

**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 eighth day of December, 2014 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 amend the Zoning By-Laws by adding new Subsection 458.5 "Special Drive-Through Window Requirements in the Village Overlay District" as follows:

458.5 Special Drive-Through Window Requirements in the Village Overlay District

A drive-through window may be allowed pursuant to VO Site Plan Approval by the Planning Board subject to the following conditions:

- (a) Hours of operation may be established by the Planning Board.
- (b) Adequate queue space shall be provided to ensure that waiting vehicles do not back up onto public ways or parking areas on the premises.
- (c) Adequate refuse disposal facilities shall be provided as determined by the Planning Board.
- (d) A traffic circulation plan for the drive-through window shall be prepared showing that the drive-through window shall not result in safety issues for other customers, whether in vehicles or pedestrians.

Or what it will do in relation thereto. (Citizens Petition)

**Article 2:** To see if the Town will vote to amend the Zoning By-laws by adding new subsection 485.5 "Special drive-through window requirements in the Village Overlay District" as follows:

458.5 Special Drive-Through Window Requirements in the Village Overlay District

A drive-through window may be allowed pursuant to VO Site Plan Approval by the Planning Board subject to the following conditions:

- (a) Hours of operation may be established by the Planning Board,
- (b) Adequate queue space shall be provided to ensure that waiting vehicles do not back up onto public ways or parking areas on the premises,
- (c) Adequate refuse disposal facilities shall be provided as determined by the Planning Board,
- (d) A traffic circulation plan for the drive-through window shall be prepared showing that the drive-through window shall not result in safety issues for other customers, whether vehicles or pedestrians, and
- (e) Restaurant seating shall be limited to no more than 18 seats

Or take any action relative thereto. (Planning Board)

**Article 3:** To see if the Town will vote to amend the Berlin General Bylaws Article XIII – Regulation of Business, Section 1(2)(c) by replacing the words "January 1<sup>st</sup>" with the words "May 1<sup>st</sup>", or take any action relative thereto. The change is based upon the recommendation of the Attorney General and M.G.L. Chapter 140, Section 203. (Police Chief)

**Article 4:** To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, eminent domain, gift or otherwise, for general municipal purposes, all or a portion of a parcel of land comprised of approximately six (6) acres, known and numbered 58 South Street and identified on the Assessors' Map 10.0, Block 19, Parcel 0, together with any structures and improvements thereon, on such terms and conditions as the Board of Selectmen may determine, and further, to vote to raise and appropriate or transfer from available funds in the treasury, a sum not to exceed \$325,000.00 to be expended by the Board of Selectmen for said acquisition and for the cost of demolition of any existing structures as the Selectmen may determine, and matters related thereto, or take any other action relative thereto. (Board of Selectmen)

**Article 5:** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$22,079.00 to Line Item # 63, Building Inspector – Wages PT in the Fiscal Year 2015 budget to increase the Building Inspector's hours from 24 to 36 hours per week for the remainder of Fiscal Year 2015. This request is in recognition of the rapid build out of Highland Commons and the continuation of Riverbridge North, LLC, or take any action relative thereto. (Board of Selectmen)

**Article 6:** To see if the Town will vote to close out the following Special Article accounts:

(a)	Article 23 FY99	Accountants Software	\$4,983.41
(b)	Article 27 FY11	Mun Bldg Window Sealing at Town Offices	\$ 65.00
(c)	Article 28 FY11	Public Safety Roof Repairs	\$ 205.81
(d)	Article 20 FY14	Mun Bldg Sprinkler Renovations	\$ 200.00
(e)	Article 24 FY13	Refurbish Police Cruiser 3	\$4,102.31
(f)	Article 19 FY13	Rescue Pagers	\$ 3.00
(g)	Article 55 FY10	Veterans Bronze Plaque	\$ 495.00
(h)	Article 31 FY11	Library Repairs	\$ 25.85
(i)	Article 37 FY12	Library Water Issues	\$9,388.52
		TOTAL	\$19,468.90

and vote to transfer the remaining amounts totaling \$19,468.90 to the Stabilization Fund, and/or transfer to another appropriation, and/or close out to the General Fund, or take any action relative thereto. (Town Accountant)

**Article 7:** To see if the Town will vote to transfer from Article 28 FY15 Town Meeting Warrant the sum of \$78,863.00 to purchase and install a new furnace system at the Municipal Building, 23 Linden Street, and any associated costs, or take any action relative thereto. (Facilities Manager)

**Article 8:** To see if the Town will vote to raise and appropriate, borrow, and/or transfer from available funds, a maximum sum of \$50,000.00 for development of construction drawings, bidding documents and associated professional services and costs for the 1870 Town Hall elevator & curatorial storage building project, or take any action relative thereto. (Board of Selectmen)

**Article 9:** To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum not to exceed \$6,000.00 to purchase computer tablets and accessories for the Building, Electrical, Plumbing/Gas and Fire inspectors to support the use of the GeoTMS permitting software, or take any action relative thereto. Funds to be expended by the Board of Selectmen. (Board of Selectmen)

**Article 10:** To see if the town will vote to transfer from available funds or otherwise provide a sum not to exceed \$2,500 for the purpose of replacing the solar panel, installing a new solar panel, connecting the existing water pump and the existing control panel to complete the system as well as purchasing and installing security devices and associated costs to protect the irrigation components at the Community Garden from theft, or take any action relative thereto. (Agricultural Commission)

**Article 11:** To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of \$382.80 to pay 3 unpaid FY14 invoices to Bryley Systems, Inc. for computer services, or take any action relative thereto. (Board of Fire Engineers)

**Article 12:** To see if the Town will vote to raise and appropriate, , and/or transfer from available funds, a sum of \$600.00 to pay an unpaid FY13 contractual longevity pay for Police Officer Gilchrest which was inadvertently omitted from the FY13 police longevity payments, or take any action relative thereto. (Police Chief)

**Article 13:** To see if the Town will vote to amend Article 29 of the May 5, 2014 Town Meeting regarding acceptance of the provisions of M.G.L. Chapter 59, Section 5K, property tax liability reduced in exchange for volunteer services; persons over age 60 (Senior Work-Off Program) with implementation in FY16 by adding “with the maximum earned abatement of \$1,000 per person paid at the Massachusetts Minimum Wage Rate”, or take any action relative thereto. (Board of Selectmen)

**Article 14:** To see if the Town will vote to amend Article 30 of the May 5, 2014 Town Meeting acceptance of the provisions of Mass General Law Chapter 59 Section 5N, property tax liability reduced in exchange for volunteer services; veterans (Veteran Work-Off Program) with implementation in FY16 by adding “with the maximum earned abatement of \$1,000 per person paid at the Massachusetts Minimum Wage Rate”, or take any action relative thereto. (Board of Selectmen)

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

Hereof fail not, and made 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 10<sup>th</sup> day of November in the year of our Lord two thousand fourteen.

#### BOARD OF SELECTMEN

Thomas Andrew, Chairman  
Walter Bickford, Vice Chairman  
Judith Booman, Clerk

Volunteer today!

<http://www.townofberlin.com/departments/volunteer-opportunities/>

Check out Berlin Town Government volunteer opportunities at

Board of Selectmen  
23 Linden Street  
Berlin, MA 01503

Presorted Standard  
U.S. Postage  
ECRWSS  
PAID  
PERMIT NO. 3  
BERLIN MA 01503

**Special Town Meeting**

**Monday, December 8, 2014, 7:30 p.m.**

Berlin Memorial School

**Open Voter Registration**

**Wednesday, November 26, 2014 from 9 a.m. – 8 p.m.**

Town Clerk's Office

POSTAL PATRON  
BERLIN, MA 01503