

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 4/6/2022

SELECTMEN IN ATTENDANCE: George F. Miller, Chairman, Dean R. Larabee, Clerk, Wendy F. Cochrane, Member

TOPIC		ACTION
	Meeting Convened at 6:02 p.m. in the Moitoza – Pettey Hearing Room	
Minutes to be approved	1. March 23, 2022 – Board voted to approve and sign.	Cochrane to motion to approve, Larabee 2 nd , voted.
Meeting Mail	Board to review letter from National Grid regarding Bridgewater to Somerset Refurbishment Project. Ms. Martin-Sterling stated this was an update to National Grid's vegetation maintenance: Phase 2 that started last month and will run until May. The Board voted to file the letter. Board to review letter from Xfinity regarding changes to Xfinity TV services. This letter is in regard to certain channels being moved. The Board voted to file the letter. Board to review letter from the Commonwealth of Massachusetts Office of Grants regarding AED Equipment award of \$2,206.60. Ms. Martin-Sterling noted this is a grant that the Fire Chief had submitted and she was notified last week that the town has received it. The Fire Chief has filled out the paperwork with the state to accept this grant. The Board voted to accept the grant. Board to review Notice of Filing and Public Hearing from the Commonwealth of Massachusetts Department of Public Utilities. This letter is in regard to the state addressing the net zero greenhouse gas emissions by 2050, and the meeting is via zoom on May 3, 2022 at 7:00 p.m. Mr. Larabee volunteered to join this meeting. The Board voted to file the letter. Board to review pamphlets from the Berkley Cultural Council regarding 2022 Grant Awards. Ms. Cochrane stated the grant is in process; the Cultural Council receives a grant, it comes into the Treasurer's office, and then they vote as a committee on who will be eligible based on who has applied. Mr. Miller read off the recipients presented in the pamphlet. The Board voted to file the pamphlet. Mr. Larabee abstained from the vote due to conflict of interest.	Larabee to motion to file, Cochrane 2nd, voted. Larabee to motion to file, Cochrane 2nd, voted. Cochrane to motion to accept, Larabee 2nd, voted. Cochrane to motion to file, Larabee 2nd, voted. Cochrane to motion to file, Larabee abstained, Miller 2nd, voted.
Town Administrators Report	Town Administrator to update Board on the vote from the Financial Advisory Committee on March 10, 2022 regarding capital expenditure debt exclusion. Ms. Martin-Sterling stated the FAC's proposal for the Board of Selectmen is to go out for a debt exclusion for \$1 million for capital expenditures in the upcoming election. She spoke with the Town Clerk who informed her that this had to be voted on tonight; it has to go on the warrant that needs to go out by Monday, and she would need to get Bond Counsel to write the question. Ms. Martin-Sterling stated tonight's vote is just to get the question on the ballot. Mr. Miller asked about putting another question on the ballot in the form of a non-binding question. Ms. Martin-Sterling stated that would have to be at the Town Meeting. Ms. Martin-Sterling listed off what the \$1 million would cover (all are estimates subject to change): 1. 2 cruisers – Approx. \$122,357.56 2. Water trailer for Highway Dept – Approx. \$35K, fully outfitted; non-outfitted cost: \$27,935 3. 2 sanders for Highway Dept – Approx. \$486,280.06 4. Street sander – Approx. \$271,730 5. Lift for Highway Dept – Approx. \$15K 6. Upgraded heating system for public safety building – Approx. \$45K 7. 2 tabulators for the Town Clerk's office – Approx. \$15,500 Ms. Martin-Sterling stated this will be a 2 vote question, with one on the ballot and one to the Town Meeting. Mr. Miller asked if there is a plan to hold a public hearing or an informational meeting. Ms. Martin-Sterling answered they are down to 4 weeks for that to take place, and that it is a recommendation of the FAC that the Board of Selectmen have to vote to put the question on the ballot.	Larabee to motion the BOS to authorize \$1 mil debt exclusion question for election, Cochrane 2nd, voted.

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	Ms. Martin-Sterling explained that she had the assessors calculate what a \$1 million debt exclusion for 3 years would be (using FY22's numbers) on the average household that they have listed based off the town's valuations, and it was approximately \$33 per \$100K per year. Ms. Cochrane asked if that's based on the tax rate of \$13.75. Ms. Martin-Sterling answered that it's all based off of this year's numbers. Mr. Miller stated these are questions that would need to be answered before a public forum. Ms. Cochrane noted if it passes at Town Meeting, and there is no support from the department heads, they can make a decision whether or not it is put on the warrant. Mr. Larabee noted the items that were previously read off total \$990,867.62, and asked if that's the amount they're going for or the \$1 million amount. Ms. Martin-Sterling replied \$1 million because they were only estimates and they could come in higher, along with delivery fees, cost of town logos, etc. Mr. Larabee asked if it comes in lower, would the additional funds be used to pay off debt, to which Ms. Martin-Sterling replied she believes so. She stated that there is still the option of trying to get ARPA money to pay for some of the items which would decrease the amount of debt because it would be paid off directly. Mr. Miller asked if that was something that would be built into the question, to which Ms. Martin-Sterling replied she doesn't think so; if ARPA money isn't received, she would have to ask Bond Counsel. She stated usually the question on the ballot is a very simple straightforward question, and the question on the Town Floor becomes a little bit more detailed. The Board voted that the BOS authorize a \$1 million debt exclusion to be added to the election ballot on Saturday, May 7, 2022.	
Soil Board	Board to review, approve and sign application for Earth Alteration Permit for Malloch Construction Co. Inc. The application presented to the Board is for 43 Elm Street, Map 4, Lot 81, owned by the aforementioned applicant. Niles Zager of Zenith Consulting Engineers, LLC, along with Joe Malloch, were present to speak about the planned construction for this property and to show the Board physical plans/maps of what they intend. Mr. Zager noted that due to the significant elevation changes within this property, the material needs to be removed offsite in order for construction to start. According to the town of Berkley's by-laws, Mr. Zager is required to come in front of the Board with anything over 2 feet of material. He pointed on the map where the different elevations were and discussed in detail the plan of material removal, which will be stockpiled in the back of the property for the duration of the removal process. He also stated there were perc tests done to ensure there were no water table issues along Elm Street. There will be approximately 20K yards of loam and subsoil to be stockpiled, and 108K yards to be taken offsite. Once the area is brought to grade, the loam and subsoil will be screened and spread back out over the site. Mr. Zager stated one of his concerns is a potential dust issue. They will leave a 25 foot strip in front of woods and vegetation, and if it becomes an issue, they will water it down. Mr. Zager filed for a Storm Water Prevention Pollution Plan, so the EPA can come and enforce rules if anything goes wrong. Ms. Martin-Sterling stated according to the town's by-laws, a public hearing needs to be held before they could issue the permit, as well as a posting in a local newspaper. Mr. Miller asked if this land was being cleared to build 3 houses, to which Mr. Malloch replied that it was. Mr. Zager added that there would be 200 feet of frontage for each house, and they would sit on 1.5 acre parcels. Ms. Martin-Sterling stated she will send a public hearing notice to the Taunton Daily Gazette tomorrow, as well as the abutters to the property. This permit has to be published 14 days prior to the date of the hearing according to Berkley's by-laws. The Board and the Town Administrator determined the date of the public hearing will be April 27, 2022.	Information only; no action needed
Public Input	Gil Pontes was present for public input regarding a letter he wrote to Mr. Miller. Mr. Miller stated that it was not a public matter and to defer to Town Counsel, as it was in regard to a legal matter.	Information only; no action needed

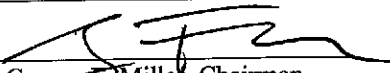
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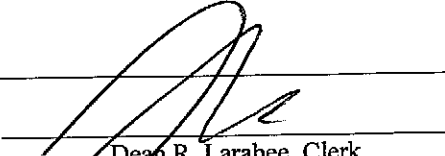
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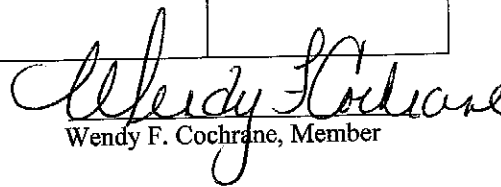
Executive Session

Board to go into Executive Session under MGL Chapter 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: Assistant Treasurer, Town Accountant, Town Administrator, Interim Chief of Police, Town Assessor, and Building Inspector. The Board voted to go into Executive Session and not return to open session. Mr. Larabee announced the next meeting will be held on Wednesday, April 13, 2022 at 6:30p.m.

Larabee to motion to go into E.S. under MGL Ch. 30A §21(a)2 & not return to Open session; Cochrane 2nd, voted.


George F. Miller, Chairman


Dean R. Larabee, Clerk


Wendy F. Cochrane, Member


Heather Martin-Sterling, Town Administrator