

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 04/22/2026

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 6:00PM in the Moitoza-Petty Hearing Room	
Personnel:	<p>Board to accept resignation of Diane Maxwell from the Berkley Conservation Commission; review of matter; review of matter; votes may be taken.</p> <p>Board to accept resignation of Paul Megna from the Berkley Planning Board; review of matter; votes may be taken</p> <p>Board to post Regional Public Health Nurse -- MAVEN through the Public Health Excellence grant; review of matter; votes may be taken</p>	<p>Motion to accept: MHorsfall motioned; TMcCrohan second; Motion approved</p> <p>Motion to accept: MHorsfall motioned; TMcCrohan second. Motion approved</p> <p>Motion to post: MHorsfall motioned; TMcCrohan second. Motion approved</p>
New Business:	<p>Board to review the Annual Town Meeting Warrant; discuss, recommend, and vote on articles for inclusion and legal review. The Annual Town Meeting warrant discussion focused on finalizing 19 draft articles, separating routine "housekeeping" items (reports, revolving funds, Chapter 90, Board of Health and Assessors articles, standard budget and debt service articles) from more substantive items that need explanation. Substantive items include the non-exempt borrowing authorization for a roughly \$900,000 fire apparatus, the override stabilization fund and its interaction with the override ballot and omnibus budget, the general business district expansion/rezoning near Route 24, a senior tax deferral (41A) article, a zoning change for bed-and-breakfast uses, and authorization to dispose of surplus town-owned properties such as 34 and 44 RR Green Street. The Board agreed to refine language on several articles (particularly the override stabilization, B&B zoning, and land sales), likely use a consent agenda for routine pieces, and develop clear public communication—especially for the override, fire truck borrowing, commercial rezoning, senior tax relief, and land auctions—at an upcoming May 5 public forum.</p> <p>Board to discuss the calculation of tax impacts associated with the proposed override and Berkley Community School debt, including step-by-step methodology and related public communication; review of matter; votes may be taken. The override discussion focused on clarifying how the proposed operational override would actually work and how to explain it to residents. Mr. Chabot noted that if the override ballot passes, the omnibus budget article at Town Meeting is enough to implement the full levy increase, and that the separate override stabilization fund article is meant to set aside part of that increase to follow the town's five-year plan, not to choose between schools and the town side. The Board also talked about how the override combines with Berkley Community School debt, Bristol-Plymouth, and retiring debt in both the tax calculator and multi-year projections, and acknowledged that inconsistent wording has caused confusion. The plan is to correct and align all descriptions and use the May 5 public forum to walk residents step-by-step through the override, stabilization fund, and the consequences of yes/no outcomes.</p>	<p>Discussion Only, no votes taken</p> <p>Discussion Only, no votes taken</p>

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Board to discuss finalization and implementation updates of the Economic Development Plan; review of matter; votes may be taken. The economic development plan discussion focused on how to implement the recently completed plan and connect it to zoning changes and revenue growth. Ms. McCrohan reported that the Planning Board is refining the riverfront district concept (an overlay with village business/residential and even light industrial in the model town they studied) and will bring back one more version before launching public input over the summer, likely at the town's concert series. The Board tied this directly to warrant items like the general business district expansion and stressed that sensible commercial growth—especially along the highway corridor—is a core part of the long-term plan to stabilize finances. They also noted that the Assonet Inn example shows how mixed-use "village" zoning can work, and that Berkley's zoning map will likely need to become more flexible and complex (with more districts/overlays) if the town wants to build a sustainable commercial tax base.

Discussion Only, no votes taken

Board to discuss the scheduling of joint meetings with the Berkley Finance Committee to finalize budget recommendations in the event of the passage of the override, as well as contingency budget; review of matter; votes may be taken. The Board discussed the need for a joint working session with the Finance Committee to finalize both the override and no-override (contingency) budgets before Town Meeting. A previously scheduled standalone FinCom meeting was canceled for lack of quorum, which raised concern given how late it is in the budget cycle. Ms. McCrohan and Ms. Vincent emphasized that, especially with a mostly new FinCom and a complex year, budget work should be done together rather than FinCom meeting alone. Mr. Chabot noted that historically final recommendations have sometimes come very close to Town Meeting, but already have draft override and contingency options prepared. The Board agreed to target Wednesday, April 29 (the next BOS meeting) as a joint BOS-FinCom session to review recommendations, hear department and FinCom input, and move toward a unified budget position ahead of the override vote and warrant finalization.

Discussion Only, no votes taken

Board to discuss the certified free cash amount and potential appropriation strategies, including but not limited to addressing the snow and ice deficit, unemployment obligations, and capital planning priorities; review of matter; votes may be taken. The discussion on certified free cash and appropriation strategies centered on how to use FY24 free cash without propping up the operating budget. Mr. Chabot outlined a plan to first cover the snow and ice deficit (about \$181,758) and adjust for the opioid settlement earmark (~\$115,667). In a no-override scenario, the Board's working direction is to avoid using free cash for ongoing operations and instead allocate roughly \$140,000 into the operating budget specifically for unemployment exposure, combined with a \$50,000 personal services reserve, effectively creating about \$250,000 in capacity (including the existing \$60,000 line) to handle potential layoffs and retro pay. The remainder would support a scaled capital improvement program, prioritizing items like a wellhead solution at the middle school/town complex, a police cruiser, and critical equipment, while acknowledging that some lower-priority capital (e.g., certain building systems like the town hall bell/security work) would likely be deferred without an override. Mr. Chabot stressed that even with an override, the town is far short of fully addressing a large backlog of capital requests and that normalizing a dedicated percentage of the operating budget for capital (around 2.5%) is essential going forward.

Discussion Only, no votes taken

Board to discuss the Town's online tax calculator, including its availability, functionality, and potential updates or enhancements; review of matter; votes may be taken. The tax calculator discussion centered on confusion caused by multiple tools and mismatched descriptions. Mr. Chabot explained that the calculator on the budget microsite was updated to include all FY27 debt changes (Bristol-Plymouth, Berkeley Community School debt, retirement of multi-purpose debt, plus the operational override), but the text and graphic on

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the site still said it only showed the override and BCS debt service. Residents were also circulating different percentage increases (around 39% vs. 58%) because they were using different years and assumptions from the multi-year Excel sheet, which bakes in annual 2.5% growth on certain line items. Jen Vincent stressed that inconsistent labels do not represent the town correctly. Mr. Chabot agreed to change the language/graphic so the calculator description matches what it actually does and aligns with the mailed newsletter, and the Board generally agreed that accuracy and clarity matter more than ultra-fast responses when communicating tax impact figures.

Board to discuss the upcoming public forum on general override considerations scheduled for Tuesday, May 5, 2026 at 6:30 PM, including meeting structure and key questions to be addressed; review of matter; votes may be taken. The Board confirmed plans for a public override forum on Tuesday, May 5 at 6:30 p.m. at Town Hall, intended as a consolidated, resident-facing session before the vote. The format will be a concise presentation rather than a repeat of every prior meeting: Mr. Chabot will walk through the override and budget structure (including tax impacts and the stabilization fund), tie in key warrant articles (fire truck borrowing, general business district expansion, senior tax relief, and major capital needs), and then have each department head briefly explain what the override means for their operations. The goal is to give residents clear, factual, side-by-side information about "with override" and "no override" scenarios and to answer questions in one unified setting, similar in spirit to the prior Lakeville/SAVE-style sessions but focused on all town-wide impacts in one place.

Discussion Only, no votes taken

Board to discuss the FY2024 Financial Statements and Governance Letters, including consideration of public communication and messaging; review of matter; votes may be taken. discussion focused on acknowledging the results of the town's independent audit and how to respond to its findings. Mr. Chabot noted that the audit, performed by CLA, a large national firm, confirms their independence and that they have no incentive to "go easy" on Berkely, if something were wrong, they would say so. The governance letter highlighted a small number of recurring issues: compensated absences (and the need to better manage and limit accrued leave), fixed asset capitalization and depreciation schedules, and monthly cash/bank reconciliations. Mr. Chabot explained that management is actively addressing these: proposed updates to the personnel rules and regulations to control leave liabilities, building out formal capitalization and depreciation schedules, and implementing a monthly reconciliation policy between Treasurer/Collector and Accountant. The Board also contrasted this routine annual financial audit with residents' calls for "an audit," clarifying that Berkely already undergoes required independent audits every year (including for the schools) and that prior DLS reviews and financial management reviews function as operational audits, often recommending *more* investment in general government capacity, not less.

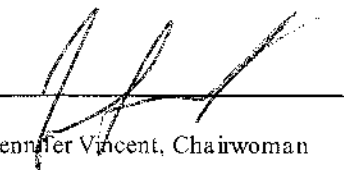
Discussion Only, no votes taken


Board to discuss the replacement of fencing at the Crosby-Couto courts, including the necessity of a building permit and consideration of any waiver; review of matter; votes may be taken. The Crosby-Couto fence discussion concerned a request from the Crosby-Couto Foundation to replace the fencing around the public basketball courts on the town common at their own expense. Because the new fence exceeds the height that triggers a building permit, they asked whether the town would waive the permit fee. The Board emphasized that the Foundation provides a clear public benefit by privately funding and maintaining heavily used community courts, and unanimously voted to waive the building permit fee for the replacement fence, allowing the project to proceed while recognizing and supporting the Foundation's contribution.


Motion to waive:
 MHorsfall motioned:
 TMcCrohan second.
 Motion approved

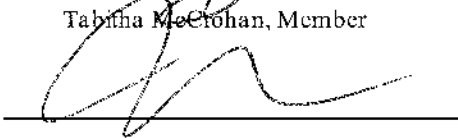
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<p>Old Business:</p>	<p>Board to discuss the development of a legal access policy, including scope of access to counsel, authorization protocols, and related governance considerations; review of matter, votes may be taken. The legal access policy discussion revisited how and when town officials may contact town counsel and how to control associated costs. Mr. Chabot explained that, in practice, you already provide written authorization to counsel when a request is likely to incur billable time, and that any move toward litigation must be explicitly authorized by the Select Board. The Board's concern grew out of prior confusion about who was using counsel and under what authority, but Mr. Chabot noted that town counsel themselves will not proceed into significant work or litigation without BOS direction. Jen reported that nearby communities often rely on an informal understanding rather than a detailed written policy, so the Board agreed to keep gathering examples and potentially formalize a light-touch framework later, while for now continuing the current practice of written authorization and BOS-only approval for litigation.</p>	<p>Discussion Only, no votes taken</p>
<p>Meeting Mail:</p>	<p>Mass Electric Company December 2025 State Annual Return to the Department of Public Utilities.</p>	<p>Motion to file: TMcCrohan motioned: MHorsfall second. Motion approved</p>
<p>Meeting Minutes:</p>	<p>Board to approve Meeting Minutes of April 8th, 2026; Executive Session Minutes of April 8th, 2026; Meeting Minutes of April 16th, 2026; review of matter; votes may be taken</p>	<p>Motion to approve: MHorsfall motioned: TMcCrohan second. Motion approved Roll Call Vote: McCrohan – Aye Horsfall – Aye Vincent – Aye</p>
<p>Public Input:</p>	<p>During public input, a resident highlighted ongoing communication gaps and suggested creating an official Town of Berkley Facebook page to centralize agendas, meeting notices, and community events, offering to volunteer as the page's content poster. Board members and the Town Clerk agreed that residents clearly value better digital outreach but noted that maintaining a reliable, official channel is real work and likely requires formal oversight and, long-term, dedicated resources rather than relying solely on volunteers. The Board expressed interest in exploring a structured community engagement approach that could start as a pilot and eventually be integrated into regular town operations.</p>	<p>Discussion Only, no votes taken</p>


 Jennifer Vincent, Chairwoman


 Tabitha McCrohan, Member


 Mark Horsfall, Member


 Matthew Chabot, Town Administrator