

PROCEEDINGS AT THE ANNUAL TOWN MEETING – JUNE 22, 2020

According to legal notice the voters of the Town of Berlin met at the Berlin Memorial School in the field behind the school gym for the Annual Town Meeting on Monday, June 22, 2020 at 7:30 PM. Assistants were James H. Wheeler, Noel Rosenberg, Judy Mills, Amy Grenier and Robert McTague as checkers and Police Chief Thomas Galvin, Sergeant Eric Schartner and Officer Kevin Trongone. Cable television coverage was provided by Patricia Anderson, Roger Bradley, Brittany Blaney, Neil Tupper and Hailey Brinn and broadcast live on Charter channel 191. It will also be recorded and available in a few days later via you tube channel. <http://www.yownofberlin.com/berlin-tv/>. Janelle Austin of KP Law, PC was available by phone as Town Counsel. Barry W. Eager, Moderator, called the meeting to order at 7:30 p.m. There were approximately 70 voters present. The Moderator waived the reading of the articles in the warrant. and then read the call of the meeting and the constable's return.

This meeting was originally scheduled for May 4, 2020 but the Covid-19 pandemic forced the delay until Monday, June 22, 2020 with a rain date of Wednesday, June 24, 2020. At check-in all voters received a plastic bag containing, a pen, voter card to sign, a small hand sanitizer and a copy of the motions and the Town Administrators 2019 annual town report. Personal Protective gear was worn by all and 6' spacing of chairs between rows and aisles was observed. The microphone was wiped between speakers. Fire and EMS Chief P. Ken Clark, LT/EMT Jon Paulino and FF/EMT Mike Wheeler were assigned as the medical sector.

If a budget was not approved by June 30, 2020, all cities and towns and regional school districts must go to a 1/12th budget based on last year's numbers. A 1/12th Berlin budget had been submitted to the Department of Revenue for approval.

Articles 1 through 4 are 2019 Annual Town Meeting article re-votes

Articles 1 through 4. Unanimously voted to approve the motions under articles 1 through 4 as shown on the motion sheet for this meeting.

Article 1. Unanimously voted to amend the Town By-laws to substitute the term "Board of Selectmen" throughout with the term "Select Board" and the words "selectman, selectmen, selectwoman, or selectwomen" with the words "select board member(s)" or "member(s) of the select board" in each and every place they appear in the Town By-laws, and, further, to insert the following in Article I, SECTION 3 of the By-laws, before the existing text thereof, the following:

For purposes of these by-laws, and for all official business of the Town, the board previously referred to as the Board of Selectmen shall hereinafter be referred to as the Select Board, with individual members to be referred to as "select board members" or "members of the select board", and said Select Board shall have all the powers and duties of a board of selectmen as set forth in the General Laws or any special act applicable to the Town.

Article 2. Unanimously voted to amend the Town of Berlin General By-laws by deleting Article VI "Public Roads, Ways and Places," Section 4 in its entirety and replace it with the following:

SECTION 4. No snow or ice shall be deposited on any public street or sidewalk from any parking lot, business or residential driveway at any time. The penalty for violation of this by-law shall be one hundred dollars (\$100.00).

Article 3 Unanimously voted to amend the Town By-laws by adding a new Article XXIII – Single-Use Bag Ban for the reduction of plastic bags with SECTIONS 1 through 4 as described in Article 3 of the warrant for this meeting, except that the four paragraphs under SECTION 2 Definitions shall be consecutively numbered 2.1, 2.2, 2.3, and 2.4.

Article 4. Unanimously voted to amend the Town By-laws by creating a new General By-law ARTICLE XXIV - Community Preservation Act Committee that would establish a Community Preservation Act Committee pursuant to Massachusetts General Law, Chapter 44B with SECTIONS 1 through 6 as described in Article 4 of the warrant for this meeting. The Finance Committee recommended this motion.

***** FISCAL YEAR 2020, ENDING JUNE 30, 2020 *****

Article 5: Unanimously voted to pass over Article 5. (payment of snow & ice deficit spending)

Article 6. Unanimously voted to amend the vote taken under Article 20 of the 2019 Annual Town Meeting, by extending to June 30, 2021 the date by which money must be expended for the purpose of purchasing and equipping a new Fire/EMS Department pumper/tanker truck.

Article 7. : Unanimously voted to amend the vote taken under Article 37 of the May 2016 Annual Town Meeting to create the Economic Development Committee, by changing the appointing authority to be exclusively the Planning Board and allowing the number of Committee members to be set by the Planning Board.

***** FISCAL YEAR 2021 (July 1, 2020 thru June 30, 2021) *****

ARTICLES 8 THROUGH 13 TO BE MOVED TOGETHER AS PRINTED IN WARRANT

Article 8- 13: Unanimously voted to approve the motions as printed under Articles 8 through 13 of the Warrant for this meeting.

Article 8. Unanimously voted 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 9. Unanimously voted 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 10. Unanimously voted to authorize the Treasurer, with the approval of the Selectmen, to borrow money in anticipation of reimbursement to the Town by the Massachusetts Department of Transportation for the repair of roads and bridges.

Article 11. Unanimously voted to fix the maximum amount that may be spent during Fiscal Year 2021 beginning on July 1, 2020 for the revolving funds established under Article XX of the Town General By-laws for certain departments, boards, committees or officers in accordance with Massachusetts General Law Chapter 44, Section 53E½, as printed in Article 11 of the warrant for this meeting.

Library Video Fines	\$1,000
Recreation	\$20,000
Town Hall	\$40,000

Article 12. Unanimously voted to authorize the Tree Warden to expend from the Highway Department Expense Budget, as enacted under Article 17 of this Annual Town Meeting, a sum not to exceed three hundred dollars (\$300) for insect and pest control and a sum not to exceed two thousand dollars (\$2,000) for Dutch Elm Disease control, provided that the Tree Warden shall request the expenditure of such funds of the Selectmen.

Article 13. Unanimously voted to appropriate the apportionment of Chapter 90 Transportation Bond Issue monies in the amount certified by the Commonwealth of Massachusetts.

Article 14. Voted to authorize the Board of Selectmen, in accordance with the provisions of Massachusetts General Law Chapter 30B, Section 12(b), to solicit and award contracts for terms exceeding three (3) years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interest of the Town by a vote of the Board of Selectmen, as appropriate.

Article 15. Unanimously voted to accept the Town Administrator's report..

Article 16. Unanimously voted to appropriate from the Public, Educational, and Government (P.E.G.) Access & Cable Related Fund the **sum of \$59,520** as a grant to be used for fiscal year 2021 operating purposes, and an additional **\$40,000** to fund the purchase and installation of audio and video equipment, and any costs related or incidental thereto, in meeting rooms located at the Town Offices, 23 Linden Street, in accordance with the P.E.G. Access grant and Massachusetts General Law Chapter 44, Section 53F 3/4, said sum to be expended by the Cable Access Committee. The Finance Committee recommended this motion.

Article 17. **GENERAL GOVERNMENT**

Unanimously voted to raise and appropriate the sum of **\$1,314,242** to fund items 1 through 49, to transfer from Assessors Overlay Surplus the sum of **\$9,000** to item 22, and to transfer from Free Cash the sum of **\$140,000** to line item 12, as recommended by the Finance Committee for FY2021.

001	Moderator, Salary	50.00
002	Moderator, Expenses	85.00
003	Selectmen, Salary	3,690.00
004	Selectmen, Wages, FT	66,399.00
005	Selectmen, Wages, PT	0.00
006	Consulting	20,000.00
007	Selectmen, Expenses	8,290.00
008	Town Admin.-Salary	147,000.00
009	Expenses	3,500.00
010	Finance Comm. Expenses	175.00
011	Reserve Fund	95,000.00

012	Contingency (temporary)	140,000.00
013	Accountant, Salary	82,285.00
014	Accountant, Wages FT	0.00
015	Accountant, Wages PT	36,885.00
016	Accountant, Expenses	9,040.00
017	Audit	26,000.00
018	Assessors, Salary	2,287.00
019	Assessors Asst., PT Salary	67,282.00
020	Assessors, Wages PT	65,533.00
021	Assessors, Expenses	38,686.00
022	Revaluation Expenses	25,700.00

023	Treasurer/Collector, Salary	75,920.00
024	Wages PT	46,586.00
025	Incentive	
026	Expenses	48,640.00
027	Legal Expenses	50,000.00
028	Personnel-Expenses	200.00
029	Tax Titles	5,000.00
030	Data Systems, Salary PT	0.00
031	Data Systems, Expenses	86,059.00
032	Town Clerk, Salary	31,200.00
033	PT Salary	12,756.00
034	Clerk, Expenses	2,845.00
035	Elections, Wages PT	3,600.00
036	Elections, Expenses	4,100.00

037	Registration, Salary	100.00
038	Registration, Wages PT	550.00
039	Registration, Expenses	100.00
040	Conservation Comm., Exp.	2,000.00
041	Planning Board, Expenses	1,000.00
042	Bd. Of Appeals, Wages PT	0.00
043	Bd. Of Appeals, Expenses	500.00
044	Agricultural Comm.- Exp.	1,425.00
045	Public Buildings, Wages PT	19,004.00
046	Pub. Bldg., Expenses	100,770.00
047	Pub. Bldg., Electricity	78,000.00
048	Pub. Bldg., Fuel Oil	50,000.00
049	Town Report, Expenses	5,000.00
Total General Government		1,463,242.00

Public Safety: Unanimously voted to raise and appropriate the sum of **\$2,163,848** to fund items 50 through 71, appropriate from the Highland Commons Public Safety Mitigation Receipts Reserved for Appropriation Account the sum of **\$204,152** to item 51 Police Wages-FT-\$146,628, and item 55 Fire & EMS Wages-FT-\$57,524, to appropriate from Rescue Squad Receipts Reserved for Appropriation the **sum of \$100,000** to item 55 Fire & EMS Wages-FT, and to appropriate from the Inspectors' Offset Receipts Account the sum of **\$200,000** to item 62 Plumbing & Gas Inspector Wages PT-\$100,000, and item 64 Electrical Inspector Wages PT-\$100,000, as recommended by the Finance Committee for FY2021.

050	Police, Salary	152,080.00
051	Police, Wages FT	845,981.00
052	Police, Wages PT	132,233.00
053	Police, Expenses	102,858.00
054	Fire & EMS, Salary FT	128,000.00
055	Wages FT	193,695.00
056	Wages PT	350,468.00
057	Expenses	144,910.00
058	Bldg. Insp., Salary	92,500.00
059	Bldg. Insp Wages FT	0.00
060	Wages PT	32,667.00
061	Expenses	26,696.00

062	Plumbing & Gas, Wages PT	100,000.00
063	Expenses	300.00
064	Electrical Insp., Wages PT	100,000.00
065	Electrical Insp., Expenses	600.00
066	Animal Inspector, Salary	1,992.00
067	Animal Inspector, Expenses	500.00
068	Animal Control Officer Salary	5,400.00
069	Expenses	2,000.00
070	Communication Wages.	41,907.00
071	Communication Expenses	213,213
TOTAL PUBLIC SAFETY		2,668,000.00

PUBLIC WORKS - Unanimously voted to raise and appropriate the sum of **\$714,675** to fund items 72 through 83, to appropriate from the Transfer Station Sticker and Recycling Offset Receipts Account the sum of **\$110,000** to item 81 Transfer Station Expenses, and to appropriate from General Cemetery Receipts the sum of **\$8,950** to item 83 Cemetery Expenses, as recommended by the Finance Committee for FY2021.

072	Highway, Salary	81,800.00
073	Highway, Wages FT	229,460.00
074	Highway Wages PT	14,246.00
075	Highway Expenses	143,920.00
076	Snow & Salt, FT OT	36,428.00
077	Snow & Salt, Wages PT	13,566.00
078	Snow & Salt, Expenses	85,000.00

079	Street Lights	9,600.00
080	Transfer Station, Wages PT	37,145.00
081	Transfer Station, Expenses	150,860.00
082	Cemetery, Wages PT	3,360.00
083	Cemetery, Expenses	28,240.00
TOTAL PUBLIC WORKS		833,625.00

HUMAN SERVICES - Unanimously voted to raise and appropriate the sum of **\$102,720** to fund items 84 through 95 in the Finance Committee's recommended FY2021 Budget.

084	Board of Health, Salary	1,878.00
085	Board of Health, Wages PT	5,600.00
086	Board of Health, Expense	1,200.00
087	Nashoba Health	8,128.00
088	Nashoba Nursing	3,710.00
089	COA, Director PT Wages	22,288.00
090	COA, PT Wages	24,165.00

091	Council on Aging, Expenses	12,625.00
092	Veterans, Salary	7,866.00
093	Veterans, Expenses	260.00
094	Veterans, Benefits	11,000.00
095	WHEAT Assessment	4,000.00
TOTAL HUMAN SERVICES		102,720.00

CULTURE AND RECREATION – Unanimously voted to raise and appropriate the sum of **\$171,928** to fund items 96 through 102 in the Finance Committee's recommended FY2021 Budget.

096	Library, Wages PT	122,823.00
097	Library, Expenses	32,095.00
098	Recreation, Expenses	12,410.00
099	Cultural Council, Expenses	1,500.00

100	Historical Commission, Exp.	600.00
101	Memorial Day, Expenses	2,000.00
102	Festive Events, Expenses	500.00
TOTAL CULTURE & RECREATION		171,928.00

DEBT & INTEREST – Voted to raise and appropriate the sum of **\$315,530** to fund items 103 and 104, to appropriate from Septic Loan Receipts Available for Appropriation the sum of **\$4,350** to item 104 Principal, and to appropriate from the Highland Commons Public Safety Mitigation Receipts Reserved for Appropriation Account the sum of **\$235,601** to item 103 Interest-\$4,223 and item 104 Principal-\$231,378 for the payoff of the Fire Department Ladder Truck debt service, as recommended by the Finance Committee for FY2021.

103	Interest	131,998.00
104	Principal	423,483.00

TOTAL DEBT & INTEREST	555,481.00
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INTERGOVERNMENTAL EXPENDITURES:

CMRPC – Unanimously voted to raise and appropriate the sum of **\$842** to fund item 105 in the Finance Committee's recommended FY2021 Budget.

Assabet – Unanimously voted to raise and appropriate the sum of **\$538,085** to fund items 106 and 107 in the Finance Committee's recommended FY2021 Budget.

106	835-5321	Assabet Assessment	465,893
107	835-5901	Assabet Capital Assessment	72,192

Berlin Memorial School – Unanimously voted to raise and appropriate the sum of **\$3,305,741** to fund items 108 and 109, and to transfer from the following prior Special Article appropriations, the sum of **\$94,000** to Item 109 Berlin Memorial Capital Assessment, as recommended by the Finance Committee for FY 2021 (and closing out the following:).

Article 14 of the 2019 Annual Town Meeting-	BMS Int/Ext Bldg. Modifications	\$51,000.00
Article 26 of the 2019 Annual Town Meeting-	Permit/Inspection Software	\$35,500.00
Article 30 of the 2011 Annual Town Meeting-	Curbing and Sidewalks	\$7,500.00

108	835-5320	Berlin Memorial Assessment	3,304,741
109	835-5903	Berlin Memorial Capital Assessment	95,000

Tahanto – Unanimously voted to raise and appropriate the sum of **\$3,199,955** to fund items 110 and 111, as recommended by the Finance Committee for FY 2021.

110	835-5322	Tahanto Assessment	2,623,776
111	835-5900	Tahanto Capital Assessment	576,179
		Total Intergovernmental Expenditures	7,138,623

MISCELLANEOUS BENEFITS AND INSURANCE – Unanimously voted to raise and appropriate the sum of **\$1,510,010** to fund items 112 through 119 in the Finance Committee's recommended FY 2021 Budget.

112	Worcester Reg. Retirement	533,288.00	117	Sick Pay	38,500.00
113	Workers Compensation	23,000.00	118	Medicare	45,004.00
114	Unemployment	50,000.00	119	Property/Liability Ins.	94,000.00
115	Chap 32B Health Ins.	703,357.00		TOTAL MISC BENEFITS	1,510,010.00
116	Police & Fire Sick & Acc Ins.	22,861.00		TOTAL BUDGET	14,443,629.00

ARTICLE 18 - FISCAL YEAR 2021 CAPITAL BUDGET – Unanimously voted to appropriate from the Highland Commons Public Safety Mitigation Receipts Reserved for Appropriation Account the sum of **\$171,200** to fund items 1 through 4, and to transfer from Free Cash the sum of **\$205,000** to fund item 5, for the sum total **\$376,200** to fund items 1 through 5 in the Fiscal Year 2021 CAPITAL BUDGET as shown in Article 18 of the Warrant for this meeting, including acquisition, installation, equipping and other expenses incidental or related thereto, with all unexpended or unencumbered funds to return to their original funding sources effective June 30, 2021. The Finance Committee recommended this motion.

Item #	Dept.	Project Title	Cost	Funding Source	Notes	Funding Expires	CPC Recommendation
1	Fire/EMS	SCBA Replacement Program	59,560	Highland Commons Public Safety Mitigation	This article is the second and final year of the SCBA	6/30/2021	Approved
2	Fire/EMS	Personal Protective Equipment	38,640	H.C.P.S.M.	Second round, life span of 10 years	6/30/2021	Approved
3	Police	Vehicle replacement	53,000	H.C.P.S.M.	Not cost effective to repair	6/30/2021	Approved
4	Police	Video/Security	20,000	H.C.P.S.M.	Safety/security & Liability	6/30/2021	Approved
5	Highway	23 Linden Parking Lot repair w/grant	205,000	Free Cash	230,000 total cost; state grant 100,000	6/30/2021	Approved
		Total Request	376,200				

ARTICLE 19 - ESTABLISHMENT OF CAPITAL STABILIZATION FUND – Moderator declared a 2/3 Vote to establish a special purpose capital stabilization fund pursuant to

Massachusetts General Law Chapter 40, Section 5B, to be known as the Capital Stabilization Fund to be used for capital expenditures otherwise eligible to be funded by borrowing in accordance with the provisions of Massachusetts General Law Chapter 44, Sections 7 and 8, and to transfer from Free Cash the sum of **\$100**, and to transfer from the Highland Commons Capital Contribution Account the sum of **\$4,341.16**, for the **sum total \$4,441.16** to establish initial funding in the Capital Stabilization Fund. The Finance Committee recommended this motion.

ARTICLE 20 - SPECIAL ARTICLE CLOSE-OUT – Unanimously voted to close-out the remaining balances totaling **\$5,005.42** in the Special Article accounts identified in the table under Article 20 of the warrant for this meeting. The Finance Committee recommended this motion.

	Funding From	Article #	Fiscal Year	Special Article Purpose	Remaining Balance
a.	Assessors Overlay	Art 48	2009	Planning. Board. – printing By-laws	633.11
b.	Prior Art. From Free Cash	Art 7, STM	2015	Municipal Building – new furnace	4,149.78
c.	Free Cash	Art. 16	2014	BMS- Exterior Building Repairs	175.00
d.	Free Cash	Art 15	2019	BMS – Purchase/Install Water Softener/Filter	47.53

ARTICLE 21 - JUNE 29, 2020 ANNUAL TOWN ELECTION – Unanimously voted to adjourn this meeting to Monday, June 29, 2020 at 12 noon at the Berlin Town Offices, 23 Linden Street, lower level, at which time and place the polls will be open for the election of town officers under Article 21, and that following the announcement of the results of the election, this meeting be dissolved.

The meeting adjourned at 8:30 p.m. One Hundred four (104) registered voters took part in this meeting. There were 2,413 registered voters as of June 2, 2020 Open Voter Registration.

Barry W. Eager
Barry W. Eager, Moderator

Eloise E. Salls
Eloise E. Salls, Town Clerk

A TRUE copy.
Attest: *Eloise E. Salls*
Town Clerk of BERLIN

