

**MINUTES OF TOWN OF BERKLEY SELECTMEN’S MEETING OF 03/11/2026**

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

TOPIC		ACTION
<b>Call To Order</b>	Board of Selectmen - Called to Order at 6:00PM in the Moitoza-Petty Hearing Room	
<b>Personnel:</b>	<p>Board to review job description and authorize posting for the Wiring Inspector position; review of matter; votes may be taken</p> <p>Board to review resignation of Jennifer Bentley from the position of Children’s Librarian; review of matter; votes may be taken</p> <p>Board to review job posting and description for the position of Children's Librarian; review of matter; votes may be taken.</p>	<p><b>Motion to Authorize:</b> TMcCrohan motioned: JVincent second. Motion approved</p> <p><b>Motion to approve:</b> JVincent motioned: MHorsfall second. Motion approved</p> <p><b>Motion to post:</b> TMcCrohan motioned: JVincent second. Motion approved</p>
<b>New Business:</b>	<p>Taken out of Order: Board to review and potentially approve seasonal liquor license, common victualer and restricted music applications for Chamberlain Farm Stand at 12 Friend Street for the period of April 16, 2026 through November 9, 2026; review of matter; votes may be taken</p> <p>Taken out of Order: Board to review Excess and Deficiency communication concerning Bristol Plymouth Regional Technical School District received from the Massachusetts Department of Revenue. The Town Administrator explained that the “excess and deficiency” (E&amp;D) notice from the regional technical school district functions much like “free cash” for a school district: it reflects a positive year-end balance, but it generally does not result in direct cash back to member towns. Instead, if the E&amp;D balance exceeds 5% of the district’s operating budget, the district would be required to use the excess to reduce assessments in a subsequent year; below that threshold, there is typically no rebate, and the funds remain with the district. He noted that while Berkley once received money back from another regional district due to an assessment overpayment, he has never seen an E&amp;D certification itself lead to a check or wire transfer back to the Town—at most, it can influence future assessments if the surplus is unusually large.</p>	<p><b>Motion to approve:</b> MHorsfall motioned: TMcCrohan second. Motion approved</p> <p><b>Discussion Only, no votes taken</b></p>

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Taken out of order: Board to review the Town of Berkley FY2024 final financial statements and discuss related fiscal matters. The FY24 financial discussion focused on the recently received audit, which arrived much later than the Town would like and reinforced the need for a new audit firm and clearer timelines going forward. The Town Administrator walked through key findings: long-standing problems with reconciling tax receivables; the absence of a fixed asset capitalization and depreciation policy (meaning the Town's financial position is understated without showing the "wearing out" of buildings, vehicles, and equipment—estimated at roughly \$1.2M in annual depreciation); and the need to properly recognize accrued absences (vacation/PTO) as a liability. He noted that these issues are increasingly common statewide due to inexperienced or short-staffed finance offices, but that Berkeley now has a full-time treasurer/collector and accountant and is prioritizing monthly reconciliations and policy work. The Board and Administrator agreed to publicly post the FY24 financial statements (website front page, budget microsite, newsletter, social media), to use the upcoming rating call to show that the Town is aware of and actively addressing the findings, and to pursue a Finance/Financial Advisory Committee-driven policy on capitalization, depreciation, and capital planning while also advocating for added staff capacity in the finance team and Town Hall.

**Discussion Only,  
no votes taken**

Board to review and potentially approve FY2027 health insurance renewal proposal with MIA Health Benefits Trust; review of matter. The Board reviewed the FY27 health insurance renewal proposal from MIA Health Benefits Trust and noted that, after a 15.44% increase the prior year and budgeting for a possible 16% hike this year, the actual renewal came in at 6.8%, which, while still a six-figure increase for the Town and schools combined, was better than anticipated. The Insurance Advisory Committee had met and recommended no changes to the current menu of health plans; however, the Town Administrator proposed one adjustment: increasing the Town's contribution rate on the Access Blue \$2,000 deductible plan from 65/35 to 67/33, as part of a longer-term effort to move employees toward an ACA-compliant "affordable" plan and reduce Affordable Care Act penalty exposure over time. The Board voted to accept the renewal rates as presented, including this contribution-rate change for the Access Blue plan.

**Motion to accept:**  
JVincent  
motioned:  
MHorsfall second.  
Motion approved

Board to open the Annual Town Meeting Warrant for the Annual Town Meeting to be held on Monday, June 1, 2026, discuss time and location of said meeting, review early potential warrant articles, and establish a closing date and time for submission of articles; review of matter. The Board voted to open the Annual Town Meeting warrant effective immediately and to close it on Wednesday, April 22, 2026, at 12:00 p.m., with all proposed articles due to the Town Clerk by that time. The Board also set the Annual Town Meeting for Monday, June 1, 2026, at 7:00 p.m. at Berkeley Middle School, subject to final warrant preparation and posting.

**Motion to open:**  
JVincent  
motioned:  
TMcCrohan  
second. Motion  
approved

**Motion to  
authorize:**

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	<p>Board to review and potentially approve and execute an amended Host Community Agreement, or waiver thereof, with Renew Cannabis Co. of 44 County St; review of matter. The Board authorized the Town Administrator to sign and execute an amended Host Community Agreement waiver for Renew Cannabis, 44 County Street, if received within the following week, with any unresolved details to return to the Board on March 25, 2026.</p> <p>Board to review and potentially approve Common use request form for the Berkley Firefighter's Association Muster/Parade to be held on Sunday, June 21, 2026, from 7:00 AM to 4:00 PM.</p> <p>Board to review and potentially approve Common use request form for the Berkley Firefighter's Association All Motor Vehicle Show to be held on Sunday, August 16, 2026, from 7:00 AM to 4:00 PM.</p> <p>Board to review and potentially approve Common use request form for the Friends of the Berkley Council on Aging July 4th event to be held on Saturday, July 4, 2026, from 10:00 AM to 2:30 PM.</p> <p>Board to review and potentially approve Common use request form for the Friends of the Berkley Council on Aging Vendor Art &amp; Craft Fair to be held on Saturday, September 12, 2026, from 7:00 AM to 4:00 PM.</p> <p>Board to discuss potential procurement for surveying services in relation to the Berkley Middle School sidewalk project; review of matter. The Board briefly discussed the Berkeley Middle School sidewalk project, noting that the Town has a \$25,000 state earmark that must be obligated by June 30 and that, while this amount is insufficient for construction, it can fund required surveying of the proposed route. The Town Administrator explained that the solicitation package and survey area map had been prepared with assistance from MassDOT and TEC. The Board then voted to authorize moving forward with procurement of surveying services for the project, with any resulting contract to be brought back to the Board for approval.</p>	<p>JVincent motioned: TMcCrohan second. Motion approved</p> <p><b>Motion to approve:</b> TMcCrohan motioned: MHorsfall second. Motion approved</p> <p><b>Motion to file:</b> MHorsfall motioned: JVincent second. Motion approved</p> <p><b>Motion to approve:</b> MHorsfall motioned: TMcCrohan second. Motion approved</p> <p><b>Motion to approve:</b> TMcCrohan motioned: MHorsfall second. Motion approved</p> <p><b>Motion to authorize:</b> JVincent motioned: TMcCrohan second. Motion approved</p>
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Board to discuss the scope and manner of public communication regarding pending litigation, consistent with legal counsel and applicable law; review of matter; The board discussed how to be more transparent about legal matters while still protecting the town's legal and HR interests. Members and residents pushed for clearer public visibility into lawsuits and investigation costs, but there was concern that releasing too much detail—especially about pre-litigation or personnel investigations—could create retaliation or defamation risks and weaken the town's position. The compromise was to create a section on the town website listing pending litigation and linking to official court records, which are already public, while handling internal investigations and sensitive matters on a case-by-case basis with appropriate redactions and legal review.

**Motion to approve:**  
JVincent motioned:  
TMcCrohan second. Motion approved

Board to discuss policy relating to the use of legal counsel by public officials; review of matter; The board agreed that access to legal counsel by public officials needs clearer rules to control costs and avoid duplication. It was noted that many questions sent to town counsel repeat issues already answered in writing, and that unmanaged access inflates the legal budget. The emerging consensus was that most requests to general town counsel should be coordinated through the town administrator, with defined exceptions for roles that legitimately need more direct access (especially the town clerk and boards like Planning/ZBA on active cases). A formal "access to counsel" policy will specify who can contact counsel directly, when prior authorization is required (e.g., higher-risk or higher-cost matters), and an expectation that officials re-use existing opinions instead of re-asking the same questions, while avoiding overly burdensome procedures like paper request forms for routine, appropriate use.

**Discussion only**

Board to consider and potentially authorize the Town Administrator to negotiate and execute an engagement letter or standard contract for audit services related to the FY2025 and FY2026 Single Audit. Jennifer Vincent raised the item to authorize Matthew Chabot, as town administrator, to negotiate and execute an engagement letter with a new audit firm for FY25 and FY26 audit/single audit services. Matt explained that the draft master service agreement had been adjusted in response to prior board concerns (including shortening the effective term and improving the limitation-of-liability language to up to double the contract value) and that town administrator wanted clear board backing before proceeding. Mark Horsfall questioned how to ensure timely delivery and whether the contract had enough "teeth" on deadlines, but ultimately accepted that selecting a reputable firm and managing them closely was the practical path. After discussion, the board voted to authorize town administrator to negotiate and execute the audit engagement letter for FY25 and FY26.

**Motion to approve:**  
JVincent motioned:  
TMcCrohan second. Motion approved

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<p><b>Meeting Mail:</b></p>	<p>Fiscal Year 2027 Chapter 90 apportionment. The Chapter 90 discussion was brief and informational. Jennifer Vincent reported that the town's FY27 Chapter 90 allocation is \$440,250, which is very similar to the prior year. You explained that recent allocations have been higher and that this funding directly supports road work, citing the paving of Myricks Street as an example of a large project substantially funded by Chapter 90. You noted that this level of state aid is important for advancing larger highway and infrastructure projects in Berkeley. The board then voted to file the Chapter 90 notification.</p>	<p><b>Motion to file:</b> JVincent motioned: TMcCrohan second. Motion approved</p>
<p><b>Meeting Minutes:</b></p>	<p>Bristol-Plymouth Regional Technical School District budget assessment letter. The board briefly reviewed the Bristol Plymouth Regional Technical School District's FY27 assessment to Berkley. There was acknowledgment that this represents an increase tied to both per-student costs and enrollment, and some concern about the budget impact and lottery-based student placement. After discussion, the board voted to approve/accept the assessment as part of the overall budget considerations.</p> <p>Board to approve Meeting Minutes of March 4th; 2026; review of matter; votes may be taken</p> <p>Board to approve Executive Session Minutes of March 4<sup>th</sup>, 2026; review of matter; votes may be taken</p> <p>Board to approve Meeting Minutes of February 23<sup>rd</sup>, 2026; review of matter; votes may be taken</p> <p>Board to approve Meeting Minutes of February 25<sup>th</sup>, 2026; review of matter; votes may be taken</p>	<p><b>Motion to file:</b> JVincent motioned: MHorsfall second. Motion approved</p> <p><b>Motion to accept:</b> TMcCrohan motioned: MHorsfall second Motion approved</p> <p><b>Motion to accept:</b> TMcCrohan motioned: MHorsfall second Motion approved</p> <p><b>Tabled</b></p> <p><b>Tabled</b></p>
<p><b>Executive Session:</b></p>		

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**Adjournment:**

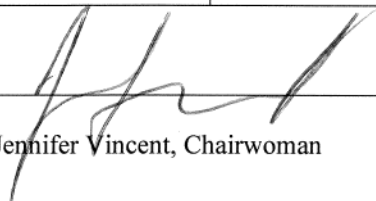
Board to enter into Executive Session pursuant to M.G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; review of matter; votes may be taken

**Motion to enter Executive Session:**  
MHorsfall motioned:  
JVincent second.  
Motion approved.

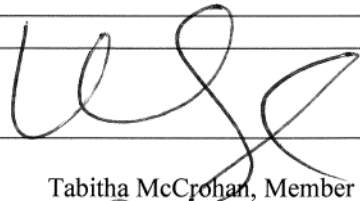
Roll Call Vote:  
Vincent – Aye  
McCrohan – Aye  
Horsfall - Aye

Meeting adjourned at 8:15 PM


\*Next Scheduled Meeting is Wednesday, March 25th, 2026 at 6:00 p.m.\*



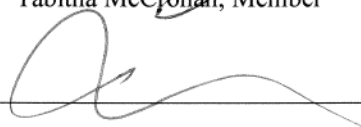
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Jennifer Vincent, Chairwoman



\_\_\_\_\_  
Tabitha McCrohan, Member



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Mark Horsfall, Member



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Matthew Chabot, Town Administrator