

## PROCEEDINGS AT THE SPECIAL TOWN MEETING – DECEMBER 11, 2017

According to legal notice the voters of the Town of Berlin met at the Berlin Memorial School on Monday December 11, 2017, at 7:00 PM. Assistants were James H. Wheeler, Noel Rosenberg, and Dennis Fearebay as checkers and Police Chief Thomas Galvin and Officer Kevin Colomey. Cable television coverage was provided by William and Patricia Anderson, Brittany Blaney and Roger Bradley. It was alive and will also be recorded and available later via You Tube channel. <http://www.townofberlin.com/berlin-tv/>. Attorney Joel Bard of KP Law served as Town Counsel. Barry W. Eager, Moderator, called the meeting to order at 7:05 PM. There were approximately 126 voters present. The Moderator waived the reading of the articles in the warrant. The Town Clerk then read the call of the meeting and the Constable's return.

Wayne Texiera gave a brief update about the Town Management Study Committee which is studying the structure of our town government. They are holding an open public forum for feedback and input, on December 13, 2017, 7 PM, at 19 Carter Street, a community gathering place.

Article 1. Unanimously voted to transfer from Free Cash the sum of eighty thousand dollars (\$80,000.00) to FY18 Budget Line Item 42, Public Buildings – Expenses. The Finance Committee recommended this motion.

The Moderator stepped down during Article 2. Nominations were called for a temporary Moderator. Timothy H. Wheeler was nominated. He was elected unanimously.

Article 2. Voted to transfer from Free Cash the sum of forty-five thousand dollars (\$45,000.00) to FY18 Budget Line Item 42, Public Buildings – Expenses to cover expenses related to completion of the 1870 Town Hall elevator and Historical Commission curatorial building project. The Finance Committee recommended this motion.

The Moderator resumed the podium.

Article 3. Voted to authorize the Board of Selectmen to enter into a Second Modification of Development Agreement with Riverbridge as described in the warrant for this Meeting. The Finance Committee recommended this motion.

Lynn Ryan, Lee Tabor and Stephen Bradley were appointed to assist in a hand count. The vote was: YES 109, NO 31.

Article 4. Voted to transfer the sum of \$6,095.00 from Free Cash to pay unpaid, prior year FY16 invoices from Community Ambulance Service for Advanced Life Support Intercept services. This was 9/10<sup>th</sup>'s vote. The Finance Committee recommended this motion.

Article 5. Voted to transfer the sum of \$9,805.00 from Free Cash to pay unpaid, prior year FY17 invoices from Community Ambulance Service for Advanced Life Support Intercept services. This was a 9/10<sup>th</sup>'s vote. The Finance Committee recommended this motion.

Article 6. Unanimously voted to transfer the sum of \$530.80 from Free Cash to pay an unpaid prior year FY17 invoice to Moura's Cleaning Services for Public Building – Expenses. The Finance Committee recommended this motion.

Article 7. Unanimously voted to transfer the sum of \$55.00 from Free Cash to pay unpaid prior year FY17 Conservation Commission – Expenses to reimburse Carolyn MacDonald for a conservation webinar registration. The Finance Committee recommended this motion.

Article 8. Motion failed. (Maximum 3 drive-ups in overlay zones. Yes 51, NO 79 needed 2/3's vote).

Article 9. Voted unanimously to amend the Town's Zoning By-Law "Article 7, Alternative Site Development", as described in Article 9 of the Warrant for this meeting.

The Berlin Planning Board held a public hearing to consider Article 9 of the 2017 Special Town Meeting Warrant on Tuesday November 28, 2017. At the Planning Board meeting on November 28, 2017 the Board voted 3 in favor 0 opposed to Article 9.

Article 10. Unanimously voted to amend the Town's Zoning By-Law "Article 9, Signs, Section 941 Address Signs", as described in Article 10 of the Warrant for this meeting.

The Berlin Planning Board held a public hearing to consider Article 10 of the 2017 Special Town Meeting Warrant on Tuesday November 28, 2017. At the Planning Board meeting on November 28, 2017 the Board voted 3 in favor 0 opposed to Article 10.

Article 11., Moderator declared a 2/3's vote to amend the Town's Zoning By-laws by adding a new Article 16 – Temporary Moratorium on Recreational Marijuana Establishments, and further to amend the Table of Contents to add Article 16, "Temporary Moratorium on Recreational Marijuana Establishments" as described in Article 11 of the warrant for this meeting, except that in section 1630, to delete the date June 20, 2019 and to insert in its place December 31, 2018.

The Berlin Planning Board held a public hearing to consider Article 11 of the 2017 Special Town Meeting Warrant on Tuesday November 28, 2017. At the Planning Board meeting on November 28, 2017 the Board voted 3 in favor, 0 opposed to Article 11.

Article 12. Unanimously voted to accept the provisions of M.G.L. Chapter 60, § 62A, and to amend the Town's General By-laws by adding a new Article XXII titled "Payment Agreements for Overdue Taxes" as described in Article 12 of the warrant for this Meeting, except to delete:

In Section 3, second bullet "any exceptions (lower) would require Selectmen approval" and

In Section 8, the 4<sup>th</sup> line "if also approved by the Selectmen"

The Finance Committee had no comment on this article.

Article 13. Unanimously voted to accept M.G.L. Chapter 33, §59 of the Massachusetts General Laws "Effect of military service on salary, seniority and leave allowances of public employees," and allow the Board of Selectmen, in their capacity as the sitting Personnel Committee, to make confirming changes to this effect in the Personnel Policy. . The Finance Committee had no comment on this article.

Meeting was dissolved at 9:44 PM. One hundred sixty (160) voters took part in this meeting.

Barry W. Eager  
Moderator

Eloise E. Salls  
Town Clerk

A true copy.  
Attest  
Town Clerk of Berlin

*Eloise E. Salls*

