

COMMONWEALTH OF MASSACHUSETTS  
Worcester, ss.

To either of the Constables of the Town of Berlin in the County of Worcester:

Greetings: In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at the Berlin Memorial School in said Berlin on Monday, the sixth day of May, 2013, next, at 7:30 o'clock in the evening, then and there to act on the following articles; or in relation thereto:

ARTICLE 1 – To see if the Town will vote to fill all vacancies and choose all necessary Town Officers, not required to be chosen by ballot, or take any action relative thereto.

I move that the Board of Selectmen, or any other Board having the proper authority, appoint all necessary Town Officers as may be provided for by statute or other authority and who are not required by law to be chosen by ballot.

ARTICLE 2 – To see what action the Town will take on the printed reports of the officers and committees of the Town for the year 2012; or take any action relative thereto.

I move that the various reports of officers and committees of the Town as contained in the annual town report be accepted by the Town, but without imposing any personal liability on any individuals who are officers of any board for the action taken hereby.

ARTICLE 3 – To see if the Town will vote to authorize the Treasurer, with the approval of the Selectmen, to borrow in anticipation of reimbursement to the Town by the Commonwealth Executive Office of Transportation for the repair of roads and bridges; or take any action relative thereto. Finance Comm. recommends 3-0.

I move to authorize the Treasurer, with the approval of the Selectmen, to borrow money in anticipation of reimbursement to the Town by the Commonwealth Executive Office of Transportation for the repair of roads and bridges.

ARTICLE 4 – To see if the Town will vote to establish and authorize the use of revolving fund accounts, for FY2014, pursuant to the provisions of Mass. General Law Chapter 44, Section 53E1/2 for the purposes, maximum expenditure, and authority to expend as outlined in the table below. Expenditures shall not be made or liabilities incurred from any such revolving fund in excess of the balance of the fund or in excess of the total authorized expenditure. The authorized departments shall report to the Annual Town Meeting and the Board of Selectmen the total amount of receipts and expenditures for the prior fiscal year and the current fiscal year through December 31. Interest earned on any revolving funds shall be treated as general fund revenue of the Town; or take any action relative thereto. Finance Comm. recommends 3-0.

<b>Title</b>	<b>Max. Amount Expendable</b>	<b>Source of Receipts and Use of Funds</b>	<b>Authority to Expend</b>
Dog Licensing	\$600.00	Receipts: 50% of dog fees collected. Uses: Cost of licensing and purchase of dog tags	Town Clerk
Library Video Fines	\$1,000.00	Receipts: Video fines, photocopier fees, fax fees and fees for lost materials. Uses: Purchase of new and replacement material.	Library Trustees/Director of Library

Cable Access	\$10,000.00	Receipts: Contributions, other funds, Town appropriations, subscriber fees from Charter Communications. Uses: Purchase of services, supplies and electronic equipment	Cable Access Committee
Assessors Maps	\$6,000.00	Receipts: Planning Board fees charged for map updates, monies collected for the sale of maps, deeds, and reports. Uses: The cost of updating Town maps	Board of Assessors
Recreation	\$10,000.00	Receipts: Facility rental fees, contributions and other funds. Uses: Purchase services or supplies which are part of Recreation programs	Recreation Committee
Town Hall	\$25,000.00	Receipts: Contributions, donations, user fees and fundraising activity receipts. Uses: Supplies, part time wages and related benefits, maintenance, general operating expenses & expenses related to fundraisers	Board of Selectmen

I move to establish revolving funds for Dog Licensing, the Library Trustees, the Cable Access Committee, the Assessors' Office, the Recreation Committee, and the Town Hall, for FY2014, as permitted under Chapter 44, Section 53E1/2 of the General Laws, with the stipulations as described in Article 4 of the warrant for this meeting.

ARTICLE 5 – To see if the Town will vote to authorize the Selectmen to expend from the Highway Department Expense budget, as enacted under Article 9, a sum not to exceed \$300.00 for insect and pest control and a sum not to exceed \$2,000.00 for Dutch Elm disease control, provided that the Tree Warden shall request the expenditure of such funds of the Selectmen; or take any action relative thereto. (Highway Dept.) Finance Committee recommends 3-0.

I move to authorize the Selectmen to expend from the Highway Department Expense Budget, as enacted under Article 9, a sum not to exceed \$300.00 for insect and pest control and a sum not to exceed \$2,000.00 for Dutch Elm Disease control, provided that the Tree Warden shall request the expenditure of such funds of the Selectmen.

ARTICLE 6 – To see if the Town will vote to authorize payment of a salary of \$300.00 to each member of the Berlin School Committee as provided by Chapter 71, Section 52 of the General Laws; or take any action relative thereto. (Berlin School Committee) Finance Committee recommends 3-0.

I move to authorize payment of a salary of \$300.00 to each member of the Berlin School Committee as provided by Chapter 71, Section 52 of the General Laws.

ARTICLE 7 – To see if the Town will vote to accept the provisions of Mass General Law Chapter 73, of the Acts of 1986 to grant additional real estate tax exemptions of 100% for fiscal year 2014 to persons who qualify for property tax exemptions under Clause 17D, 22, 22A, 22B, 22C, 22E, 37A, and 41C of Section 5 of Chapter 59; or take any action relative thereto. (Board of Assessors) Finance Committee recommends 3-0.

I move to accept the provisions of Mass General Law Chapter 73, of the Acts of 1986 to grant additional real estate tax exemptions of 100% for fiscal year 2014 to persons who qualify for property tax exemptions under Clause 17D, 22, 22A, 22B, 22C, 22E, 37A and 41C of Section 5 of Chapter 59.

ARTICLE 8 – To hear and act on the reports of any outstanding committees, or take any action relative thereto.

ARTICLE 9 – To see if the Town will vote to raise and appropriate, or borrow, or transfer from available funds, or otherwise provide all necessary sums of money to defray the Town’s expenses for the fiscal year beginning July 1, 2013 and to determine the salaries of the Town Officers for that period, or take any action relative thereto.

ARTICLE 10 – To see if the Town will vote to transfer a sum of money from the Anna Hunt Fund to the Library Account, and, further, to authorize the acceptance of any other monies from various sources, to the Library Account; or take any action relative thereto. (Library Trustees) Finance Committee recommends 3-0.

ARTICLE 11 – To see if the Town will vote to accept a sum of money for Perpetual Care in the Cemeteries and a sum of money for the Cemetery Flower Fund; or take any action relative thereto. (Cemetery Comm.) Finance Committee recommends 3-0.

ARTICLE 12 – To see if the Town will vote to approve Assabet Valley Regional Vocational School District’s establishment of a Reserve Fund for Compensated Absences for Employees Terminating Employment per provisions of MGL Ch.40, Section 13D; to take any action relative thereto. (Assabet Valley School Committee)

ARTICLE 13 – To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$119,400.00 for the purpose of replacing one boiler at the Berlin Memorial School; or take any action relative thereto. (Berlin School Comm.) Finance Committee recommends 3-0.

ARTICLE 14 – To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$96,000.00 for the purpose of repairing the roof at the Berlin Memorial School; or take any action relative thereto. (Berlin School Comm.) Finance Committee recommends 3-0, from Stabilization.

ARTICLE 15 – To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$10,000.00 for the purpose of mold remediation wall repair work at the Berlin Memorial School; or take any action relative thereto. (Berlin School Comm.) Finance Committee recommends 3-0.

ARTICLE 16 – To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$5,000.00 for the purpose of exterior building repairs at the Berlin Memorial School; or take any action relative thereto. (Berlin School Comm.) Finance Committee recommends 3-0.

ARTICLE 17 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$7,500.00 for labor and materials to refinish and seal the downstairs hallway and stairs at the Berlin Public Library; or take any action relative thereto. (Board of Library Trustees) Finance Committee recommends 3-0.

ARTICLE 18 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$2,500.00 for labor and materials to replace windows at the Berlin Public Library with energy efficient units; or take any action relative thereto. (Board of Library Trustees) Finance Committee recommends 3-0.

ARTICLE 19 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, the sum of \$35,000.00 for the purchase of a new police cruiser to replace the 2008 Ford Crown Vic Police sedan; or take any action relative thereto. (Police Chief) Finance Committee recommends 4-0.

ARTICLE 20 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$6,000.00 for sprinkler system renovations at the Town Offices/Public Safety Building (Phase II); or take any action relative thereto. (Board of Selectmen) Finance Committee recommends 3-0.

ARTICLE 21 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$3,000.00 for emergency generator repairs at the 1870 Town Hall; or take any action relative thereto. (Board of Selectmen) Finance Committee recommends 2-1.

ARTICLE 22 – To see if the Town will vote to authorize the Board of Selectmen to accept a gift of 1.04 acres of land for general municipal purposes, located on the northerly side of West Street and shown on Berlin Assessors Map 15.1, Block 5, Lot 0; or take any action relative thereto. (Board of Selectmen)

ARTICLE 23 – To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, the sum of \$3,600.00 for safety jackets for the Berlin Rescue Squad; or take any action relative thereto. (Rescue Squad) Finance Committee recommends 3-0.

ARTICLE 24 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$8,000.00 for defibrillators, defibrillator repairs and supplies; or take any action relative thereto. (Public Safety Dept.) Finance Committee recommends 3-0.

ARTICLE 25 – To see if the Town will vote to appropriate the apportionment of Chapter 90 Transportation Bond Issue monies in the amount certified by the Commonwealth of Mass; or take any action relative thereto. (Highway Dept.) Finance Committee recommends 3-0.

ARTICLE 26 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$70,000.00 for the purchase of hot top; or take any action relative thereto. (Highway Dept.) Finance Committee recommends 3-0.

ARTICLE 27 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$12,000.00 for the purchase of a Z950A John Deere mower; or take any action relative thereto. (Highway Dept.) Finance Committee recommends 3-0.

ARTICLE 28 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$15,000.00 for the purchase of a used 4520 John Deere tractor, or equivalent; or take any action relative thereto. (Highway Dept.) Finance Committee recommends 3-0.

ARTICLE 29 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a sum of money to purchase Building Officials Permitting/Inspectional Services software; or take any action relative thereto. (Inspectors/Assessors) Finance Committee recommends 3-0.

ARTICLE 30 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$1,500.00 to equip, repair and refurbish a Ford Crown Victoria marked Police vehicle to be used as a command vehicle for the Fire Department; or take any action relative thereto. (Fire Engineers) Finance Committee recommends 4-0.

ARTICLE 31 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, the sum of \$23,820.00 for the purchase of personal protective equipment to replace old and worn out equipment used by members of the Berlin Fire Department; or take any action relative thereto. (Fire Engineers) Finance Committee recommends 3-0.

ARTICLE 32 – To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for the purchase or lease/purchase of a Ladder Truck/Quint and related equipment, to replace the current 1996/1983 Ladder 1; or take any action relative thereto. (Fire Engineers) Finance Committee does not recommend 0-4.

ARTICLE 33 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of up to \$25,000.00 for the costs associated with the development of construction drawings for the construction of an elevator addition for the 1870 Town Hall; or take any action relative thereto. (Town Hall Advisory Committee) Finance Committee voted 2-2.

ARTICLE 34 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a sum of money for the purchase of a new mower and related equipment for the Cemetery Department; or take any action relative thereto. (Cemetery Commission) Finance Committee recommends 3-0.

ARTICLE 35 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of the \$2,000.00 for printing the Zoning Bylaws and the Subdivision Control Regulations; or take any action relative thereto. (Planning Board) Finance Committee recommends 3-0.

ARTICLE 36 – To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$5,000.00 for the preparation of the Master Plan for the Town of Berlin; or take any action relative thereto. (Planning Board) Finance Committee recommends 3-0.

ARTICLE 37 – To see if the Town will vote to amend the Berlin Zoning Bylaws by adding under Section 540 Home-Based Contracting Business, the following section as 540.9 Duration of Special Permit:

“540.9 Unless an earlier expiration date is specified by the Zoning Board of Appeals in a special permit, all special permits issued under this bylaw shall expire automatically upon the expiration of five years from the date of issuance. Prior to expiration, the applicant may apply for renewal of the special permit for another five year period, said application to comply with all the provisions of Section 540 of this bylaw. Upon expiration of a special permit, which has not been renewed, the applicant shall disassemble and remove any materials or equipment related to the Home-Based Contracting Business in its entirety within thirty days of the expiration of the special permit.”

Or take any action relative thereto. (Planning Board)

ARTICLE 38 – To see if the Town will vote to amend the Berlin Zoning Bylaws by adding to Section 653 Accessory Buildings and Structures, the following sentence after the current 653.1:

“If the detached accessory building is a one story building to be used as a tool and storage shed, playhouse or similar use, and the floor area does not exceed 200 square feet, the rear yard minimum requirements may be reduced to twenty (20) feet.”

Or take any action relative thereto. (Planning Board)

ARTICLE 39 – To see if the Town will vote to amend the Berlin Zoning Bylaws by adding under Article 9: Signs, the following section as 933 Political Signs:

“933.1 Such temporary signs shall conform to Section 914.1.

933.2 Such signs may be put up or placed no earlier than six (6) weeks prior to the election and must be removed within seventy-two (72) hours of the close of the polls.”

Or take any action relative thereto. (Planning Board)

ARTICLE 40 – To see if the Town will vote to amend the Berlin Zoning Bylaws by deleting the second sentence under Section 1234 Required Site Plan Contents and replacing it with:

“All site plans shall be presented on standard 24” by 36” sheets and in electronic format and shall be prepared at sufficient scale to show:”

And in the Section titled “Electronic Submission Requirements for Subdivision, ANR, and As-Built Plans” add the words, “Site Plans”.

Or take any action relative thereto. (Planning Board)

ARTICLE 41 - To see if the Town will vote to transfer from available funds a sum of money to be used toward the reduction of the 2013-2014 tax rate; or take any action relative thereto. (Fin. Comm.)

ARTICLE 42 - To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to the Stabilization Fund; or take any action relative thereto. (Fin. Comm.)

ARTICLE 43 - To meet at the Berlin Town Offices, 23 Linden Street, lower level, in said Berlin on Monday, May 13, 2013, between the hours of 12:00 Noon and 8:00 P.M. to elect by ballot the following officers: Moderator for one year; Treasurer for three years; Selectman for three years; Assessor for three years; Constable for three years; School Committee for three years; Trustee of Trust Funds for three years; Cemetery Commissioner for three years; Library Trustee for three years; Board of Health for three years; Board of Health for two years to fill a vacancy; and Planning Board for five years.

And you are directed to serve this Warrant, by posting up attested copies thereof as per vote of the Town in said Town, seven days at least before the time of holding said meeting.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this 8th day of April in the year of our Lord two thousand thirteen.

BOARD OF SELECTMEN

\_\_\_\_\_  
Judith Booman, Vice Chairman

\_\_\_\_\_  
Thomas Andrew, Clerk

A true copy attest: \_\_\_\_\_, Constable

Worcester, ss.

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Berlin by posting up attest copies thereof at the Town Hall, the Town Offices, and the Post Office \_\_\_\_\_ days before the time of holding said meeting, as within directed.

\_\_\_\_\_, Constable

\_\_\_\_\_ Date