

PROCEEDINGS AT THE ANNUAL TOWN MEETING – MAY 15, 2021

According to legal notice the voters of the Town of Berlin met at the Berlin Memorial School on Saturday May 15, 2021, at 1:00 PM. Assistants were Timothy Wysocki, Noel Rosenberg, Robert McTague and Mary Wheeler as checkers and Police Chief Thomas Galvin, Sergeant Eric Schartner and Officer Dylan Soldi. Cable television coverage was provided by Brittany Blaney, Haylee Brinn and Roger Bradley. This meeting is broadcast live on Charter channel 191. It will also be recorded and available later via you tube channel <http://www.townofberlin.com/berlin-tv/>. Attorney Janelle Austin, of KP Law, P.C. served as Town Counsel. Barry W. Eager, Moderator, called the meeting to order at 1:00 PM.

Meridia Interactive Solutions (Handheld Voting System), Peter Babel was there to oversee the new voting system, teaching Assistant Clerk James H. Wheeler.

The Moderator explained the electronic voting system, an electronic vote was taken to approve the proposed rule. Voted to accept the proposed rule.

Proposed Rule for Berlin's 2021 Annual Town Meeting: For this meeting, voting by electronic means will replace counted standing votes or votes by show of hands. Electronic votes will also be used in place of secret paper ballot votes.

The Moderator shall have discretion to use electronic voting when he deems it desirable to have a complete, accurate vote count.

There are 2,599 registered voters. There were approximately 52 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.

***** CURRENT FISCAL YEAR 2021 ENDING JUNE 30, 2021 *****

ARTICLE 1: FIRE/EMS PUMPER TANKER AND 23 LINDEN STREET PARKING LOT REPAIR SUNSET CLAUSE EXTENSION. Unanimously voted to amend the vote originally taken under Article 20 of the 2019 Annual Town Meeting and extended under Article 6 of the 2020 Annual Town Meeting, and amend the vote taken under Article 18 (Item 5) of the 2020 Annual Town Meeting by extending until June 30, 2022 the date by which money must be expended for the purposes of purchasing and equipping a new Fire and EMS Department pumper/tanker truck, and repairing and repaving the Town Office and Public Safety parking lot. The Finance Committee recommended this article.

ARTICLE 2: SPECIAL LEGISLATION AUTHORIZING THE FIRE CHIEF TO SERVE BEYOND AGE 65. Unanimously voted to authorize the Select Board to petition the General Court for special legislation allowing Paul Kenneth Clark, the Berlin Fire and EMS Chief, notwithstanding the provisions of any general or special law to the contrary, to serve in or be reappointed to such position until May 5, 2026, the date of his retirement, or the date on which he is relieved of his duties by the Berlin Select Board, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of such position. The Select Board may, at the expense of Paul Kenneth Clark, require him to be examined by an impartial physician designated by the Select Board to determine such capability. No further deductions shall be made from the regular compensation of Paul Kenneth Clark under chapter 32 of the General Laws for any service performed subsequent to reaching age 65 and upon retirement Paul Kenneth Clark shall receive a superannuation retirement allowance equal to that to which he would have been entitled had he retired upon reaching age 65; provided, however, that the General Court may make clerical and editorial changes of form only to the bill unless the Select Board approves amendments to the bill prior to enactment by the General Court, and to authorize the Select Board to approve such amendments which shall be within the scope of the general public objectives of the petition.

ARTICLE 3: TAX COLLECTIONS SOFTWARE CONVERSION Unanimously voted to transfer from Free Cash **\$32,000** for the purpose of purchase and conversion expenses for a new state of the art Tax and Financial Software Package, including acquisition, installation and equipping, and other expenses incidental or related thereto. The Finance Committee recommended this article.

ARTICLE 4: COMMUNITY PRESERVATION ACT 2021 ANNUAL BUDGET Unanimously voted to transfer / reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Act Committee for community preservation projects and other expenses in fiscal year 2021, with each item to be considered a separate appropriation, as printed in the warrant for this meeting. The Finance Committee recommended this article.

Reserves:

From FY 2021 revenues for Historic Resources Reserve	48,793.30
From FY 2021 revenues for Community Housing Reserve	48,793.30
From FY 2021 revenues for Open Space Reserve	48,793.30

ARTICLE 5: SPECIAL ARTICLE CLOSE-OUT Unanimously voted to close out the remaining balances in the Special Article accounts to the sources identified from which each article was previously funded as set forth in the table below, and that unspent funds from Raise and Appropriate and Free Cash be closed out to the General Fund. The Finance Committee recommended this article.

	Funding Form	Article #	Fiscal Year	Special Article Purpose	Remaining Balance
a.	Free Cash	Art 38	2008	Select Board (formerly known as "Board of Selectmen") – Matching Grants Funding	\$2,870.91
b.	Free Cash	Art 2 STM	2019	Select Board (formerly known as "Board of Selectmen") – Town Administrator Consultant	\$2,020.50
c.	Free Cash	Art 27	2017	Data Systems – Assessment & Computers	\$242.55
d.	Highland Commons Public Safety	Art 7 STM	2019	Fire and EMS – Matching Grant Funds for SCBA	\$19,000.00
e.	Stabilization	Art 16	2016	Berlin Memorial School – Redesigning Roof	\$15,009.99
f.	Highland Commons Capital – Now Capital Stabilization	Art 20	2017	Berlin Memorial School – Sealing Exterior Windows and Vents	\$12,515.25
g.	Raise & Appropriate	Art 22	2019	Snow & Ice – Dump Truck/Sander with Plow	\$3,140.13
h.	Free Cash	Art 20	2018	Council on Aging – Bus Repairs & Maintenance	\$661.65
i.	Highland Common Cultural and Raise & Appropriate	Art 16	2019	Recreation – Wellness Trail at South Commons	\$30,000.00 and \$20,000.00

ARTICLE 6: BULLARD HOUSE RENOVATIONS EXPANDED ARTICLE SCOPE Unanimously voted to expand the scope of Article 16 of the May 2, 2016 Annual Town Meeting "for the purpose of renovation work for the Bullard House", to include "design, surveys and engineering". The Finance Committee recommended this article.

ARTICLE 7: FISCAL YEAR 2021 CAPITAL BUDGET Unanimously voted to transfer the sum of **\$720,000** from Free Cash and the sum of **\$99,139** from Highland Commons Public Safety Mitigation funds for the **sum total \$819,139** to fund the Fiscal Year 2021 CAPITAL BUDGET as printed in Article 7 of the warrant for this meeting, and that unexpended or unencumbered funds for items #1, 2, 6 and 7

be closed out to the General Fund; for items #3 and 4, returned to the Highland Commons Public Safety Mitigation fund. The Finance Committee recommended this motion.

Item #	Dept	Project Title	Cost	Funding Source	Notes	Funding Expires
1.	Town Buildings	Town Office Rooftop Air Handler Unit Replacement	\$60,000	Free Cash	One of the two 22 year old Rooftop Units has been repaired several times and no longer functions. This will fund the purchase and installation of a new Rooftop Unit. The new unit will have a lifespan of 20+ years.	6/30/2023
2.	Town Buildings	Town Office EPDM Roof Replacement	\$200,000	Free Cash	The Town Offices rubber membrane roof is 27 years old and has undergone several repairs. The roof should be replaced once the old Rooftop Air Handler Unit is removed to protect the integrity of the membrane. The new roof will have a 20 year warranty and a lifespan of 25+ years	6/30/2023
3.	Police	Cruiser Replacement	\$51,382	HC Public Safety Mitigation	Replace 2014 Ford Interceptor SUV - Part of yearly replacement program. Safety issue, reduced maintenance cost. May sell or trade 2014 SUV.	6/30/2022
4.	Fire/EMS	Car 2 Replacement	\$47,757	HC Public Safety Mitigation	Replace non-operational Car 2 with pickup truck. Old Car 2 to be sold or traded.	6/30/2022
5.	Highway	Hot Top	\$80,000	Free Cash	Recurring need to improve/repair roads. Supplements Ch. 90 state funds.	No sunset
6.	Highway	Loader Replacement	\$175,000	Free Cash	Replace 21 year old front-end loader in poor condition. Old loader to be sold.	6/30/2022
7.	Highway	Wood Chipper Replacement	\$80,000	Free Cash	Replace 25 year old wood chipper. Old chipper to be sold.	6/30/2022
8.	Capital Planning Committee	Fund Capital Stabilization	\$125,000	Free Cash	Transfer to savings to partially fund and/or reduce debt service on major capital projects (GL c.44, §§7 & 8)	No sunset

Fiscal Year 2022 through June 30, 2022

ARTICLES 8 THROUGH 14: (CONSENT ARTICLES) Unanimously voted to approve the motions as printed in the warrant for the meeting under articles 8 and 10 through 14.

Article 8. Unanimously voted that the Select Board 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 2020 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, and that the text of Article 18 as printed on page 102 be replaced with the following: *Article 18. 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, 2021 and to determine the salaries of the Town Officers for that period.*

ARTICLE 10. Unanimously voted to authorize the Treasurer, with the approval of the Select Board, to borrow money in anticipation of reimbursement to the Town by the Massachusetts Department of Transportation for the repair of roads and bridges. The Finance Committee recommended this article.

ARTICLE 11. Unanimously voted to fix the maximum amount that may be spent during FY 2022 beginning on July 1, 2021 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 53E1/2, as printed in Article 11 of the warrant for this meeting. The Finance Committee recommended this article.

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 18 of this Annual Town Meeting, a sum not to exceed three hundred dollars (\$300) for insect and pest control and a sum two thousand dollar (\$2,000) for Dutch Elm Disease control, provided the Tree Warden shall request the expenditure of such funds of the Select Board. The Finance Committee recommended this article.

ARTICLE 13. Unanimously voted to appropriate the apportionment of Chapter 90 Transportation Bond Issue monies in the amount certified by the Commonwealth of Massachusetts. The Finance Committee recommended this article.

ARTICLE 14. Unanimously voted to authorize the Select Board, 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 Select Board, as appropriate.

ARTICLE 15: OUTSTANDING 2020 TOWN REPORTS No reports were presented.

ARTICLE 16: CABLE ACCESS COMMITTEE – P.E.G. SPENDING Unanimously voted that the Town 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 2022 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 funds to be expended by the Cable Access Committee. The Finance Committee recommended this article.

ARTICLE 17: COMMUNITY PRESERVATION ACT FISCAL YEAR 2022 BUDGET

Unanimously voted that the Town appropriate and transfer / reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Act Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2022, with each item to be considered a separate appropriation, as printed in the warrant for this meeting. The Finance Committee recommended this article.

Appropriations:

From FY 2022 estimated revenues for Committee Administrative Expenses	24,233.35
From FY 2022 estimated revenues for Budgeted Reserve	315,033.55

Reserves:

From FY 2022 estimated revenues for Historic Resources Reserve	48,466.70
From FY 2022 estimated revenues for Community Housing Reserve	48,466.70
From FY 2022 estimated revenues for Open Space Reserve	48,466.70

Article 18. GENERAL GOVERNMENT

Unanimously voted to raise and appropriate the sum of **\$1,369,155** to fund items 1 through 47, and to transfer from Free Cash the sum of **\$50,000** to line item 11, as recommended by the Finance Committee for FY2022.

001	Moderator, Salary	50.00
002	Moderator, Exp.	85.00
003	Select Board, Salary	3,690.00
004	Select Bd. Wages, FT	67,735.00
005	Consulting	20,000.00
006	Select Board, Expenses	5,250.00
007	Town Admin.-Salary	150,000.00
008	Town Admin. Expenses	3,415.00
009	Finance Comm. Expenses	175.00
010	Reserve Fund	95,000.00
011	Contingency (temporary)	89,243.00
012	Accountant, Salary	83,931.00
013	Accountant, Wages FT	40,249.00
014	Accountant, Expenses	9,040.00
015	Audit	26,000.00
016	Assessors, Salary	2,334.00
017	Assessors Asst., PT Salary	68,628.00
018	Assessors, Wages PT	66,279.00

019	Assessors, Expenses	38,686.00
020	Revaluation Expenses	28,920.00
021	Treasurer/Collector, Salary	77,439.00
022	Tres./Coll Wages PT	47,747.00
023	Tres./Coll Incentive	1,000.00
024	Tres./Coll Expenses	39,696.00
025	Legal Expenses	50,000.00
026	Personnel-Expenses	225.00
027	Tax Titles	5,000.00
028	Data Systems, Salary PT	0.00
029	Data Systems, Expenses	85,100.00
030	Town Clerk, Salary	31,824.00
031	Town Clerk PT Salary	13,011.00
032	Town Clerk, Expenses	2,845.00
033	Elections, Wages PT	1,995.00
034	Elections, Expenses	4,100.00
035	Registration, Salary	100.00
036	Registration, Wages PT	449.00

037	Registration, Expenses	95.00
038	Conservation Comm., Exp.	2,000.00
039	Planning Board, Expenses	1,000.00
040	Bd. Of Appeals, Wages PT	0.00
041	Bd. Of Appeals, Expenses	500.00
042	Agricultural Comm.- Exp.	1,330.00

043	Public Buildings, Wages PT	19,382.00
044	Pub. Bldg., Expenses	100,607.00
045	Pub. Bldg., Electricity	80,000.00
046	Pub. Bldg., Fuel Oil	50,000.00
047	Town Report, Expenses	5,000.00
Total General Government		1,419,155.00

Public Safety: Unanimously voted to raise and appropriate the sum of **\$2,153,772** to fund items 48 through 69, appropriate from the Highland Commons Public Safety Mitigation Receipts Reserved for Appropriation Account the sum of **\$210,000** to item 49 Police Wages-FT-\$145,410, and item 53 Fire & EMS Wages-FT-\$64,590, to appropriate from Rescue Squad Receipts Reserved for Appropriation the sum of **\$100,000** to item 53 Fire & EMS Wages-FT, and to appropriate from the Inspectors' Offset Receipts Account the sum of **\$165,000** to item 60 Plumbing & Gas Inspector Wages PT-\$65,000, and item 62 Electrical Inspector Wages PT-\$100,000, as shown on the handout for this meeting titled "FY22 Finance Committee Recommended Budget".

048	Police, Salary	150,603.00
049	Police, Wages FT	845,829.00
050	Police, Wages PT	132,233.00
051	Police, Expenses	100,512.00
052	Fire & EMS, Salary FT	128,000.00
053	Fire EMS Wages FT	192,087.00
054	Fire EMS Wages PT	350,468.00
055	Fire EMS Expenses	144,910.00
056	Bldg. Insp., Salary	94,350.00
057	Bldg. Insp Wages FT	0.00
058	Bldg. Insp Wages PT	30,804.00
059	Bldg. Insp Expenses	26,696.00

060	Plumbing & Gas, Wages PT	65,000.00
061	Plumbing & Gas Exp.	300.00
062	Electrical Insp., Wages PT	100,000.00
063	Electrical Insp., Expenses	600.00
064	Animal Inspector, Salary	2,032.00
065	Animal Inspector, Expenses	500.00
066	Animal Control Officer Salary	5,508.00
067	Animal Control Officer Exp.	1,820.00
068	Communication Wages.	44,725.00
069	Communication Expenses	211,795.00
TOTAL PUBLIC SAFETY		2,628,772.00

The Moderator, who is also a Cemetery Commissioner, stepped down to discuss the Cemetery line item.

The Town Clerk called for the election of a Temporary Moderator. Tim Wheeler was the only nomination. He was elected, then sworn.

PUBLIC WORKS - Unanimously voted to raise and appropriate the sum of **\$705,864** to fund items 70 through 81, to appropriate from the Transfer Station Sticker and Recycling Offset Receipts Account the sum of **\$120,000** to item 79 Transfer Station Expenses, and to appropriate from General Cemetery Receipts the sum of **\$6,000** to item 81 Cemetery Expenses, and the sum of \$2,200 from Sale of Lots to item 81 Cemetery Expenses, as recommended by the Finance Committee for FY2022 and that line item 80 is \$0.00 and line item 81 is \$15,668.00.

Voted to transfer \$3,428 from Cemetery PT Salary to Cemetery Expenses, making Line item 80 \$0.00 and Line item 81 \$15,668.00. The Finance Committee accepted this change.

070	Highway, Salary	83,436.00
071	Highway, Wages FT	226,761.00
072	Highway Wages PT	30,531.00
073	Highway Expenses	143,920.00
074	Snow & Ice, FT OT	35,881.00
075	Snow & Ice, Wages PT	15,118.00
076	Snow & Ice, Expenses	85,000.00

077	Street Lights	9,000.00
078	Transfer Station, Wages PT	37,889.00
079	Transfer Station, Exp.	150,860.00
080	Cemetery, Wages PT	0.00
081	Cemetery, Expenses	15,668.00
TOTAL PUBLIC WORKS		834,064.00

The Moderator resumed his position.

HUMAN SERVICES - Unanimously voted to raise and appropriate the sum of **\$114,520** to fund items 82 through 93 in the Finance Committee's recommended FY2022 Budget.

082	Board of Health, Salary	1,914.00	089	Council on Aging, Expenses	12,625.00
083	Board of Health, Wages PT	5,992.00	090	Veterans, Salary	8,658.00
084	Board of Health, Expense	1,000.00	091	Veterans, Expenses	265.00
085	Nashoba Health	8,535.00	092	Veterans, Benefits	11,000.00
086	Nashoba Nursing	3,896.00	093	Community Social Services	7,000.00
087	COA, Director PT Wages	28,987.00	TOTAL HUMAN SERVICES		114,520.00
088	COA, PT Wages	24,648.00			

CULTURE AND RECREATION – Unanimously voted to raise and appropriate the sum of **\$176,516** to fund items 94 through 100 in the Finance Committee's recommended FY2022 Budget.

094	Library, Wages PT	127,411.00	098	Historical Commission, Exp.	600.00
095	Library, Expenses	32,095.00	099	Memorial Day, Expenses	2,000.00
096	Recreation, Expenses	12,410.00	100	Festive Events, Expenses	500.00
097	Cultural Council, Expenses	1,500.00	TOTAL CULTURE & RECREATION		176,516.00

DEBT & INTEREST – Voted to raise and appropriate the sum of **\$308,275** to fund items 101 and 102, to appropriate from Septic Loan Receipts Available for Appropriation the sum of **\$4,308** to item 102 Principal, as recommended by the Finance Committee for FY2022.

101	Interest	118,275.00	TOTAL DEBT & INTEREST		312,583.00
102	Principal	194,308.00			

INTERGOVERNMENTAL EXPENDITURES:

CMRPC – Unanimously voted to raise and appropriate the sum of **\$863** to fund item 103 in the Finance Committee's recommended FY2022 Budget.

103	Central MA Reg. Plan. Comm.	863.00
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Assabet Regional Housing Consortium Unanimously voted to appropriate from the Affordable Housing Account the sum of **\$12,000** to fund item 104 in the Finance Committee's recommended FY2022 Budget.

104	Assabet Reg. Housing Cons.	12,000.00
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Assabet – Unanimously voted to raise and appropriate the sum of **\$549,288** to fund items 105 and 106 in the Finance Committee's recommended FY2022 Budget.

105	Assabet Assessment	479,103.00	106	Assabet Capital Assess.	70,185.00
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Berlin Memorial School – Unanimously voted to raise and appropriate the sum of **\$3,443,613** to fund items 107, and to transfer from Free Cash, the sum of **\$68,000** to Item 108 Berlin Memorial Capital Assessment, as recommended by the Finance Committee for FY 2022.

107	Berlin Memorial Assessment	3,443,613.00	108	Berlin Mem. Capital Asses.	68,000.00
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Tahanto – Unanimously voted to raise and appropriate the sum of **\$3,296,958** to fund items 109 and 110, as recommended by the Finance Committee for FY 2022.

109	Tahanto Assessment	2,792,812.00	Total Intergovernmental Exp.		7,370,722.00
110	Tahanto Capital Assessment	504,146.00			

MISCELLANEOUS BENEFITS AND INSURANCE – Unanimously voted to raise and appropriate the sum of **\$1,490,290** to fund items 111 through 118 in the Finance Committee’s recommended FY 2022 Budget.

111	Worcester Reg. Retirement	551,425.00
112	Workers Compensation	23,000.00
113	Unemployment	50,000.00
114	Chap 32B Health Ins.	665,000.00
115	Police & Fire Sick & Acc Ins.	22,861.00

116	Sick Pay	39,000.00
117	Medicare	45,004.00
118	Property/Liability Ins.	94,000.00
TOTAL MISC BENEFITS		1,490,290.00
TOTAL BUDGET*		14,346,622.00

- Reflects -\$16,831 Tahanto reduction

ARTICLE 19: ‘WELCOME TO BERLIN’ ROADSIDE SIGNS Unanimously voted that the Town transfer from Free Cash the sum of **two thousand dollars (\$2,000)** to fund a portion of the purchase and installation of three (3) ‘Welcome to Berlin’ roadside signs, said funds to be expended by the Planning Board. The Finance Committee recommended this article

The Moderator stepped down for Article 20 and Timothy Wheeler returned as Temporary Moderator.

ARTICLE 20: CEMETERY DRIVEWAY PAVING Unanimously voted that the Town transfer from Free Cash the sum of **\$15,000** to pave driveways in the cemeteries, including all incidental and related expenses, and that any unexpended or unencumbered funds be closed out to the General Fund effective June 30, 2023. The Finance Committee recommended this article.

The Moderator returned.

ARTICLE 21: ESTABLISH TAX TITLE REVOLVING FUND Unanimously voted that the Town accept the provisions of Massachusetts General Law Chapter 60, Section 15B for the purpose of establishing a Tax Title Collection Revolving Fund for the Treasurer/Collector. The Finance Committee recommended this article.

ARTICLE 22: ENERGY COMMITTEE SPECIAL PURPOSE STABILIZATION FUNDING

Unanimously voted that the Town transfer from Free Cash the sum of **\$10,407**, an amount equivalent to the receipts generated by the Town’s Municipal Energy Aggregation program adders in Fiscal Year 2020, to the Energy Committee Special Purpose Stabilization Fund established under Article 31 of the May 6, 2019 Annual Town Meeting, and accept the fourth paragraph of Massachusetts General Laws Chapter 40, Section 5B, which allows the dedication, without further appropriation, of all future municipal energy aggregation adder receipts to the Energy Committee Special Purpose Stabilization Fund established under G.L. c.40, Section 5B to be effective for the fiscal year beginning July 1, 2020 for the purpose of paying for future projects designed to improve the Town’s energy efficiency or water conservation in accordance with the goals established by Massachusetts Green Communities Program. The Finance Committee recommended this article.

ARTICLE 23: MOVEABLE RADAR SPEED LIMIT SIGNS Unanimously voted that the Town transfer from Highland Commons Public Safety Mitigation funds, the sum of **\$12,000** to purchase moveable radar speed limit signs, including acquisition, installation and equipping and other expenses incidental or related thereto, to be placed on various public ways in the Town from time-to-time by the Berlin Police Department. The Finance Committee recommended this article.

ARTICLE 24: ADVANCED LIFE SUPPORT SERVICE FEASIBILITY STUDY Unanimously voted that the Town transfer from Highland Commons Public Safety Mitigation funds, **\$17,500** to conduct an independent analysis to determine the feasibility of establishing Advanced Life Support (ALS) level service in the Town of Berlin, and to study local and regional service options as well as the short and long-term costs associated with ALS service enhancements. The Finance Committee recommended this article.

ARTICLE 25: PARKING ENFORCEMENT Unanimously voted that the Town accept the provisions of Chapter 90 Section 20A of the Massachusetts General Laws as printed in the warrant for this meeting. The Finance Committee recommended this article.

ARTICLE 26: PARKING ENFORCEMENT – REMOVAL Unanimously voted that the Town accept the provisions of Chapter 40 Section 22D of the Massachusetts General Laws as printed in the warrant for this meeting. The Finance Committee recommended this article.

ARTICLE 27: HOME BASED CONTRACTING BUSINESS Voted that the Town amend the Zoning Bylaw, Section 540, Home Based Contracting Business by adding a new 540.10: "The business must be owned and operated by a resident of the dwelling." The electronic vote was 82 total: 74 yes; 8 no.

The Berlin Planning Board held a Public Hearing on April 13, 2021 to consider comments concerning Article 27 on the Annual Town Meeting Warrant, to be held on May 15, 2021.

At the Planning Board meeting held on Tuesday April 27, 2021 the Planning Board voted 4 in favor, 0 opposed to Article 27.

ARTICLE 28: TABLE OF HOME-BASED CONTRACTING BUSINESS CLARIFYING GROSS VEHICLE WEIGHT Voted that the Town amend the Zoning Bylaw, Section 541, Table of Home-Based Contracting Business, by adding "as registered with the RMV" after every instance where "GVW" appears. Voted. A 2/3's vote was required. The electronic vote was 81 totals; 73 yes; 8 no.

The Berlin Planning Board held a Public Hearing on April 13, 2021 to consider comments concerning Article 28 on the Annual Town Meeting Warrant, to be held on May 15, 2021.

At the Planning Board meeting held on Tuesday April 27, 2021 the Planning Board voted 4 in favor, 0 opposed to Article 28.

ARTICLE 29: IN-LAW APARTMENTS Voted that the Town amend the Zoning Bylaw, Section 510, "In-Law Apartments, 512 Maximum size by adding "including any proposed addition or modification" after "total floor area." A 2/3's vote was required. The electronic vote was 79 Total; yes 77; no 2

The Berlin Planning Board held a Public Hearing on April 13, 2021 to consider comments concerning Article 29 on the Annual Town Meeting Warrant, to be held on May 15, 2021.

At the Planning Board meeting held on Tuesday April 27, 2021 the Planning Board voted 4 in favor, 0 opposed to Article 29.

ARTICLE 30: COMMON DRIVEWAYS Voted to that the Town amend the Zoning Bylaw Section 710, Common Driveways, by adding a new Section 716.8 "Any change or structural addition or modification beyond general maintenance in the location, width, length, height or material composition of a common driveway affecting its accessibility by users or emergency vehicles or re-directing water run-off must be approved by the Berlin Planning Board. If, at the discretion of the Planning Board, it is determined that the modification is substantial, a public hearing will be required. A 2/3's vote was required. The electronic vote was 82 total; 75 yes, 7 no.

The Berlin Planning Board held a Public Hearing on April 13, 2021 to consider comments concerning Article 30 on the Annual Town Meeting Warrant, to be held on May 15, 2021.

At the Planning Board meeting held on Tuesday April 27, 2021 the Planning Board voted 4 in favor, 0 opposed to Article 30.

ARTICLE 31: MEDICAL AND ADULT USE MARIJUANA: Voted that the Town amend the Zoning

Bylaw Section 585.4 Medical Marijuana and Adult Use Marijuana Establishments by adding a new Section 585.4, 6 "No more than three (3) Retail Marijuana Establishments shall be permitted at any given time." A 2/3's vote was required. The electronic vote was 77 total; 68 yes, 9 no.

The Berlin Planning Board held a Public Hearing on April 13, 2021 to consider comments concerning Article 31 on the Annual Town Meeting Warrant, to be held on May 15, 2021.

At the Planning Board meeting held on Tuesday April 27, 2021 the Planning Board voted 4 in favor, 0 opposed to Article 31.

ARTICLE 32: TABLE OF PRINCIPAL USE /RESIDENTIAL CARE FACILITIES FOR SIX OR

UNDER Voted that the Town amend the Zoning Bylaw, Section 320, Table of Principal Use Regulations, by deleting the current table entry for "Residential Care Facility for not more than six patients", and replacing it with the following:

RA	MD	CV	C	LB	LI	ACR
SR	SR	SR	SR	SR	N	N

A 2/3's vote was required. The electronic vote was 76 total; 70 yes, 6 no.

The Berlin Planning Board held a Public Hearing on April 13, 2021 to consider comments concerning Article 32 on the Annual Town Meeting Warrant, to be held on May 15, 2021.

At the Planning Board meeting held on Tuesday, April 27, 2021 the Planning Board voted 4 in favor, 0 opposed to Article 32.

At 3:12 pm voted to adjourn this meeting until Monday, May 17, 2021 at 6:30 pm at the Berlin Memorial School. The total voters attending this session is 98.

May 17, 2021. The meeting was called to order at 6:45 PM. Assistants were Timothy Wysocki, Noel Rosenberg, Robert McTague and Linda Nelson as checkers and Police Chief Thomas Galvin. There were approximately 301 voters present. The Moderator did a test vote after explaining the clicker system Total 301; Yes 131 on the right and on the left side of the field no 170. Everyone seemed comfortable with the electronic voting.

ARTICLE 33: Motion failed. **Wetlands Protection Bylaw: Total 306 ; Yes 145; No 161** Two amendments to the original motion were approved. 1st. Voted to deleting the phrase in parentheses at the end of the first paragraph under II. Jurisdiction as shown in the first column on page 108 in the Town Report: (collectively the "resource areas protected by this bylaw").

Total votes 275, Yes 223; No 52

2. Motion to delete "the removal of" from the next to last sentence of top paragraph of left-hand column. Such that this sentence reads: "Additionally, the well-known invasive plant species Oriental

Bittersweet (Celastrus Orbiculatus) may be removed from the No Disturb Zone without application for a permit." Total votes 261; Yes 231; No 30.

ARTICLE 34: Citizen Petition – Proposed Zoning Bylaw Amendment Unanimous vote to pass over this article.

ARTICLE 35: Citizen Petition – Proposed Development Agreement Modification. Unanimous vote to pass over this article.

ARTICLE 36: Citizen Petition – Drive-up windows at Riverbridge. Motion failed.

Total Voted 167; Yes 28; No 139

The Berlin Planning Board held a Public Hearing on April 13, 2021 to consider comments concerning Article 36 on the Annual Town Meeting Warrant, to be held on May 15, 2021.

At the Planning Board meeting held on Tuesday, April 27, 2021 the Planning Board voted 0 in favor, 4 opposed to Article 36.

ARTICLE 37: Citizen Petition – Requested special legislation Unanimously voted to pass over.

ARTICLE 38: Citizen Petition – Proposed Development Agreement Modifications Unanimously voted to pass over.

ARTICLE 39: Voted to adjourn this meeting to Monday, May 24, 2021 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 39, and that following the announcement of the results of the election, this meeting be dissolved.

Meeting adjourned at 8:34 PM. Three Hundred thirty (330) total voters took part in this meeting.

Barry W. Eager, *Moderator* Eloise E. Salls, *Town Clerk*

A TRUE COPY,

*Attest: Eloise E. Salls,
Town Clerk of Berlin*



