

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 06/29/2026

SELECTMEN IN ATTENDANCE: Tabitha McCrohan-Chair, Robert Longton, Member

TOPIC		ACTION
Call To Order	Board of Selectmen - Called to Order at 10:30AM in the Moitoza-Petty Hearing Room	
Appointments:	1. Board to appoint David Patrick to the Berkley Conservation Commission; review of matter; votes may be taken Chair Tabitha McCrohan opened discussion on a newly added agenda item regarding the potential reappointment of David Patrick to the Conservation Commission, noting that a revised agenda had been posted that morning. Citizen Mark Horsfall requested that the Board table any action on Mr. Patrick's reappointment until Mr. Patrick and other affected abutters could be present, citing the long, contentious history and significant expense associated with a particular conservation matter and stating that the public "deserves to be heard." Chair McCrohan acknowledged both the length of the underlying dispute and the strong support she had received from current Conservation Commission members in favor of reappointing Mr. Patrick. She indicated it was her intention to reappoint him as soon as practicable, but Mr. Horsfall expressed concern that taking action without prior clear public notice would appear non-transparent and as though the matter were being "snuck in." After discussion, the Board agreed to table consideration of Mr. Patrick's reappointment and to place it as the first item on the agenda for the next Board meeting, to allow broader public participation. The Board then discussed scheduling and, after reviewing availability and noting the upcoming holiday and travel commitments, agreed to hold the next Board of Selectmen meeting on Wednesday, July 8 at 10:00 a.m., returning to the Board's usual Wednesday schedule. A motion was made and seconded to table the David Patrick reappointment item to the next meeting; the motion passed unanimously.	Motion to table: TMcCrohan motioned; Robert Longton second; Motion approved
New Business:	1. Board to discuss with Fire Chief Jason Perry class action litigation alleging price collusion and anticompetitive practices among certain fire apparatus manufacturers, and to determine whether the Town of Berkley may have an interest in participating in or monitoring the litigation based on past or future fire apparatus purchases; review of matter; votes may be taken Fire Chief Jason Perry briefed the Board on a proposed class action lawsuit alleging price collusion and anti-competitive practices among major fire apparatus manufacturers, with possible expansion to ambulance manufacturers. The action, originated in Wisconsin, covers purchases dating back to 2016, including the Town's acquisitions of Tanker 1, Engine 1, and recent ambulances. Participation would be at no cost to the Town and would involve signing a representation agreement with the law firm, which has previously worked with Town Counsel. Chief Perry cited substantial recent price increases in both fire apparatus and ambulances as justification for participation. The Board expressed support for joining or monitoring the class action, noting the potential financial benefit and lack of cost to the Town, and agreed to proceed subject to Town Counsel's review and approval of the proposed agreement to be coordinated by the Town Administrator and Chief Perry. The Board moved to accept the recommendation of the Fire Chief to participate in the suit. 2. Board to consider declaring Tanker #2 as surplus equipment and further to consider authorizing the Fire Chief to negotiate and execute, subject to applicable procurement and funding requirements, agreements for the acquisition of replacement fire apparatus, and to explore available financing options for the purchase.	Motion to accept: TMcCrohan motioned; Robert Longton second; Motion approved

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	The Board discussed the status of Tanker 2, noting that the vehicle is a 1983 unit with the body rotted off, on its second engine and third transmission, and with a pump for which replacement parts are no longer available. Chair Tabitha McCrohan explained that Town Meeting had previously authorized the Town to effectively obtain “a car loan for a fire truck” to replace this apparatus. Fire Chief Jay Perry recommended that, rather than declaring the vehicle surplus for public auction, the Town trade it in directly to the fire apparatus dealer as part of the purchase of a new truck, citing estimated standalone resale values in the range of \$2,000–\$7,000 and limited broader market utility for an aging fire truck. Following discussion, the Board voted to declare Tanker 2 surplus equipment, and to authorize Chief Perry to negotiate and execute, subject to applicable procurement and funding requirements, agreements for the acquisition and replacement of the fire apparatus, including using Tanker 2 as a trade-in toward the new vehicle. 3. Board to review and potentially approve proposed Stormwater Pollution Prevention Plan for the Berkley Highway Garage; review of matter; votes may be taken Chair Tabitha McCrohan introduced the item to review and potentially approve the stormwater pollution prevention plan (SWPPP) for the Berkley Highway Garage, noting that the Town has not previously had a formal plan and that this work is driven by EPA stormwater requirements. Town Administrator Matthew Chabot advised that while the plan and associated asset list are approximately 90% complete, they are not yet ready for final approval. Following brief discussion, the Board voted to table consideration of the SWPPP to a future meeting once the document is finalized.	Motion to declare surplus: TMcCrohan motioned; Robert Longton second; Motion approved Motion to authorize: TMcCrohan motioned; Robert Longton second; Motion approved
Meeting Minutes:	1. Board to review and approve meeting minutes of June 1st, 2026; review of matter; votes may be taken. 2. Board to review and approve meeting minutes of June 3rd, 2026; review of matter; votes may be taken. 3. Board to review and approve meeting minutes of June 11th, 2026; review of matter; votes may be taken. 4. Board to review and approve meeting minutes of June 17th, 2026; review of matter; votes may be taken. 5. Board to review and approve Executive Session minutes of June 17th, 2026; review of matter; votes may be taken Chair McCrohan stated that draft minutes for several prior meetings were not yet ready for Board review. She recommended tabling approval of all outstanding sets of minutes until complete drafts are available. The Board voted to table approval of all listed minutes to a future meeting.	Motion to table: TMcCrohan motioned; Robert Longton second; Motion approved
Public Input:	During public input, Rosanne Kulibaba commended the recent community celebration and 5K road race, describing it as “stupendous” and a much-needed opportunity for residents to come together given recent tensions. She expressed strong interest in seeing the event held annually and volunteered to help organize	Discussion only; no action taken

future years. Mark Horsfall echoed this praise and thanked Fire Chief Kevin Partridge, Jennifer Vincent, and the broader volunteer team for their extensive work and organization.

Mr. Horsfall then raised several concerns related to transparency, public participation, and election integrity. He criticized the June 17 Board meeting, at which public input was removed from the agenda, characterizing this as a suppression of free speech, and questioned Selectman Robert Longton at length regarding (1) his position on the removal of public input, (2) his preparation for Board meetings (including familiarity with the Ruby Lynn grant and field maintenance issues), and (3) his efforts to address perceived election irregularities. Mr. Horsfall also questioned Town Moderator George Miller's handling of the annual Town Meeting in light of reports that Mr. Miller had purchased a residence in another community shortly beforehand, asserting that this should have been disclosed and addressed publicly to avoid undermining trust.

Mr. Horsfall further criticized the performance of the Town Clerk's office in the recent election and recount, describing the process as an "election disaster," and asked whether the Board intended to sponsor a Town Meeting warrant article to make the Town Clerk position appointed rather than elected. Selectman Longton declined to respond substantively to several of the questions. Chair Tabitha McCrohan and Town Administrator Matthew Chabot noted that while residents are free to speak during public input, no official or citizen can be compelled to answer questions in that setting.

Speaking as a resident, Mr. Chabot offered clarification on public input and free speech in meetings. He stated that public input is intended to give residents an opportunity to voice opinions and concerns, but that it is not an interrogation process in which individuals must respond. He explained that time limits and basic structure around comments (e.g., three-minute guidelines) are commonly used to ensure that multiple speakers can be heard, not to silence dissenting views. He emphasized that residents remain free to express their views outside of meetings as well, and that the Board's role is to balance open comment with an orderly, inclusive process.

Ms. Kulibaba returned to the topic of public input and elections, stressing that Board of Selectmen meetings are effectively the primary ongoing forum for residents to communicate with Town leaders, given that Town Meetings occur only twice per year and the Town lacks a formal social media presence. She stated that removing public input from an agenda "squashes" that limited opportunity. She also expressed that public trust in local elections has been damaged, and that, although she likes the Town Clerk personally, she perceived no accountability for what occurred during the recent write-in election and recount. In her view, given that a large write-in campaign had been anticipated well in advance, the Clerk's office should have taken more proactive steps to coordinate training and guidance for poll workers.

In response, Chair McCrohan provided context and clarification on the election and recount:

- The Town Clerk is an independently elected official, and the Board of Selectmen does not supervise that office. The Board's role has been to facilitate better communication and re-education with the Clerk and with the public.
- Prior to the election, the Clerk consulted the state Elections Division, and was informed that "Robert Longton" and "Bob Longton" would be acceptable write-ins for Mr. Longton; poll workers were trained to look for those forms on election night.
- At the recount, however, the statutory focus on "voter intent" was more broadly applied: write-ins could be challenged and then reviewed by the counters, Town Counsel, and the Board of Registrars, and if any of those officials could discern intent, the ballot could still be counted even if it did not match the exact forms anticipated on election night.

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- Only representatives for Mr. Longton were present to challenge or defend write-ins during the recount; Mr. Horsfall did not participate as a candidate representative, which may have affected which specific ballots were ultimately challenged or accepted.

Chair McCrohan acknowledged that there was a disconnect between the state's initial guidance and the way voter intent was applied during the recount, and noted that other communities facing large write-in campaigns have reported similar confusion. She suggested this may prompt further state-level clarification of write-in standards. Regarding poll workers, Chair McCrohan clarified that no poll workers have yet been reappointed for the new cycle; under law, poll workers must be reappointed annually by the Board of Selectmen. She stated that only some current poll workers will be reappointed, that the Town hopes to recruit additional workers, and that there will be a renewed emphasis on training and communication, especially if future elections involve significant write-in activity.

On the structural question of the Town Clerk position, Chair McCrohan noted that the Department of Revenue's management review has recommended converting certain key operational positions from elected to appointed, including positions where specialized qualifications and consistent performance are critical. She indicated she is open to exploring a future warrant article to make the Town Clerk an appointed position with a more formal vetting and compensation structure, but emphasized that such a change would require additional funding and Town Meeting approval, and must be weighed against other pressing financial priorities (e.g., school and public safety needs).

Chair McCrohan also addressed the handling of public input on agendas. She stated that:

- The decision to remove public input from the June 17 meeting was hers alone as Chair, based on the volume of business and elevated tensions, and was not directed or voted on by the full Board.
- Public input is primarily a listening session for the Board; members may respond if they choose, but are not required to do so.
- Going forward, public input will generally be included on most agendas and will be moved to the beginning of the meeting, allowing residents to comment earlier and, when relevant, before specific agenda items are taken up. It may only be omitted occasionally for very short or strictly procedural meetings.

Executive Session:

1. 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
 - Berkley Patrolman's Union
2. 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
 - Berkley Communications Union

Board moved into executive session not to return to open session at 11:35am.

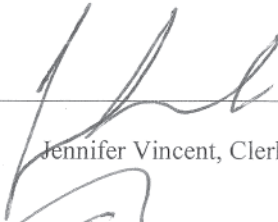
Next Scheduled Meeting is Monday, June 29th, 2026 at 10:30 a.m.

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Tabitha McCrohan, Chairwoman



Jennifer Vincent, Clerk



Matthew Chabot, Town Administrator

Robert Longton, Member