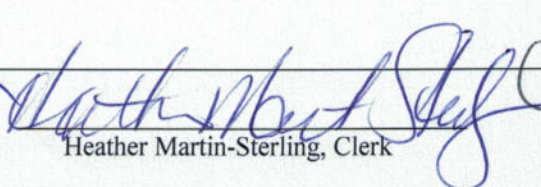
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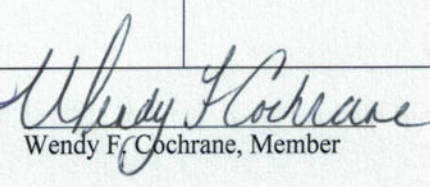
Meeting Adjourn

Next Regular Meeting July 11, 2018

Motion to adjourn
open session and
enter into executive
session not to return
to open session to
discuss union
contracts made by
Sterling, Cochrane
sec., Miller third –
Voted Unanimous


George F. Miller, Chairman


Heather Martin-Sterling, Clerk


Wendy F. Cochrane, Member

Alan G. Coutinho, Town Administrator



TOWN OF BERKLEY

Board of Selectmen
1 North Main Street
Berkley, Ma 02779

Selectmen@BerkleyMa.us

Phone: 508-824-6794 Fax: 508-822-4603

Annual Appointments

APPOINTMENT	NAME
Animal Control Officer	Marc Dorschied
Assistant Gas Inspector	Joel Figueiredo
Building Commissioner & Zoning Officer	Joseph Bisko
Cable TV Advisory Committee	
Capital Improvement Planning Committee	Richard Moroff - 2021
	Rick Rose - 2021
	Megan Silva
	Joseph Abreau - 2020
Celebrations Committee	Diane Ennis
	Andrea Perry
Conservation Commission	Robert Katon
	Dan Lafontaine
Constable	Ian Daley
	William Enos
	Diane Enos
	David Smith
Council on Aging	Joan Blake
	Mary Silva
Cultural Arts Council	Eden Jones
	Kelley Larabee
	Arlene Medeiros
	Jeanne Russo
	Angela Chang
Economic Development Committee	Scott Labonte
	Dean Larabee
	Edgar Hoak
	George Miller
Ethics Committee Liaison	Deborah Pereira
Fence Viewer	Joseph Bisko
Gas Fitting Agent	Guy Parenteau
Historical Commission	Marge Ghilarducci

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Taunton River Wild & Scenic Stewardship

Council

Town Council

Trench Permitting Authority

Veteran's Agent

Veterans Graves Officer

Wiring Inspector

Zoning Board of Appeals

Edgar Hoak

Andrea Perry

Joseph Callahan

Mead, Talerman, Costa, LLC

Joseph Biszko

Donald Hirschy

Stephen Thomas

George Faria, Jr.

James King, Jr.



TOWN OF BERKLEY

Board of Selectmen

1 North Main Street

Berkley, Ma 02779

Selectmen@BerkleyMa.us

Phone: 508-824-6794 Fax: 508-822-4603

Police Department Annual Appointments

Appointment	Name
911 Signal Operator	Jason Almeida Michael Avilla Matthew Bettencourt
Harbormaster	Scott Labonte
Police Chief	Scott K. Labonte
Police Officer	Kevin Realini Zachary Mosher Daniel Meadows Daniel Mosher Arthur Newhook Jr. David Bernard
Police Sergeant	Jeanne Verrier
Public Safety Dispatcher	Jason Almeida Michael Avilla Matthew Bettencourt David Chretien Derick Freire Lawrence E. Newman Raymond Venturini Jonathan Rioux
Reserve Police Officer	