

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 9/5/2018

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

TOPIC		ACTION
	Meeting Convened at 6:01 pm at Town Hall Hearing Room, 1 North Main St.	
Minutes	<ul style="list-style-type: none"> - Minutes for August 22, 2018 – Regular Session 	<p>Motion to approve minutes made by Cochrane, Sterling sec. – Voted</p>
Meeting Mail	<ul style="list-style-type: none"> - Notice from Zenith Consulting Engineers, LLC regarding Subsurface Sewage Disposal System at 12 Grove Street - Letter from Atty. Walter Frazee, Jr. notifying the A.B.C.C. ,Country Side Package Store, Inc. is withdrawing its application for a change in license. - Board read an email from Joseph Callahan regarding a follow up to SRPEDD survey. Callahan stated that the Town will be notified at least a week in advance when the drone recording will take place and the Town will have the opportunity to review the footage to delete anything that may infringe on anyone's privacy. 	<p>Motion to file made by Cochrane, Sterling sec. – Voted</p> <p>Motion to file made by Cochrane, Sterling sec. – Voted</p> <p>Motion to file made by Cochrane, Sterling sec. – Voted</p>
Old Business	<ul style="list-style-type: none"> - Board discussed the issue with Jerome and Pine St. traffic issue. - Board discussed the make-up and appointments for the Cable Committee. Sterling had reached out to various people and they were willing to volunteer and that each had their own little niche they would like to be involved in. Sterling noted there was a meeting a couple weeks ago regarding the website. Also Paradise already has the minutes posted and the Town will be updating the website. There will eventually be meeting videos streamed as well. Mr. Coutinho and Sterling noted it will take at least 12 weeks to get the new site up and running once started. Miller would like all meetings to be broadcast. Jilleen Solomon questioned where the meetings will have to be held for recording, what kind of cameras will be used and is the Cable Committee charged with running the website. Sterling noted that Kerry Paradise will be doing the website and Deb Pereira. The Cable Committee may have ideas and they can be relayed to Paradise and Pereira. Jilleen would like to change the name she feels it is outdated and was thinking Communications Committee. Miller noted that may not be as easy as she thinks and would have to speak to Counsel. Miller noted that the Cable Committee is an extension of the Board of Selectmen. Town Administrator stated that in the past at his previous employment they went from a Cable Committee to a Cable Department and there were some things 	<p>Motion to table made by Cochrane, Sterling sec. – Voted</p> <p>Informational – No action taken</p>

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New Business

that had to happen to accomplish that but he is willing to help out if that is the direction they would like to go.

- Board reviewed a notice from the DEP for the award of a Recycling Dividends Program Grant in the amount of \$4,550.00 and contract.

- Board discussed naming of the Town Hall Hearing Room. Miller stated in the past they had a hearing room named after a resident in Town that has done a lot for the Town. Miller suggested George Moitoza and Mark Petty. Cochrane thought his ideas were great she just didn't want to decide right then. Cochrane offered to handle things pertaining to this.

Motion to accept the grant made by Cochrane, Sterling sec. – Voted

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

Personnel Board

- The Board reviewed a request from the Library Trustees for changes in pay grades for library personnel. Cochrane stated that she feels that her statement that she made saying that employees being paid \$11 an hour is not right is what may have sparked this. She also had mentioned that it's not right that they can't afford health insurance. The Library Director made mention to what they make vs. the clerks in the Town Hall. Cochrane assumed that when Nelson came in from the union that the pay grid as a whole would be looked at. But she was just told that Nelson will not be coming in. Mr. Coutinho stated that the contracts expire June 30, 2019 and we don't have anyone to represent here i.e. Shop Stewart. And he would assume in January they would reach out to start bargaining. This all has to be bargained. Cochrane noted that there are some people there that are non-union. The Director asked that they just move up the grades according to the job description like a classification change. Cochrane asked so you may want to have someone who was hired at a 6 to add responsibilities and move them up to an 8? The Director replied yes. Cochrane wanted to know who reclassifies the non-union, Coutinho replied it is the Personnel Board and he believes annually it should be reviewed. He also noted that a change in job description for union employees needs to be part of the negotiations. It was noted that there is only one employee that is non-union. Miller explained how it works for negotiations with the union. Mr. Coutinho stated that reaching out to the union is the Board of Selectmen's responsibility. Miller stated they will reconsider reopening. Sterling noted that the only non-union person is already at the top of the grid so that will have to be looked at. Cochrane asked if now that they increased an employee by two hours will they be paying her from the grant money or the Town's money? They stated that next year they will be asking for money in the budget to pay her. They questioned the money from the Friends of the Library and having repairs done. Mr. Coutinho stated that they have gone over this more than once and the best way to give the residents of Berkley the largest reward for their money is to contact the Board to say they would like to receive whatever the gift is and the Board will vote yes or no. The Board needs to know what the gift is in order to accept it. It should be simple as saying we would like to receive a gift of windows and a roof.

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

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Unanticipated Subject

- New business just received on September 5, 2018 and was unanticipated. Miller read a letter from the Board of Health stating that Mr. Pontes of 180R Bayview Ave does not have an active or current waste disposal permit. Miller then went on to state that was part of the conditions of his Soil Board permit and it is a breach. Miller would like him to be served with a cease and desist.

Motion to serve cease and desist to the owner of 180R Bayview Ave for a violation made by Cochrane, Sterling sec. – Voted

Old Business Cont.

- Review of Marijuana Cultivation Agreement regarding the property located at 130 Myricks Street in Berkley. Miller stated that he and Town Counsel have met with the developers and worked on this together. Miller noted that we do not have a cannabis Bylaw for distribution or cultivation so according to our Building Inspector it allows for this kind of use and will be categorized as warehouse and distribution also it's allowed for use by special permit from the Planning Board. Miller stated that it will not offer the Town as much as a Dispensary would have offered us. However, because of the large amount of equipment that they will have which could be in the vicinity of \$5,000,000 and \$7,000,000 plus the building itself may be between \$1,000,000 and \$2,000,000 the personal property tax could get the Town well over \$100,000 just from personal property and then there are the flat fee payments that could come close to that as well or maybe even rival it. There aren't many businesses that could come close to generating that kind of revenue for us. Sterling asked how close is everyone to an agreement? Miller stated they are very close and numbers being finalized very soon and the next response may be the last response. Miller also mentioned that they were willing to donate to certain programs and committees in the Town. Cochrane asked if that is why they decided not to change over the liquor license? Miller says he believes so. Miller asked if anyone had questions. Nancy Perry asked if the plans at the Planning Board would be accessible to the public. Sterling replied that once it is all there she would assume it would be. Perry also noted that since this is regulated by the state the Board of Health will not have much say and she assumes there will be a lot of chemicals involved. Miller replied that it is highly regulated along with firearms and alcohol. The state has a very huge incentive to make sure that these places are not causing problems. Perry just wanted to make sure that there is no further contamination to Myrick since they were already promised that the landfill would not contaminate and it did and now there is no remedy for the residents. Miller noted that technical answers are better given from their engineers at the meeting coming up. Karen Kullas mentioned that it was not legal as far as the Federal Government is concerned. She is concerned that Berkley have the funds available should they be prosecuted per the new Federal law as of August 2018. Miller stated he is not concerned.

Informational – No action taken

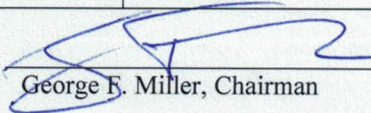
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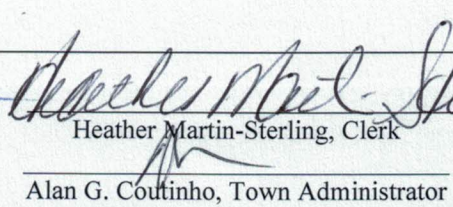
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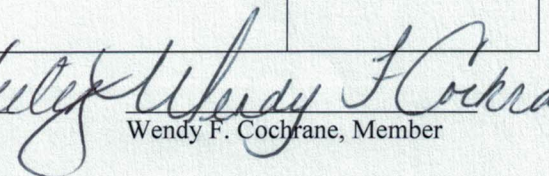
Meeting Adjourn

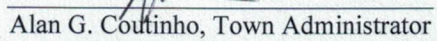
Next Regular Meeting August 19, 2018

Motion to go into executive session and not to return to open session made by Cochrane, Sterling sec. – Voted


George F. Miller, Chairman


Heather Martin-Sterling, Clerk


Wendy F. Cochrane, Member


Alan G. Coutinho, Town Administrator