

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 7/25/2018

SELECTMEN IN ATTENDANCE: George F. Miller, Chairman Heather Martin-Sterling, Clerk Wendy F. Cochrane, Member

TOPIC		ACTION
	Meeting Convened at 6:05 pm at Town Hall Hearing Room, 1 North Main St.	
Soil Board Public Hearing	<ul style="list-style-type: none"> - Public Hearing regarding a Soil Board permit for 180 R Bayview Avenue as posted on May 10, 2018 <p>Mr. Vaz spoke again about his concerns pertaining to granting Mr. Pontes a permit. Vaz stated he had contacted Superior Court unfortunately some of the records were destroyed. He also made mention that the plans Pontes had were from 10 years ago and he thought a bond would be a good idea. Another abutter from 175 Bayview Ave. was concerned about drainage and would like to make sure that the project is self-contained and won't cause any more water to come onto his property. He was also concerned that in the past Pontes had encroached onto another neighbor's property. Mr. Pollock spoke again and stated that he is going to place a camera so that they can estimate how much gravel is being removed. Mr. Pontes stated that his primary reason for the permit is to get the site prepared for a foundation. It was discussed that Mr. Pontes' property is not an approved subdivision by the Planning Board. Vaz then noted that in the past Pontes did not allow the Soil Board to enter onto the property while the project was going on several times. Selectman Cochrane and Chairman Miller questioned Pontes on how is it he plans to put in a foundation if the lot is not approved yet. Pontes stated he is going to court with the Planning Board because he feels they didn't act in time and that is why the subdivision of the lots were rescinded. Miller suggested to Pontes that the hearing be continued to the next meeting so that he can speak with Town Counsel on the use of "foundation" in Mr. Pontes' affidavit of intent that was in the application. Miller would like to know if it is relevant given that he is not sure if it is a buildable lot.</p>	<p>Motion to reconvene the public hearing for 180 R Bayview Ave on July 25, 2018 at 6pm was made by Cochrane, Sterling sec. – Voted</p> <p>Motion to continue public hearing regarding the Pontes Soil Application on August 8, 2018 at 6pm made by Cochrane, Sterling sec. – Voted</p>
Minutes	<ul style="list-style-type: none"> - Minutes approved for July 11, 2018 – Regular Session 	<p>Motion to approve minutes made by Cochrane, Sterling sec. - Voted</p>
Appointments	<ul style="list-style-type: none"> - Tabled - Meeting with Megan Silva from the Friends of the Berkley Library to discuss the Ruby Lin Grant. They were still working on their presentation. - Meeting with representatives from the Somerset Berkley Regional High School to discuss recently approved teachers' contract. Miller asked for a quick summary. They stated negotiations started almost 18 months ago and were rather difficult regarding compensation. Out of 22 districts Somerset-Berkley came in 2nd to last for compensation. 	<p>Motion to table made by Cochrane, Sterling sec. – Voted</p>

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- The agreed upon increases are as follows:

YEAR	ALL TEACHERS	ADDITIONAL INCREASE FOR HIGHEST STEP
#1 - 2017/2018	1.50%	1%
#2 - 2018/2019	1.50%	1%
#3 - 2019/2020	2%	1.5 %
#4 - 2020/2021	3%	3%

Informational – No action taken

70% of teachers are in the top step. The first year is retro. The first two years were budgeted for, however the increases in the last two years will be coming from staff reductions and the teachers are aware of that.

- Meeting with Highway Surveyor to discuss letters he had sent in to the Board. Rose stated that since he was interviewed this is his first time in front of the Board other than at the Annual Town Meeting. There was an issue at the Town Meeting where he stated that he never said he would be in favor of his position being changed to an appointed position instead of an elected one. Mr. Rose then said that since then he has had an opportunity to review the tape and apologizes because he did in fact state that he would support and be in favor of his position being changed to appointed. He offered his sincere apologies and stated please keep in mind this is a huge step for me. He would like to own up to it. Miller feels it was unfortunate because it caused other people to be drawn into it. It is our job to work with other Boards and Officials not to have squabbles. Rose stated he feels as though the people would like the right to elect their Highway Surveyor and he feels that the greater people should have a say as to how the Government runs. Sterling stated that she appreciated him coming in after he reviewed the tape and setting this straight. Rose stated that he is willing to work with any Department that is willing to work with him. Miller mentioned that in his interview for Highway Surveyor and when they hired him, Rose had a very strong stance and stated he is not a Politian he felt it should not be elected. That was an important issue for the Board but they also felt he was a good candidate and good for the job. Miller asked the Town Administrator to address the letters sent it. Coutinho stated that he takes his orders from the Board of Selectmen. He then went on to not that the letters from Rose said things he did not say and he has lost a lot of trust. Coutinho never stated that he could not come into the Town Hall, what he stated to Mr. Rose was after what took place at the Town meeting he would like to be notified when he plans to come in to speak to his employees, he would never tell Rose that he couldn't come in he is elected. He then stated that once again this was put on social media but we have it on tape and we can watch it. Mr. Coutinho stated that he would never call up one of Rose's

Informational – No action taken

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foremen and direct them to do something. He would like the same respect and if he needed anything from one of his staff that he inform him ahead of time so that he would know what was going on. Miller explained to him that the reason for that was because of what transpired and because of the information he had given was then different at the meeting. We have to say if this is going to be the relationship we will now have then we need to watch and take care of this. This is because of that situation that transpired. Miller stated that yes Rose should let the Town Administrator know that he needs to come in to talk to his employees for example Kathy because she is very understaffed and she may be better served to finish doing what she needs to at that time.

Meeting taken out of order

Motion to take meeting out of order to address Ch. 90 presentation made by Cochrane, Sterling sec. – Voted

New Business

- Mr. Coutinho explained how the Ch. 90 should be done. He also noted that the Town Accountant got written up because the Ch. 90 was not done correctly. He stated that the Selectmen are the deciding vote on what Ch. 90 projects are to be done. They are to come to the Board and describe what they think should be done and the Board votes yes or no. Mr. Rose stated \$261,000 had been awarded. District 5 contacted him and told him there is a lot more money than that for them. There is another \$135,000 that had been awarded in the past back when Paul was working and the Highway Surveyor was never notified. So they now have \$402,899.02 to spend. He then went on to explain why he picked the streets that he did. Coutinho noted that he asked for the reports ahead of time because it makes it easier and faster. Miller stated that in the future it would be better to have the reports ahead of time.

Motion to approve Ch. 90 suggestions made by the Highway Surveyor for Green Street & Swing Drive made by Cochrane, Sterling sec. – Voted

Old Business

- Tabled - Town Counsel's response to letter from Richard Sandman from Rodman, Rodman & Sandman, P.C. regarding opioid litigation and representing Town of Berkley

Motion to table made by Cochrane, Sterling sec. – Voted

New Business

- Board reviewed a notice from the Berkley Planning Board of site plan review for a special permit for Hillside Lawn & Farm Repair.
- Warrant for 2018 State Primary Elections. Warrant read aloud by Miller.

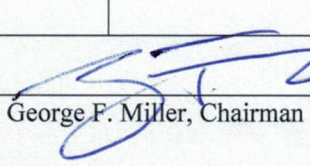
Motion to file made by Cochrane, Sterling sec. – Voted

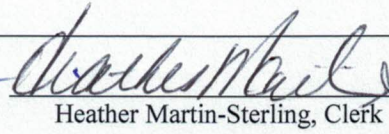
Motion to approve made by Sterling, Cochrane sec. – Voted

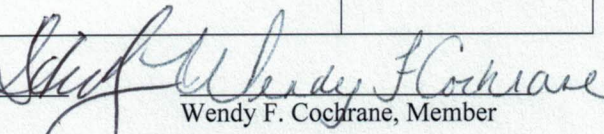
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Town Administrator Report	<ul style="list-style-type: none"> - Mr. Coutinho updated the Board on the status of the OPM. They are making progress and have found a few additional problems but they are moving forward. 	Informational – No action taken
Personnel Board	<ul style="list-style-type: none"> - Tabled - Discuss open position in Accounting Department 	Motion to table made by Cochrane, Sterling sec. – Voted
Public Input	<ul style="list-style-type: none"> - Joe Freitas stated he is going to ask Mr. Larabee to attend a FinCom meeting. His concern is that 70% of the teachers are in the highest step and that is a significant amount of money. That it is going to take a god amount of years off of the anticipated stability of the account. He also voiced his concern of how often all of the roads are actually surveyed along with the income of employees should be in close proximity for employees or other Towns. Miller stated he would encourage him to invite Larabee to his meeting to discuss the details of the contracts. - Sterling noted that we are still working and trying to make the process of posting minutes and videos easier. <p style="text-align: center;">Meeting Adjourn</p> <p style="text-align: center;">Next Regular Meeting August 8, 2018</p>	<p>Informational – No action taken</p> <p>Motion to adjourn made by Sterling, Cochrane sec. – Voted</p>


George F. Miller, Chairman


Heather Martin-Sterling, Clerk


Wendy F. Cochrane, Member

Alan G. Coutinho, Town Administrator