

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 03/04/2026

SELECTMEN IN ATTENDANCE: Jennifer Vincent-Chair, Tabitha K. McCrohan-Member, Mark Horsfall-Member

TOPIC		ACTION
Call To Order	Board of Selectmen - Called to Order at 5:30PM in the Moitoza-Petty Hearing Room:	
New Business:	<p>Returned to open session at 5:58pm</p> <p>Discussion and possible vote to approve an Eagle Scout project proposal of Scout Troop 31 for the installation of outdoor benches on the Town Common.</p> <p>Davin Rivers of Troop 231 presented his Eagle project to install 4-5 durable outdoor benches on the Town Common between the road and the basketball courts. He explained the benches will use concrete precast legs from J&R Precast so they're heavy and weather-resistant, with wood for long-lasting seats and backs. The project will be fully funded and built by David and Troop 231, with no town labor or money required, and the benches can be moved (e.g., to the baseball fields) by volunteers if needed. The board expressed support, encouraged him to keep them informed about fundraising, and voted to approve the Eagle Scout project and sign off on his proposal form.</p> <p>Consider and approve the form of the Proposition 2½ override ballot question, as follows, and vote to place the question on the Annual Town Election warrant: "Shall the Town of Berkley be allowed to assess an additional \$4,874,558 in real and personal property taxes for the purposes of funding general municipal and school operating expenses for Fiscal Year 2027?"</p> <p>The Board discussed the Proposition 2½ operating override question and agreed on language and the final amount to place on the May 9, 2026 town election ballot. Town Administrator Matthew Chabot explained that health insurance renewals came in much better than expected (about 6.8% vs. a budgeted 16%), which could justify slightly lowering the override, but the Board favored keeping the full number to preserve a stable five-year override plan, hedge against future insurance spikes, and leave room to fund economic development capacity (e.g., a part-time/shared town planner). They clarified that some of the override will be dedicated to a specialized override reserve stabilization fund for wages and insurance, not all in year-one operating budgets, and answered a resident's questions about the override cap and state aid inequities, emphasizing that rural/suburban communities like Berkeley are underfunded relative to places like Fall River. Ultimately, the Board voted to place the ballot question to assess an additional \$4,874,558 in taxes for operating budgets of the town and schools and to fund the specialized override reserve stabilization fund for FY27, stressing the importance of high voter turnout so the decision reflects the broader community.</p>	<p>Motion to approve: TM motioned: MH second. Motion approved</p> <p>Motion to approve: JV motioned: TM second. Motion approved</p> <p>Motion to approve: TM motioned: JV second. Motion approved</p>

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Board to vote to appropriate funds to be added to the High School Stabilization Account; review of matter, votes may be taken.

The Board reviewed and voted the annual appropriation to the Somerset-Berkley High School Special Purpose Stabilization Fund, which was created by the 2018 override to smooth the town's high school assessments over time. Matthew Chabot explained that each March the Board appropriates last year's figure increased by 2.5%, and that the actual annual assessment usually comes in below the appropriation, allowing the stabilization balance to grow and extend the life of the override well beyond the original seven-year expectation. The Board confirmed that if a future assessment were ever higher than the appropriation, the town could draw down from the existing fund balance. They then voted to appropriate \$3,113,156.11 total into the high school stabilization account for FY27, noting that the fund continues to be in strong shape and has been managed conservatively.

Discussion only, no vote needed

Taken out of Order: Board to host the Berkley Historical Commission for updates regarding the project at 46 Myricks Street, including the status of the scope of work, potential bidding, and grant application activity.

Discussion only, no vote needed.

The Historical Commission updated the Board on the Myricks (St. Heights) ballfield restoration, explaining that previous MBTA mitigation left about \$166,000 available, but the full, redesigned 4.99-acre project (ballfield, multi-use/soccer field, walking path, parking, and playground) will cost around \$500,000+ and cannot realistically be phased without re-disturbing completed work. They are submitting a major grant request to the Ruby Winslow Lynn Foundation, which prioritizes projects in Berkeley, and have also listed the project in Congressman Auchincloss's community funding portal as a backup funding path. The Board expressed support, agreed doing the work in one phase makes sense, and thanked the Commission and volunteers for their sustained effort.

Board to consider Annual Town Meeting warrant opening and closing dates; initial consideration of proposed warrant articles; and discussion and possible vote on the Board's intent to open the Town Meeting warrant on a specified date.

The Board discussed planning for the Annual Town Meeting warrant, focusing on when to open and close it and how to give residents enough time to submit citizen articles. They noted that last year the warrant was open for about a month and agreed that can feel tight for citizens who still need to draft language and gather signatures. The Board's intent is to formally vote on March 11, 2026 to open the warrant (rather than waiting until March 25), aiming for a closing date around April 22, 2026, which keeps roughly a one-month window but with better advance notice and communication. They emphasized that earlier clarity on dates helps departments and residents plan proposed articles—especially zoning changes—before the Planning Board's required public hearings and Town Meeting deadlines.

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Board to review and consider edits to S.2552, An Act authorizing the town of Berkley to recall elected officials and to vote to accept edits of Senate Counsel or to take any other action relative thereto.

The Board briefly reviewed the state-suggested edits to the town's recently adopted recall law and agreed there were no substantive problems, voting to accept the Senate Counsel's language without adding extra limits.

Board to review the potential effects of adopting a split tax rate in Berkley, including the possibility of future implementation and the practical impacts on taxpayers and administration; review of matter; votes may be taken

The Board then discussed the idea of a split tax rate (different residential vs. commercial rates), clarifying that there is no legal requirement to reach a specific commercial percentage (e.g., "30%") before adopting one; instead, it's a policy choice. The Assessors explained that with roughly 95% of the tax base residential and 5% commercial, shifting to a split rate would impose a large increase on a small number of commercial parcels (e.g., thousands more per business) in exchange for only a minor residential savings (tens of dollars per average home), and could discourage new business. The Board reiterated that as commercial growth occurs, the tax burden naturally shares out even without a split rate, and current best practice for a small town like Berkeley is to keep a single rate to encourage economic development.

Board to review and declare as surplus the following property from various Town departments as follows:

- Two older CTS-labeled workstations (functionality unknown)
- Two outdated monitors (functionality unknown)
- Three floating workstations (boxed)
- Two floating workstations (unboxed)
- Two Wakeman Fitness under-desk bike (unboxed)
- Boxed ink for HP Officejet Pro 8000, 8500, 8500A
- 2011 Crown Victoria Cruiser- no brake, no power steering, not running -stripped of electronics – Value - \$500 est.
- 1999 Kustoms Speed Trailer- Nonfunctioning electronics- Value \$500 est.
- 2007 Kustoms Speed Trailer- Nonfunctioning electronics- Value \$500 est.

Board voted to declare the property as surplus.

Board to discuss preparations for the upcoming 250th celebration of Independence Day, including the event date, potential activities, food

Motion to approve: JV motioned: TM second. Motion approved

Discussion only

Motion to approve: MH motioned: TM second. Motion approved

Discussion Only

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options, and related policy considerations; review of matter; votes may be taken

The Board discussed plans for Berkeley's 250th Independence Day celebration on June 28. The event will be an all-day, town-wide celebration on the Common featuring a 5K road race (with sponsor-branded race T-shirts) food, vendors, family activities, a touch-a-truck, and an evening headline attraction—likely a drone show instead of fireworks due to cost and liability. A multi-department planning group is meeting regularly, with the next meeting on March 10, and the goal is to fund the entire event through sponsorships and donations, not tax dollars. Sponsorship tiers will offer recognition (e.g., website, shirts, event signage), and the Town Administrator is exploring adding an online donations portal (possibly via the Cultural Council) to accept electronic contributions rather than cash. The Board emphasized this as a major community-building event and a model for working with local businesses.

The Board reviewed and approved a one-day wine & malt liquor license for the Bay State Beagle Club at 44 Point Street for an event on Sunday, March 8, 2026, including authorization for one day before and one day after for alcohol transportation related to the event; a motion to approve was made, seconded, and passed unanimously with no substantive discussion.

Motion to approve: MH motioned: TM second. Motion approved

Board to discuss attendance for groundbreaking for the new Berkley Community School at 10:00 AM Friday, March 20th, 2026; review of matter; votes may be taken.

Discussion Only

The Superintendent invited the Board and community to the groundbreaking ceremony for the new Berkeley Community School, scheduled for Friday, March 20, 2026 at 10:00 a.m. at the current school site. The event will feature remarks from the School Committee chair, Senator Pacheco (Junior), a representative from the MSBA, and a special song and activities prepared by students; it is open to the entire community. She also outlined the construction start: equipment and trailers will arrive over the preceding weekend, work on a temporary parking lot behind the small front lot will begin Monday and be largely complete within about three weeks (with final paving planned for April vacation), after which the construction fencing for the new building area will go up. The Board expressed enthusiasm and noted the project as a major community milestone made possible by town support.

Board to discuss policy relating to the use of legal counsel by public officials; review of matter.

Discussion Only

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Old Business

The Board discussed creating a formal policy for use of town legal counsel, noting rising costs, uneven usage by departments, and instances where questions had already been answered in prior emails. Members agreed they do not want to require Selectmen approval for every contact but favored routing requests through the Town Administrator and potentially setting department-level budgets or guardrails so legal bills are authorized and transparent; staff will draft a simple written policy for a future meeting.

Board to discuss procurement of legal counsel, including historical context and best practices; review of matter; votes may be taken

Discussion Only

The Board discussed how the town procures and manages legal counsel. The Town Administrator explained that general counsel (Mead, Talerman & Costa) and special labor counsel (Gay & Gay) are effectively renewed annually via updated rate letters and are exempt from Chapter 30B bidding, so there is no fixed 3-year contract cycle; rates are adjusted periodically but the relationship has spanned about a decade. He noted that few nearby towns have recently gone out to bid for legal services. Board members asked when renewals occur and requested copies of the current agreements, with one member expressing concerns about quality and cost of representation and suggesting it may be time to see what other firms can offer. The Chair acknowledged those concerns but stated her current priority is the budget/override and Town Meeting, indicating she is open to continuing the conversation about legal services and potential alternatives, just not as a top-priority project right now.

Board to continue discussion of building permit fee increases, including gas and plumbing permit fees, and to take any additional action deemed appropriate, including rescission or modification of the Board's vote of January 7, 2026; review of matter.

Motion to approve: MH motioned: TM second. Motion approved

Board revisited building permit fee changes (especially gas, plumbing, and electrical), with the goal that fees better reflect project value and help cover the cost of inspections and code enforcement. They confirmed the updated residential/commercial building permit structure and voted to have the new fees take effect April 1, 2026, with additional detail on specific trades to be brought back in refined form at the next meeting.

The Board revisited designation of the Animal Control Officer (ACO), which had been delayed while confirming required continuing education credits.

Motion to approve: MH motioned: TM second. Motion approved

The Town Administrator reported that Mark Dorscheid had obtained 32 CEUs toward the 40 required and has until year-end to complete the remaining eight, and that the state (MDAR) had verbally confirmed he is current pending written confirmation. The Board also briefly discussed longer-term options such as regional/shared ACO services, but concluded that could take time to negotiate, so they voted to designate Mark Dorscheid

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	<p>as the Town of Berkeley's ACO for calendar year 2026, with the understanding that the designation can be revisited if a shared-services agreement is later finalized.</p> <p>Board to discuss the upcoming blood drive benefiting Boston Children's Hospital, including potential community outreach and Board participation.</p> <p>The Board heard an update from Selectwoman Tabitha McCrohan about an upcoming Boston Children's Hospital blood drive scheduled for March 13, 2026 in the Town Hall parking lot. The drive is being held in honor of her son Carter, who has had multiple surgeries and received blood at Children's; his photo is being used as the sponsor image on the event materials. Sign-ups are available through Boston Children's online system, and donors receive small thank-you items (e.g., socks or a hat).</p>	
<p>Meeting Mail:</p>	<p>Commonwealth's Search for Lease Space</p> <p>Board reviewed RFP from the Commonwealth of Massachusetts' searching for property to lease. Board noted that Berkley has few places to lease and so moved to file.</p>	<p>Motion to file: JV motioned: TM second. Motion approved</p>
<p>Meeting Minutes:</p>	<p>Board to approve Meeting Minutes of February 11th; 2025; review of matter; votes may be taken</p> <p>Board to approve Executive Session Minutes of February 11th; 2025; review of matter; votes may be taken</p> <p>Meeting minutes were reviewed and approved.</p>	<p>Motion to approve: TM motioned: MH second. Motion approved</p>
<p>Town Administrator Report</p>	<p>In his report, the Town Administrator focused on grant and planning opportunities and the recent blizzard response. He outlined the upcoming Community One Stop for Growth cycle, explaining that "Expressions of Interest" will open soon and proposing submissions for technical assistance on zoning and economic development: help designing village and riverfront districts, expanding the residential overlay district, exploring cluster zoning, and generally implementing pieces of the town's economic development plan with support from SRPEDD.</p> <p>The Board agreed he should file these expressions of interest, and also suggested pursuing funding to support work on historic/public buildings (like the old library) once they are properly listed.</p>	<p>Discussion Only</p>

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Public Input:

He then praised the town's storm response to the Blizzard of 2026, highlighting the Highway Department's extraordinary effort to keep roads passable under historic conditions, the assistance from Fire/Rescue, Police, CERT, and residents/contractors who helped clear roads and operate the warming shelter.

Finally, he recognized the passing of longtime employee George Faria, noting his deep institutional knowledge of town buildings and systems and the significant loss to the community.

During public input, first a property owner across from the gas station asked about progress on rezoning his land (now partly residential) to match the adjacent commercial zoning at the Route 24 interchange.

He described submitting a reduced 14-acre plan at the Planning Board's request and said he cannot wait indefinitely; if the zoning article doesn't move forward, he may sell the full 24 acres for residential development. The Board expressed support for the commercial rezoning concept, acknowledged prior confusion and fears at Town Meeting, and discussed next steps: adding the item to a joint meeting with the Planning Board, clarifying that a citizens' petition is also an option but that they'd prefer a coordinated, Board-sponsored article with counsel review.

Next, a member of the Historical Commission raised renewed safety concerns about the Myricks Street/Church Street intersection, citing a recent injury crash and frequent near-misses near the church; she requested improved visibility and warning measures. The Board and TA explained constraints (e.g., cost and bylaw limits on internally lit signs, MassDOT control over speed studies, and the Highway Surveyor's authority over road work) but agreed to re-engage the Highway Department about tree/brush clearing and more visible stop warning signs, and to consider bylaw changes that would exempt municipal/traffic safety signage from current lighting restrictions.

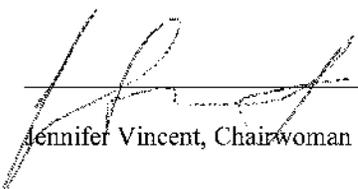
Finally, a resident, Mark Mandelowitz, announced he had pulled papers to run for the Board of Selectmen, briefly introduced his background as a longtime electrician and solar-industry board member, and the Board welcomed his interest and candidacy.

Adjournment:

Meeting adjourned at 8:15 PM

Next Scheduled Meeting is Wednesday, March 4th, 2026 at 6:00 p.m.

Discussion Only

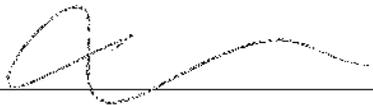

Jennifer Vincent, Chairwoman


Tabitha McCrohan, Member


Mark Horsfall, Member

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Matthew Chabot, Town Administrator