

BERLIN 2020
ANNUAL TOWN MEETING
WARRANT



Monday, June 22, 2020 at 7:30PM

Berlin Memorial School

34 South Street

Berlin, MA 01503

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

To the Constable 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, 34 South Street, in said Berlin on **MONDAY, the TWENTY-SECOND DAY OF JUNE, 2020, next, at 7:30 o'clock in the evening**, then and there to act on the following articles; or in relation thereto:

***** 2019 ANNUAL TOWN MEETING ARTICLE RE-VOTES *****

SUMMARY: *To address the Attorney General's concerns over a deficiency in the noticing of the 2019 Annual Town Meeting Warrant, this Town Meeting is asked to re-vote -four (4) general by-law articles, all of which were voted affirmatively on the second night of the 2019 Annual Town Meeting held Tuesday, May 7, 2019 at Berlin Memorial School, 34 South Street, Berlin, Massachusetts, but have been held by the Attorney General's office until re-voted by town meeting or until curative legislation is approved .*

The Town requested curative legislation in 2019, which was sponsored by Governor Charlie Baker. However, the matter remains in committee at the State House.

The four general by-law articles are printed below in the exact same language and format as appeared on the 2019 Annual Town Meeting Warrant, excepting only the proposed effective date of the Single-Use Bag ban by-law. The vote required for each article is shown, as is the vote received at the 2019 Annual Town Meeting.

NAME CHANGE: BOARD OF SELECTMEN to SELECT BOARD (2019 ATM ARTICLE 36 RE-VOTE)

ARTICLE 1: To see if the Town will vote 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, 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.

Or take any action relative thereto. (Board of Selectmen)

Summary: *The Board of Selectmen was named when women were not allowed on the Board. The term 'Select Board' provides historical continuity while recognizing that this is no longer the case. This was passed by the requisite majority vote at the 2019 Annual Town Meeting, as declared by the Moderator.*

MOTION: I move that the Town vote 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.

MAJORITY VOTE - MGL c.40, §21

AMEND SNOW REMOVAL BY-LAW
(2019 ATM ARTICLE 38 RE-VOTE)

ARTICLE 2: To see if the Town will vote 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).

Or take any action relative thereto. (Board of Selectmen)

Summary: *The current snow removal by-law permits snow to be pushed into the street as long as a plow truck has not yet made a first pass during a storm. This creates a safety hazard. The amendment both stops that unsafe practice of creating impediments in the roadway for motorists, and serves to add a non-criminal disposition fee for violations of the by-law. This was passed by the requisite majority vote at the 2019 Annual Town Meeting, as declared by the Moderator.*

MOTION: I move that the Town vote 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).

MAJORITY VOTE - MGL c.40, §21

CONSERVATION COMM. – SINGLE-USE BAG BAN
(2019 ATM ARTICLE 39 RE-VOTE)

ARTICLE 3: To see if the Town will vote to amend the Town By-laws by adding a By-law, to be consecutively numbered and titled “Single-Use Bag Ban,” for the reduction of plastic bags, as follows, and further to authorize the Town Clerk to assign an appropriate Article and Chapter number, and to make ministerial changes to numbering to bring such by-law into accord with numbering system used in the Town By-laws:

SECTION 1. Purpose and Intent

The production and use of thin-film single-use plastic checkout bags have significant impacts on the environment, including, but not limited to: contributing to the potential death of marine animals through ingestion and entanglement; contributing to pollution of the land environment; creating a burden to solid waste collection-and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil nationally for their manufacture.

The purpose of this by-law is to eliminate the usage of thin-film single-use plastic bags by all retail establishments in the Town Berlin by November 1, 2020.

SECTION 2. Definitions

2.1 Checkout bag: A carryout bag provided by a store to a consumer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or checkout area of the store.

2.2 Retail Establishment: Any commercial enterprise, that sells goods and/or services to the public including but not limited to grocery stores, pharmacies, bars, restaurants, markets, liquor stores, retail stores, and convenience stores., jewelry stores, and household goods stores; however, this does not include bazaars operated by nonprofit organizations or religious institutions.

2.1 Reusable checkout bag: A bag, with handles, made of, cloth, fabric or other durable machine-washable fabric materials, other than Polyethylene or Polyvinyl chloride that is specifically designed for multiple uses. It shall also be specifically designed and manufactured for a minimum of 175 uses and can carry 25 pounds over a distance of 300 feet.

2.2 Thin-film single-use plastic bags: Typically, with plastic handles, these are bags with a thickness of 2.5 mils or less and are intended for single-use transport of purchased products.

SECTION 3. Use Regulations

3.1 Thin-film single-use plastic bags shall not be distributed, used, or sold for checkout or other purposes at any retail establishments within the Town of Berlin.

3.2 Customers are encouraged to bring their own reusable or biodegradable shopping bags to stores. Retail or grocery stores are strongly encouraged to make reusable checkout bags available for sale to customers at a reasonable price.

3.3 Thin-filmed plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, are still permissible.

SECTION 4. Enforcement Process

This by-law shall be enforced by the Board of Selectmen, Town Administrator or their designee(s). The Board of Selectmen shall determine the inspection process to be followed, incorporating the process into other town duties as appropriate.

Any retail establishments distributing thin-film, single-use plastic bags in violation of this by-law shall be subject to a non-criminal disposition fine as specified in Appendix A of the Regulations for Enforcement of Town By-laws under Massachusetts General Laws Chapter 40, 21D and the By-law for Non-Criminal Disposition of Violations. Each day or portion thereof shall constitute a separate offense.

Any such fines shall be paid to the Town of Berlin.

By-law	1st Offense	2nd Offense	3rd & Subsequent
Plastic Bag Reduction By-law	Warning	\$50.00	\$200.00

Or take any action relative thereto. (Conservation Commission)

Summary: *Single-use plastic checkout bags have significant impacts on the environment including roadside litter and are a burden on waste collection facilities. Up until recently we were able to at least recycle these bags but since the changes in the Transfer Stations ability to recycle these bags, we feel it is time to follow the lead of 90 plus communities in the Commonwealth that have taken this step. The Conservation Commission has been working*

with the Town of Hudson to create a single-use plastic bag ban by-law. We feel that a joint effort between towns is important because of the shared shopping center at Highland Commons. This was passed by the requisite majority vote at the 2019 Annual Town Meeting, as declared by the Moderator.

MOTION: I move that the Town vote 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.

MAJORITY VOTE - MGL c.40, §21

**CREATION OF COMMUNITY PRESERVATION ACT COMMITTEE
(2019 ATM ARTICLE 40 RE-VOTE)**

ARTICLE 4: To see if the Town will vote to create a new General By-law, to be consecutively numbered and titled “Community Preservation Act Committee,” that would establish a Community Preservation Act Committee, pursuant to Massachusetts General Law, Chapter 44B; and further to authorize the Town Clerk to assign an appropriate Article and Chapter number, and to make ministerial changes to numbering to bring such by-law into accord with numbering system used in the Town By-laws, or take any action relative thereto.

SECTION 1. Establishment

There is hereby established a Community Preservation Act Committee, consisting of seven (7) voting members pursuant to Massachusetts General Law Chapter 44B. The composition of the Committee, the appointment authority and the term of office for the Committee members shall be as follows:

- a. One member of the Planning Board (Massachusetts General Law Chapter 41, Section 81A) as designated by said Board for a term of three (3) years;
- b. One member of the Conservation Commission (Massachusetts General Law Chapter 40, Section 8C) as designated by said Commission for a term of three (3) years;
- c. One member of the Historical Commission (Massachusetts General Law Chapter 40, Section 8D) as designated by said Commission for a term of three (3) years;

- d. One member of the Recreation Committee (Massachusetts General Law Chapter 45, Section 2) as designated by said Committee for a term of three (3) years;
- e. One member of the Housing Partnership (Massachusetts General Law Chapter 121B, Section 3) as designated by said Partnership for a term of three (3) years; and
- f. Two at-large members appointed by the Board of Selectmen for a term of three (3) years each.

Any member of the Community Preservation Act Committee appointed by a commission, authority or board that made the original designation of appointment shall serve on the Community Preservation Act Committee so long as the member serves said commission, authority or board. Any vacancy on the Community Preservation Act Committee shall be filled by the commission, authority or board that designated the member who creates the vacancy by designating another member in accordance with the above for the unexpired term.

Should any of the designating authorities under this Chapter be no longer in existence for whatever reason, the appointment authority for that purpose shall become the responsibility of the Board of Selectmen.

Initial appointments to the Community Preservation Act Committee shall be for staggered terms as follows: Planning Board, Conservation Commission, and Historical Commission designees shall serve a three (3) year term; the Recreation Committee and the Housing Partnership shall serve a two (2) year term; the Board of Selectmen appointees shall serve a one (1) year term. All subsequent appointees will serve three (3) year terms as noted above, or for designations under paragraphs (a) through (e), until their service on the underlying board has ended. Any member of the Community Preservation Act Committee may be removed for cause after a hearing by their designating or appointing authority.

SECTION 2. Duties

1. The Community Preservation Act Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The committee shall consult with existing municipal boards, including the Board of Selectmen, the Conservation Commission, the Historical Commission, the Planning Board, the Recreation Committee

and the Housing Partnership, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the Town regarding community preservation options and resources, notice of which shall be posted publicly and published for each of two (2) weeks preceding a hearing in a newspaper of general circulation in the Town and on the Town's website. The Committee may use its administrative funds, after proper appropriation, to pay such expenses.

2. The Community Preservation Act Committee shall design, implement and publicize an application process for those seeking grants from the Community Preservation Act Funds under the Committee's management. The Community Preservation Act Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created with Community Preservation Act Funds. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

3. The Community Preservation Act Committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Act Fund to accomplish that specific purpose or recommended action to set aside for later spending funds for general purposes that are consistent with community preservation.

SECTION 3. Requirement for a quorum and cost estimates

The Community Preservation Act Committee shall not meet or conduct business without the presence of a quorum and shall keep a written record of its proceedings. A majority of the members of the Community Preservation Act Committee shall constitute a quorum. The Community Preservation Act Committee shall approve its actions by majority vote of the quorum. Recommendations to the Town Meeting shall include their anticipated costs.

SECTION 4. Amendments

The Community Preservation Act Committee shall, from time to time, review the administration of this By-law, making recommendations, as needed, for changes in the By-law and in administrative practice to improve the operations of the Community Preservation Act Committee. This By-law may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not be in conflict with Massachusetts General Law Chapter 44B.

SECTION 5. Severability

In case any section, paragraph or part of this chapter is, for any reason, declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

SECTION 6. Effective Date

Following Town Meeting approval of this by-law, this Chapter shall take effect immediately upon approval by the Attorney General of the Commonwealth and compliance with all by-law approval procedures under G.L. Chapter 40, Section 32. Each appointing authority shall have sixty (60) days after approval by the Attorney General to make their initial appointments.

Or take any action relative thereto.

Summary: *This article would, if approved, create a Community Preservation Act Committee in Berlin that would solicit and evaluate grant proposals for the use of Community Preservation Act funds in the Town. The Community Preservation Act Committee would then recommend the approved grant applications to Town Meeting for final approval and funding. This was passed by the requisite majority vote at the 2019 Annual Town Meeting, as declared by the Moderator.*

MOTION: I move that the Town vote 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.

MAJORITY VOTE - MGL c.40, §21

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

PAYMENT OF SNOW & ICE DEFICIT SPENDING

ARTICLE 5: To see if the Town will vote to transfer a sum of money from available funds to Line Item 73, Snow & Ice Expenses account (423-5700), in the Fiscal Year 2020 budget, or take any action relative thereto. (Highway Department)

Summary: *There is a possibility that this account will be overspent for the winter 2019-2020. Massachusetts General Law c.44, §31D allows for deficit spending in this account when required due to winter weather conditions, and the Town must fund the overspent amount.*

MOTION: I move that the Town vote to transfer from Free Cash _____ dollars (\$_____) to Line Item 73, Snow & Ice Expenses account (423-5700) in the Fiscal Year 2020 budget.

FIRE/EMS PUMPER TANKER SUNSET CLAUSE EXTENSION

ARTICLE 6: To see if the Town will vote to amend the vote taken under Article 20 of the 2019 Annual Town Meeting, to extend until 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, or take any action relative thereto. (Fire/EMS Department)

Summary: *A vote to extend the June 30, 2020 sunset clause voted under Article 20 of the 2019 Annual Town Meeting is required. A purchase contract has been executed but assembly and delivery of the apparatus will not be completed by June 30, 2020.*

MOTION: I move that the Town vote to extend to June 30, 2021 the date by which money must be expended pursuant to Article 20 of the 2019 Annual Town Meeting, for the purpose of purchasing a new Fire/EMS Department pumper/tanker truck.

ECONOMIC DEVELOPMENT COMMITTEE APPOINTMENT & COMPOSITION

ARTICLE 7: To see if the Town will 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, or take any action relative thereto. (Planning Board)

Summary: *This change would make the Planning Board the sole appointing authority for the Economic Development Committee and allow the number of Committee members to be set by the Planning Board.*

MOTION: I move that the Town vote 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.

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

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

ARTICLE 8: 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.

MOTION: 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 9: To see what action the Town will take on the printed reports of the officers and committees of the Town for the year 2019, or take any action relative thereto.

MOTION: 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 10: 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 Massachusetts Department of Transportation for the repair of roads and bridges; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law Chapter 44, Section 20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs, or take any action relative thereto.

MOTION: I move 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: To see if the Town will vote pursuant to Massachusetts General Law Chapter 44, Chapter 53E½, to establish annual expenditure limits for Fiscal Year 2021 for the following revolving funds listed in the Revolving Funds by-law, Article XX of the General By-laws, as set forth below:

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

Or take any other action relative thereto.

MOTION: I move 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.

ARTICLE 12: To see if the Town will vote 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, or take any action relative thereto.

MOTION: I move 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 **three hundred dollars (\$300)** for insect and pest control and a sum **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: 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 Massachusetts, or take any action relative thereto.

MOTION: I move to appropriate the apportionment of Chapter 90 Transportation Bond Issue monies in the amount certified by the Commonwealth of Massachusetts.

BOARD OF SELECTMEN AUTHORITY TO CONTRACT FOR MORE THAN 3 YEARS

ARTICLE 14: To see if the Town will vote to authorize the Board of Selectmen, in accordance with the provisions of Massachusetts General Laws 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, or take any action relative thereto. (Board of Selectmen)

Summary: *This article allows the Board of Selectmen to enter into contracts for goods and services in excess of three (3) years, if deemed in the best interest of the Town to do so. This shall be an annual article henceforth, and shall not include employment or collective bargaining agreements.*

MOTION: I move that the Town vote to authorize the Board of Selectmen, in accordance with the provisions of Massachusetts General Laws 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.

OUTSTANDING 2019 TOWN REPORTS

ARTICLE 15: To hear and act on 2019 annual town reports not submitted in writing, or take any action relative thereto.

CABLE ACCESS COMMITTEE – P.E.G. SPENDING

ARTICLE 16: To see if the Town of Berlin will vote to appropriate from the Public, Educational, and Government (P.E.G.) Access & Cable Related Fund the sum of **fifty-nine thousand five hundred twenty dollars (\$59,520)** as a grant to be used for fiscal year 2021 operating

purposes, and an additional **forty thousand dollars (\$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; or take any action relative thereto. (Cable Access Committee)

Summary: *To appropriate money from the Public, Educational, and Government Access & Cable Related Fund account to cover the cost of goods and services related to the operations of Berlin Cable, per the P.E.G. Access agreement.*

MOTION: I move that the Town vote to appropriate from the Public, Educational, and Government (P.E.G.) Access & Cable Related Fund the sum of **fifty-nine thousand five hundred twenty dollars (\$59,520)** as a grant to be used for fiscal year 2021 operating purposes, and an additional **forty thousand dollars (\$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.

MAJORITY VOTE

FY2021 BUDGET

ARTICLE 17: 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, 2020 and to determine the salaries of the Town Officers for that period, or take any action relative thereto.

This article contains multiple motions that will be presented to town meeting on a separate motions sheet.

FISCAL YEAR 2021 CAPITAL BUDGET

ARTICLE 18: To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of **three hundred seventy-six thousand two hundred**

dollars (\$376,200) for the purpose of funding the CAPITAL BUDGET including acquisition, installation and equipping and other expenses incidental or related thereto, for Fiscal Year 2021 as follows, with all unexpended or unencumbered funds to return to their original funding sources effective June 30, 2021, or take any action relative thereto. (Capital Planning Committee)

Fiscal Year 2021 CAPITAL BUDGET

Item #	Dept	Project Title	Cost	Funding Source	Notes	Funding Expires	CPC Recommendation
1.	Fire/EMS	Fire/EMS - SCBA Replacement Program	\$59,560	Highland Commons Public Safety Mitigation	This article is the second and final year of the SCBA replacement program. This SCBA equipment has a fifteen (15) year operational lifespan. The current equipment is two (2) NFPA revision cycles out of compliance.	6/30/2021	Approved
2.	Fire/EMS	Fire/EMS Personal Protective Equipment	\$38,640	Highland Commons Public Safety Mitigation	This article is the second year of the PPE replacement program. This article is to fund our ongoing personal protective equipment replacement program. This PPE has a maximum operational life span of ten (10) years.	6/30/2021	Approved
3.	Police	Police Vehicle Replacement	\$53,000	Highland Commons Public Safety Mitigation	The current 2011 Crown Victoria is due for replacement. The vehicle is in excess of 120,000 miles and is no longer cost effective to operate as patrol vehicle. The replacement vehicle may be one of Ford Motor Company's Hybrid Police Interceptors as was purchased as a replacement for our last police vehicle.	6/30/2021	Approved

4.	Police	Video/security upgrades & additions, including software and hardware installation	\$20,000	Highland Commons Public Safety Mitigation	Current video recording and storage system for town offices and public safety bldg has failed. System necessary to monitor public safety bldg from regional dispatch ctr - provides remote viewing and recording of booking/cell area. Future expenditures needed to expand camera coverage and replace outdated equip. Liability, safety and security issue	6/30/2021	Approved
5.	Highway	Parking Lot Repair, including regrading and repaving, and reconstruction of drainage system, signage, lighting	\$205,000	Free Cash	Reconstruct drainage system, relocate signage, install conduit for new light pole locations, regrade and repave entire parking area - total cost \$230K. \$100,000 state grant (\$25,000 will be funded up front, \$75,000 will be reimbursed).	6/30/2021	Approved
		Total Request	\$376,200				

MOTION: I move that the Town vote to transfer from the funding

sources identified in the **Fiscal Year 2021 CAPITAL BUDGET**, the sum total **three hundred seventy-six thousand two hundred dollars (\$376,200)**, with the amounts shown for each numbered item and project title to be expended for the specific purposes described therefor, with all unexpended or unencumbered funds to return to their original funding sources effective June 30, 2021.

MAJORITY VOTE

ESTABLISHMENT OF CAPITAL STABILIZATION FUND

ARTICLE 19: To see if the Town will vote to establish a special purpose capital stabilization fund pursuant to Massachusetts General Law Chapter 40, Section 5B, to be known at the Capital Stabilization Fund to be used for capital expenditures otherwise eligible to be funded for borrowing in accordance with the provisions of Massachusetts General Law Chapter 44, Sections 7 and 8, and to transfer from Free Cash **a sum of one hundred dollars (\$100)**, and additionally from the Highland Commons Capital Contribution Account a sum of **four thousand three hundred forty-one dollars and 16 cents (\$4,341.16)**, for the sum total **four**

thousand four hundred forty-one dollars and 16 cents (\$4,441.16) to establish initial funding in said account, or take any action relative thereto. (CPC)

Summary: *This article establishes and begins funding a special stabilization fund for the specific purpose of investing in the Town's capital needs. Establishing and programmatically funding a Capital Stabilization Fund would 1) establish a formal, dedicated savings mechanism for anticipated capital expenditures for tangible assets with a minimum 5-year lifespan and \$10,000 value, 2) encourage long-term capital equipment, buildings and infrastructure planning and upkeep, and 3) preserve debt capacity for major high-dollar purchases or projects.*

MOTION: I move that the Town vote to establish a special purpose Capital Stabilization Fund pursuant to Massachusetts General Law Chapter 40, Section 5B, to be used for capital expenditures otherwise eligible for borrowing in accordance with the provisions of Massachusetts General Law Chapter 44, Sections 7 and 8, and to transfer from Free Cash **one hundred dollars (\$100)**, and from the Highland Commons Capital Contribution Account **four thousand three hundred forty-one dollars and 16 cents (\$4,341.16)**, for the sum total **four thousand four hundred forty-one dollars and 16 cents (\$4,441.16)** to establish initial funding in said account.

2/3 VOTE REQUIRED

SPECIAL ARTICLE CLOSE-OUT

ARTICLE 20: To see if the Town will vote to close-out the remaining balances in the following Special Article accounts to the Stabilization Fund, and/or to close out to the General Fund, or take any action relative thereto. (Board of Selectmen/Accountant)

	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	Mun Bldg – New Furnace	4,149.78
c.	Free Cash	Art 16	2014	BMS – Exterior Bldg Repairs	175.00
d.	Free Cash	Art 15	2019	BMS – Purchase/Install Water Softener/Filter	47.53

Summary: *The purpose of this article is to close-out unspent balances in the special article accounts to their original funding sources after completion of a purchase or project.*

MOTION: I move that the Town vote to close-out the remaining balances in the Special Article accounts identified in the table under Article 20 of the warrant for this meeting, to the General Fund.

JUNE 29, 2020 ANNUAL TOWN ELECTION

ARTICLE 21: To meet at the Berlin Town Offices, 23 Linden Street, lower level, in said Berlin on Monday, June 29, 2020, between the hours of 12:00 noon and 4:00 p.m. to elect by ballot the following officers: Moderator for one year; Town Clerk for three years; Selectmen for three years; Assessor for three years; Constable for three years; Library Trustee for three years; Trustee of Trust Funds for three years; Cemetery Commissioner for three years; Planning Board for five years; Board of Health for three 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 (7) 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 twenty-seventh day of April in the year of our Lord two thousand twenty.

BERLIN BOARD OF SELECTMEN

_____	_____	_____
Christine Keefe, Chair	Lisa Wysocki, Vice Chair	Margaret Stone, 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 at least seven (7) days before the time of holding said meeting, as within directed.

_____	_____
Constable	Date