

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 5/29/2019

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

TOPIC		ACTION
	Meeting Convened at 6:00 pm at Moitoza - Petey Hearing Room, 1 North Main St.	
Minutes	<ul style="list-style-type: none"> - Minutes approved for May 15, 2019 – Regular Session 	Motion to approve minutes made by Cochrane, Sterling sec. – Voted
Meeting Mail	<ul style="list-style-type: none"> - Letter from MassDOT regarding South Coast Rail mitigation letter. 	Motion to file made by Cochrane, Sterling sec. – Voted
	<ul style="list-style-type: none"> - Notification from MassDOT regarding pre-construction. Miller read the notice and announced the date. Later in the meeting Fox stated that it is not a public meeting. 	Motion to file made by Cochrane, Sterling sec. – Voted
	<ul style="list-style-type: none"> - Letter from Capital Improvement Planning Committee regarding various department capital improvements. 	Motion to file made by Cochrane, Sterling sec. – Voted
	<ul style="list-style-type: none"> - Notice from Delucca Fence Co. on installation of guardrails along Rt. 24. 	Motion to file made by Cochrane, Sterling sec. – Voted
Old Business	<ul style="list-style-type: none"> - Discuss open vacancy for Director Position Council on Aging. Moroff noted that one director didn't work out so they would like to possibly break up the position up into two positions now. Possibly having a Director and having an assistant. Blake and Moroff stated they need someone who can be there all hours that they are open, hopefully someone without the need for insurance. Blake stated she would like someone that is not an activity director but someone that does more of the clerical duties. Cochrane questioned how that split would work due the fact that they had a hard time finding someone for the limited hours and pay in the original posting prior to bumping it up and then they finally found someone. Miller stated he would like Blake to invite the Town Administrator to the next meeting they have to discuss the situation and the best way to go about it. - Discussion on South Coast Rail project with Jean Fox and other project representatives and State Rep. Norman Orrall. Fox stated that additional work needs to be done on how to communicate better regarding work that is about to be done and apologized. Fox stated that anyone can sign up at mass.gov/southcoastrail for email blasts that should happen at least once a week. 24 hour outages help them get the projects done faster. The next two culverts will be coming in the next few weeks and site BK3 begins this Thursday and for residents to be prepared from Thursday to Monday when they are working on it. After that they are out of Berkley for a while. And in July and August they work in certain places because they can't disrupt 	Informational – No action taken

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Old Business
Cont.

the streams. If they don't need to work a night they won't but Fox said the weather affects the schedule. Orrall questioned the trucks dumping materials at night. Orrall asked Fox if they can do that ahead of time instead of late at night? Jean stated they do as much as they can during the day. Miller mentioned he knows Fox stated she will make every effort to fix the night dumping but could she really please address this matter and make it possibly where other than emergency situations or high conflict situations then they can only deliver during the day and not at night? Fox stated she will certainly bring it up to them. Kenny stated during the day they stock pile and stage and prepare in advance. An MBTA rep stated the first weekend at BK6 nothing went as planned they had water issues and had to bring in dry materials because everything was saturated. A resident questioned if Rt. 79 will be a main access point because there is a lot of stuff piled up near Myricks and there are lots of stored stuff on both sides of the road you can see from Padelford Street. Kenny stated that some of that stone has to be there to help raise it up. Fox noted there are two bridges that will be worked on this summer in Berkley. The pre-construction meeting that was discussed earlier is for the bridges. Orrall questioned if crossings at 79 and Padelford are work access points for just Berkley or others. Fox stated just for Berkley. Kenny stated they use the nearest grade point as access point. J.F. White is who they are using for culverts. Orrall stated that they need to let the Berkley folks know about the work because they were not being notified. Fox went on about how she worries about people and kids that are going to look to be curious and it is trespassing and illegal. One resident who lives by the crossing noted he only got to sleep 4 night's worth of sleep that week due to the constant noise overnight and there was no attempt at noise reduction. He voiced his concern that people like the elderly and such can't make it to meetings to speak up about it and Southcoast Rail should be more responsible. Fox was then questioned on what the plan is for noise abatement? A resident asked if they are working on the tracks themselves then why are there constructions workers driving equipment up and down the street instead of the tracks? Another resident noted that they have a right to sleep and can't. Resident also noted that you can't build a school without waiting until 7am to begin construction and no construction can be done after 7pm but yet Southcoast Rail workers are doing it and dumping stone at 3:00 am and they are letting the back of the dump trucks slam down on the doors when they unload. A Cotley St. resident noted that they are flying down the road every morning and almost hit her neighbor while the state worker was on his cell phone. She stated they are causing more damage to their road that is already hard to use to begin with. Miller stated they will ask the police to be out there and state job or not will be ticketed. A resident also stated there should be a detail especially since the school bus can't even use the road. The road is only 17' wide. Miller asked how many trucks the residents would estimate going down the road? One Cotley St. resident stated 4-5 personal and then a big truck and a constant flow of dump trucks at least 12 in 5 hours. Miller wanted a detail officer placed there during all hours of work and no work to be performed unless there was one scheduled before Thursday. Fox said if Cotley St. is damaged the contractors will fix it. Miller stated it's a narrow

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Old Business
Cont.

dirt road and inherently dangerous and we need to have confirmation that a detail will be in place when they start. Miller asked if there was some way to mitigate noise. Fox stated the contractor will be called right away to address the noise at night and refocus. One resident on Cotley stated he works construction for TMLP and they offer the residents nearby to stay in a hotel if it will be over night during the week. Cochrane asked about the dust control and concern for the school children walking. She wanted to know if they can spray the roads down to reduce dust. Fox stated they can do that. Freitas noted the traffic concerns are things Southcoast Rail has already gone through laying down tracks for all these years and that they are trying to skimp and that they have kids and everything else being affected by this. Freitas stated people will expect details they want dirt road dust being mitigated and Southcoast Rail are scamming and skimping. Residents would like to be treated with respect and dignity and they aren't asking for anything out of the ball park. Paul Costa of 6 Mill Village Road noted that the 1st culvert was at his property. He don't know what e-blast was and has not received any responses what so ever to any of his emails that he has sent on their webpage contact form. Fox stated she had not received anything from him. Another rep stated that they do have his email and it is under review. Costa stated he was not notified about the work being done and next thing he knows there were lights shining on his house. Costa also stated with all of the noise abutters have a right to be notified. All abutters should get notified. One resident mentioned that Southcoast Rail agreed to come out to his house a few years ago and they never showed up. Stephen Castellina stated he remembered that. The resident wanted to know why they can't get US mail sent to them. He doesn't use email or Twitter as suggested by Southcoast Rail reps. Miller asked if they can have USPS mail sent to abutters. Fox stated they can. Cochrane noted people were talking about the parking and all of the workers were parking up and down the street. A resident stated that they were parking up on people's lawns. Cochrane asked if they can ask to park at the Legion after hours then take one car to the site. Miller wanted people in the room to leave their info if they want mail sent. Fox noted there are 18 homes available for noise mitigation. Resident asked about Myricks being cut off from Thursday to Monday from emergency vehicles. One rep suggested staging a fire truck on the other side. They also stated they can let the emergency get over if they flood the track. Sept 2023 is the expected year the first trains will be coming through.

- Update on intermunicipal agreement with Taunton.
- Discussion regarding John Jackson sign for the Common. Cochrane stated that she reached out to the family since they had not discussed it with them yet. The family feels it may be too soon and would like to wait a few weeks and then have the Board reach out again.

Informational - No
action taken

Motion to table
made by Cochrane,
Sterling sec. -
Voted

Motion to reach out
to the Jackson
family made by
Cochrane, Sterling
sec. - Voted

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	<ul style="list-style-type: none"> - Discussion on Master Plan. Miller asked Paradise is she could get the flyers placed online for the residents. She agreed. 	<p>Motion to file made by Cochrane, Sterling sec. - Voted</p>
New Business	<ul style="list-style-type: none"> - Request for Special License from Bay State Beagle Club approved by the Board. - Reserve fund transfer request from the Fire Chief for unexpected repairs to the pump truck. 	<p>Motion to approve made by Cochrane, Sterling sec. – Voted</p> <p>Motion to grant permission to present to Finance Committee in the amount of \$11,605.60 made by Cochrane, Sterling sec. - Voted</p>
Town Administrator's Report	<ul style="list-style-type: none"> - Mr. Coutinho noted that the Town budget as well as the supplement to Article #3 is now online on the Town Website. 	<p>Informational – No action taken</p>
Public input	<ul style="list-style-type: none"> - Miller commented on a couple of Facebook comments he came across: Miller noted that Valerie Murry made comment about the proposed lit sign for the Town Hall and that it was illegal under the Town Bylaws and that the other two Selectmen were not in favor of it that they just went along with it in order to get along with Miller and the other two should not have voted yes if they didn't think something was not a good idea. Sterling then stated that if the sign happen to come in at \$48k she would rather have enough money aside for it but hopes it doesn't. Sterling noted she does think the sign is a good idea but no more than say two feet high and scrolls information. She is not happy with the price tag but she did not vote yes because of pressure. Cochrane said she was not pressured and is in favor of the sign but she didn't agree with the \$48k price tag. And if it comes in at \$48k she would not support it. <p>Another comment from Facebook Miller addressed was from Barbra Miller where he stated she was implying the meeting that was scheduled at 4pm was so that there would not be light shined on it and that was not the case. The meeting was scheduled at that time to make it most convenient for all of the parties. Sterling stated that she read the whole tread and not just the comment and she doesn't that that is what was being said and that there was also talk about why certain things were requested from different departments. Sterling sees how if only that comment is read that it can be taken that way but when you read them all top to bottom you can see it differently and that they were talking about why was it not being televised. Mr. Coutinho stated he can't imagine that anyone would think it was secretive considering the meeting was publicly posted twice and that it then</p>	<p>Informational – No action taken</p>

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Public Input
Cont.

goes to Town Meeting for vote. He also noted that it was a meeting for employees so why would they make it that time for them. Coutinho stated that is how misinformation gets out there and that he is more than willing to answer any question that anyone has they can just call his office and he can explain, that is his job. They can also email questions to his office as well.

Sterling noted that some of the departments are giving a bit of push back regarding having their meetings recorded and posted. That they only want certain meetings recorded and others not. She noted that all meetings need to be recorded in order to get the information out there. Cochrane spoke about someone that reached out to her asking if when they have a meeting and it's just to pay various bills do they need to lug everything into the Hearing Room or can they do it in their office if there is no official discussions about any issues. Coutinho stated he doesn't see why not. Sterling noted that most of the new hires that are doing the recording are using handheld cameras and should not be an issue.

Informational No
action taken

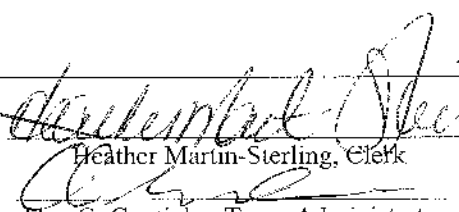
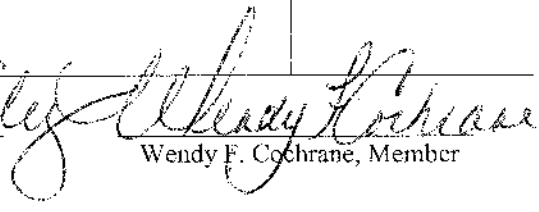
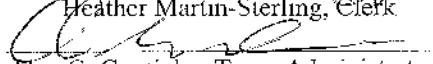
Soil Board

- More evidence was presented to the Board regarding the rescinded permit for 180R Bayview Ave. Mr. Coutinho stated that the issue at hand has already been handed over to counsel.

Informational – No
action taken

Meeting Adjourn

Next Regular Meeting June 12, 2019

Motion to adjourn
made by Sterling,
Cochrane sec. -
Voted
George F. Miller, Chairman
Heather Martin-Sterling, Clerk
Wendy F. Cochrane, Member
Alan G. Coutinho, Town Administrator