

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 second day of May, 2016 next, at 7:00 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 raise and appropriate, borrow, and/or transfer from available funds, a sum of \$67.79 to cover unpaid prior year FY15 postage and copies reimbursement to Larry Brandt. (Selectmen)

ARTICLE 2 - To see if the town will vote to raise and appropriate, borrow, and/or transfer from available funds, a sum of \$1,292 to cover unpaid prior year FY15 Town Counsel expenses. (Selectmen)

ARTICLE 3 - To see if the Town will vote to transfer a sum of money from available funds to Line Item 79, Snow & Salt Wages FT OT, in the FY16 budget; or take any action relative thereto. (Highway Supt.)

ARTICLE 4 - To see if the Town will vote to transfer a sum of money from available funds to Line Item 80, Snow & Salt Wages PT, in the FY16 budget; or take any action relative thereto. (Highway Supt.)

ARTICLE 5 - To see if the Town will vote to transfer a sum of money from available funds to Line Item 81, Snow & Salt Expenses, in the FY16 budget; or take any action relative thereto. (Highway. Supt.)

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

Article 30 FY13 Fire Portable Radios \$10.00	Article 19 FY15 Library Book Drop Box \$259.40
Article 21 FY14 1870 T Hall Generator Repairs \$475.00	Article 25 FY15 BMS Sound Buffers in Café \$558.00
Article 15 FY15 Transfer Station Paving \$2,637.75	Article 26 FY15 BMS Computer Replacement \$131.14

To the stabilization fund, and/or transfer to another appropriation, and/or close out to the general fund, and/or to take any other action relative thereto. (Accountant/Selectmen) Finance Committee recommends (5-0) to close out these accounts to the Stabilization Fund.

ARTICLE 7 - To see if the Town will vote to accept the provisions of M.G.L. Ch. 44, Sec. 53F³/₄ in order to establish a separate revenue account to be known as the "PEG Access and Cable Related Fund", into which will be deposited funds received in connection with a franchise agreement between the Town's cable operator and the Town and from which monies shall only be appropriated for cable-related purposes consistent with the franchise agreement, including, but not limited to: (i) support of public, educational or governmental access cable television services; (ii) monitoring compliance of the cable operator with the franchise agreement; or (iii) preparing for renewal of the franchise license, said fund to begin operation for Fiscal Year 2017, which begins on July 1, 2016, or take any action relative thereto. (Cable Access Committee/Selectmen)

ARTICLE 8 - To see if the Town will authorize, to be deposited after July 1, 2016 in the "PEG Access and Cable Related Fund," all monies received for PEG and cable related purposes under the franchise agreement, or take any action relative thereto. (Cable Access Committee/Selectmen)

ARTICLE 9 - 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 or expend from available funds in the treasury, a sum not to exceed \$350,000 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; and further to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments on behalf of the Town to effect said acquisition, or take any other action relative thereto. (Selectmen) Finance Committee recommends (5-0) \$175,000 from the Highland Commons Cultural Fund and to raise and appropriate \$175,000 within the levy limit.

ARTICLE 10 --To see if the Town will vote to authorize the Board of Selectmen to petition the General Court in the form set forth below, authorizing the Board to issue an off-premises alcoholic beverages license to Berlin Liquors LLC; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general objectives of the petition:

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws relative to the number of licenses that may be granted in the town of Berlin, the licensing authority of the town of Berlin may grant 1 license for the sale at retail of all alcoholic beverages not to be drunk on the premises under section 15 of said chapter 138 to Berlin Liquors LLC, River Road West, in said town. The licensee shall comply with such requirements and conditions as the licensing authority shall deem appropriate. The license shall be subject to all of said chapter 138, except said section 17 relative to the number of licenses that may be granted. The license may be used only in one location on the commercial parcel at the mixed use village known as Riverbridge, which parcel is shown as "Lot 9" on the ANR Plan set recorded at the Worcester County Registry of Deeds in Plan Book 912, as Plan 60. The license shall be transferable between commercial buildings and applicants on said Lot 9, but not to any other location in the Town. The license may be reissued to a new applicant, for use on said Lot 9, if the applicant files with the licensing authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid. The license shall be subject to all other provisions of said chapter 138. If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same terms and conditions as specified in this section.

SECTION 2. This act shall take effect upon its passage.

Or take any other action relative thereto. (Citizens' Petition)

ARTICLE 11 – To see if the Town will vote to rescind Article 41 of the May 1997 Berlin Town Meeting, Article 41 of the May 1997 Town Meeting being the following:

To see whether the Town of Berlin will advocate the development of a multi-use trail along the Central Massachusetts branch of the MBTA from Belmont/Waltham to Berlin; request that the Massachusetts Highway Department design and construct the trail working in close consultation with Berlin town officials and other interested citizens; take an advisory role in the engineering and design to insure that it is (a) safe and convenient for both trail users and motorists on intersecting town roads; (b) environmentally sound; (c) economical to maintain; and (d) that any special local circumstances are considered; and assume the responsibility, assisted by citizen volunteer groups, for maintaining and policing the section of the trail within the town's borders after the design and construction are complete.

(Citizens' Petition)

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 _____ day of April in the year of our Lord two thousand sixteen.

BOARD OF SELECTMEN

Thomas Andrew, Chairman

Walter Bickford, Vice Chairman

Judith Booman, Clerk

A true copy attest: _____, Constable

Worcester, s.s.

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

Rev. 10/30/16