

**THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF BROOKFIELD
ANNUAL TOWN MEETING WARRANT
Thursday, June 3, 2022**

**BROOKFIELD ELEMENTARY SCHOOL
37 CENTRAL STREET
BROOKFIELD, MASSACHUSETTS**

WORCESTER, SS:

TO EITHER OF THE CONSTABLES OF THE TOWN OF BROOKFIELD 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 BROOKFIELD ELEMENTARY SCHOOL, 37 CENTRAL STREET, BROOKFIELD MA, TO COMMENCE ON **FRIDAY, THE THIRD DAY OF JUNE IN THE YEAR 2022 AT 6:30 P.M.** THEN AND THERE TO ACT ON THE FOLLOWING ARTICLES:

ARTICLE 1: To see if the Town will vote to accept the annual report of the Town officials, as printed, or take any action relative thereto.

ARTICLE 2: To see if the Town will vote to raise and appropriate, transfer, or borrow such sums of money as may be necessary to defray the expenses of the Town for the ensuing fiscal year, or take any action relative thereto.

ARTICLE 3: To see if the Town will vote, pursuant to the provisions of Chapter 44, Section 53 E 1/2, to amend the Town’s General bylaw, Chapter V, and Section 8, entitled “Financial Affairs”, establishing various revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, by adding the following new revolving fund to subsection f., “Authorized Revolving Funds”:

Revolving Fund Program or Purpose	Representative or Board Authorized to Spend Fund	Department Receipts to be Credited to Fund
Board of Appeals	Board of Appeals	All fees or fines collected associated with the Board of appeals functions, purpose, hearings and proceedings

And further, to set the FY2023 spending limits for the revolving fund as follows:

Authorized Revolving Funds	Fiscal Year Expenditure Limit
Board of Appeals	\$20,000.00

Recommended: SB 3-0, Advisory

ARTICLE 4: To see if the Town will vote to set the FY2023 spending limits for the following revolving funds authorized pursuant to Chapter V, “Financial Affairs”, Section 8, of the Town’s general bylaws:

Authorized Revolving Funds	Fiscal Year Expenditure Limit
Board of Health Inspector/Professional Engineer Costs	\$20,000.00
Regional Highway Equipment Cooperative	\$20,000.00
Wire Inspector Fees	\$20,000.00
Planning Board Fund	\$20,000.00
South Pond Beach	\$20,000.00

Recommended: SB 3-0, Advisory

ARTICLE 5: To see if the Town will vote to: Rename existing water account 002-000-5920-000 WATER-MAIN IMPROVEMENT

to:

002-000-5920-000 WATER SYSTEM CAPITAL EXPENSES.

or take any action relative thereto.

(Sponsored by the Water Commission) Recommended: SB 3-0, Advisory

ARTICLE 6: To see if the Town will vote to create an All Boards Clerk position, to be added to the Town’s Classification Plan as a Grade 3 position, and **to raise and appropriate**, a sum of **\$14,599.00** to fund this new position, or take any action relative thereto. *(Sponsored by the Select Board) Recommended: SB 3-0, Advisory*

ARTICLE 7: To see if the Town will vote to create a Cable Coordinator position, to be added to the Town’s Classification Plan and grade in the future, and **to appropriate from the Cable PEG Access Fund**, for purpose of funding payroll, a sum of **\$20,000.00**, or take any action relative thereto. *(Sponsored by the Select Board and Cable Committee) Recommended: SB 3-0, Advisory*

ARTICLE 8: To see if the Town will vote to appropriate **\$70,000.00** from the **Cable PEG Access Fund**, for the purpose of funding cable related costs, expenses, fees, payroll and general

oversight of public access cable for Fiscal Year 2023, or take any action relative thereto.
(Sponsored by the Select Board and Cable Committee) Recommended: SB 3-0, Advisory

ARTICLE 9: To see if the Town will vote to transfer a sum of **\$42,000.00** from the **Ambulance Revenue Account** to fund the fiscal 2022 Ambulance Expense Account, or take any action relative thereto. *(Sponsored by the Emergency Squad) Recommended: SB 3-0, Advisory*

ARTICLE 10: To see if the Town will vote to transfer a sum of **\$244,000.00** from the **Ambulance Revenue Account** to fund the fiscal 2022 Ambulance Wages Account, or take any action relative thereto. *(Sponsored by the Emergency Squad) Recommended: SB 3-0, Advisory*

Free Cash

ARTICLE 11: FY21 Article - To see if the Town will vote to transfer, from **Free Cash**, a sum of money to fund prior year invoices or take any other action relative thereto.

Requires 4/5ths vote. *(Sponsored by the Select Board) Recommended: SB 3-0, Advisory*

KPLaw - \$6,087.78

ARTICLE 12: To see if the Town will vote to, transfer from **Free Cash** a sum of **\$25,000** to the Library Building Repair and Maintenance Account, or take any action relative thereto.

(Sponsored by the Library Trustees) Recommended: SB 3-0, Advisory

ARTICLE 13: To see if the Town will vote to transfer, from **Free Cash** a sum of \$5,000.00 to fund the Road Construction and Reconstruction Account, or take any action relative thereto.

(Sponsored by the Highway Dept) Recommended: SB 3-0, Advisory

ARTICLE 14: To see if the Town will vote to transfer, from **Free Cash** a sum of **\$6,200.00** to purchase protective clothing, or take any action relative thereto.

(Sponsored by the Fire Dept) Recommended: SB 3-0, Advisory

ARTICLE 15: To see if the Town will vote to transfer, from **Free Cash** a sum of **\$10,000.00** for Fire Station Improvements, or take any action relative thereto.

(Sponsored by the Fire Dept) Recommended: SB 3-0, Advisory

ARTICLE 16: To see if the Town will vote to transfer, from **Free Cash** a sum of **\$42,000** to replace overhead doors at the fire station, or take any action relative thereto.

(Sponsored by the Fire Dept) Recommended: SB 3-0, Advisory

ARTICLE 17: To see if the Town will vote to transfer, from **Free Cash** a sum of **\$22,000.00** to purchase semi-automatic external defibrillators, or take any action relative thereto.

(Sponsored by the Fire Dept) Recommended: SB 3-0, Advisory

ARTICLE 18: To see if the Town will vote to transfer, from **Free Cash** a sum of **\$50,000.00** for the purchase and outfit a new police cruiser, or take any action relative thereto.

(Sponsored by the Police Dept) Recommended: SB 3-0, Advisory

ARTICLE 19: To see if the Town will vote to transfer from **Free Cash**, a sum of **\$35,000.00** for the Cultural Council to use for the Town of Brookfield's 350th Anniversary celebrations and activities, or take any action relative thereto. *(Sponsored by the Cultural Counsel)*
Recommended: SB 3-0, Advisory

ARTICLE 20: To see if the Town will vote to transfer from **Free Cash**, a sum of **up to \$10,000.00** to replace the town hall telephone system or take any action relative thereto. *(Sponsored by the Select Board)* *Recommended: SB 3-0, Advisory*

ARTICLE 21: To see if the Town will vote to transfer from **Free Cash**, a sum of **up to \$140,000.00, contingent upon receipt of said grant** to make repairs to and expand the usable area of the upper fields through proper levelling, drainage and grading allowing for greater field utilization and proper leveling of the current soccer field, located at Lewis Field (dedicated to active recreation purposes under MGL Chapter 45, Section 3) And to authorize the Select Board or their designee to file on behalf of the Town of Brookfield, any and all grants and/or reimbursements deemed necessary from the Commonwealth of Massachusetts deemed necessary under the Urban Self-Help Act (301 CMR 5.00) and/or any others in any way connected with the scope of this article, and the Town of Brookfield and Select Board or their designee, be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Brookfield to affect said project. This project is eligible for 70% reimbursement under the Parkland Acquisitions and Renovations for Communities grant, or take any action relative thereto. *(Sponsored by the Recreation Department and Select Board, article language approved by the Grant Supervisor at the Division of Conservation Services)*
Recommended: SB 3-0, Advisory

ARTICLE 22: To see if the Town will vote to transfer from **Free Cash** a sum of **\$50,000.00** to the OPEB Liability Trust Fund Account or take any action relative thereto. *(Sponsored by the Treasurer, Select Board)* *Recommended: SB 3-0, Advisory*

ARTICLE 23: To see if the Town will vote to transfer from **Free Cash** a sum of **\$75,000.00** to Capital Stabilization for the purpose of funding a new roof for the Elementary School, or take any action relative thereto. *(Sponsored by the Select Board, Elementary School)*
Recommended: SB 3-0, Advisory

ARTICLE 24: To see if the Town will vote to transfer a sum of **\$15,000.00** from **Free Cash** to fund the difference in cost for the platform lift, or take any action relative thereto. *(Sponsored by the Select Board)* *Recommended: Recommended: SB 3-0, Advisory*

Bylaw Changes

General Bylaw Changes – simple majority

ARTICLE 25: To see if the Town will vote to AMEND THE GENERAL BYLAWS AS FOLLOWS, by striking the following term or terms wherever they appear, “~~Board of Selectmen~~” and “~~Selectman~~” using in place thereof “Select Board” throughout the General Bylaws of the Town of Brookfield, or take any action relative thereto. *(Sponsored by the Select Board)*
Recommended: SB 3-0, Advisory

ARTICLE 26: To see if the Town will vote to AMEND THE GENERAL BYLAWS, CHAPTER IV ADVISORY COMMITTEE, SECTION 1, AS FOLLOWS, by inserting punctuation and words in bold as follows, “There shall be an Advisory Committee for the Town, to which shall be referred, all **financial** articles in any warrant hereafter issued for a Town Meeting. The Select Board, after drawing a warrant for a Town Meeting, shall immediately forward a copy thereof to each member of said committee, which shall consider all **financial** articles in the warrant and make such report, in print or otherwise to the Town Meeting as it deems for the best interest of the Town”, or take any action relative thereto. *(Sponsored by the Select Board)* *Recommended: SB 3-0, Advisory*

ARTICLE 27: To see if the Town will vote to AMEND THE GENERAL BYLAWS, CHAPTER IV ADVISORY COMMITTEE, SECTION 1, AS FOLLOWS, by striking the following sentence in its entirety, “~~The said committee shall consist of nine legal voters of the Town to be appointed as provided in Section 2.~~” and adding in place thereof, “The said committee shall consist of **Seven (7)** legal voters of the Town **whose terms will be 3 years**, to be appointed **by the Select Board.**” *(Sponsored by the Select Board)* *Recommended: SB 3-0, Advisory*

ARTICLE 28: To see if the Town will vote to AMEND THE GENERAL BYLAWS, CHAPTER IV ADVISORY COMMITTEE, SECTION 1, AS FOLLOWS, by striking the section in its entirety and replacing therewith, “**SECTION 2. Annually, the Select Board in office at the close of the Annual Town Meeting shall, within thirty days, appoint members whose term of office shall expire at the close of the Annual Town Meeting after their initial appointment. Said committee shall choose its own officers and shall, with the exception of its secretary, serve without pay.**” *(Sponsored by the Select Board)* *Recommended: SB 3-0, Advisory*

ARTICLE 29: To see if the Town will vote to AMEND THE GENERAL BYLAWS, Chapter V, Section 7 Capital Improvement Planning Committee, as follows, by striking after the words “one member of the Advisory Board, one member of the Select Board, the Treasurer, one member of the Brookfield School Committee (or its designee) and” ~~three members of the community~~” and inserting in place thereof “**one member of the community. Should no member of the Community be forthcoming the Town Administrator shall stand as a member until such time as a member of the community is appointed.**” or take any action relative thereto. *(Sponsored by the Select Board)*

Personnel Bylaw Changes

ARTICLE 30: To see if the Town will vote to AMEND THE PERSONNEL BYLAW, Chapter XV, Section 2. Mandatory Classification, GENERAL GOVERNMENT by inserting the positions of **ACCOUNTANT AND TREASURER IN GRADE 6**, or take any action relative thereto. *(Sponsored by the Select Board) Recommended: SB 3-0, Advisory*

ARTICLE 31: To see if the Town will vote to AMEND THE PERSONNEL BYLAW, Chapter XV, Section 2. Mandatory Classification, POLICE FIRE EMS, by inserting the following, **POLICE CHIEF, EMS CHIEF, FIRE CHIEF** into the appropriate sections, or take any action relative thereto. *(Sponsored by the Select Board) Recommended: SB 3-0, Advisory*

ARTICLE 32: To see if the Town will vote to AMEND THE PERSONNEL BYLAW, Chapter XV, Section 2. Mandatory Classification by striking the following, P3 Part-time Police and P2 Part-time Police and inserting in place thereof, P3 Police Sergeant, P2 Patrol Officer, or take any action relative thereto. *(Sponsored by the Select Board) Recommended: SB 3-0, Advisory*

ARTICLE 33: To see if the Town will vote to amend the Personnel Bylaw, CHAPTER XV, Section 3, Employee Categories by striking as follows, (A) Full Time: An employee whose regular and continuous work schedule consists of ~~at least thirty-five (35)~~ hours per week, and inserting **“twenty”(20)**, in place thereof, or take any action relative thereto. *(Sponsored by the Select Board) Recommended: SB 3-0, Advisory*

ARTICLE 34: To see if the Town will vote to amend the Personnel Bylaw, CHAPTER XV, Section 3, Employee Categories by striking **“(B) Part Time with Benefits (20-35hours): An employee whose regular and continuous work schedule averages more than twenty (20) but less than thirty-five (35) hours per week for a fiscal year.”** in its entirety, and reletter the remaining sub paragraphs as needed, or take any action relative thereto. *(Sponsored by the Select Board) Recommended: SB 3-0, Advisory*

ARTICLE 35: To see if the Town will vote to amend the Personnel Bylaw, CHAPTER XV, by striking after the phrase “Part-time” **“employees with benefits” and “(20-35)”** wherever it appears, in relation to part-time employees with benefits, within the Personnel Bylaw, or take any action relative thereto. *(Sponsored by the Select Board) Recommended: SB 3-0, Advisory*

ARTICLE 36: To see if the Town will vote to AMEND THE PERSONNEL BYLAWS Chapter XV. Section 12, Holidays with Pay as follows:
By striking, after the words “hours for” ~~“the following twelve (12) holidays: New Years Day, Martin Luther King Day, Washington's Birthday, Patriots Day, Memorial Day, Fourth of July, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Day After Thanksgiving, Christmas”~~ and replacing therewith, **“all Massachusetts Legal Holidays as amended from time to time, plus the day after Thanksgiving”**, or take any action relative thereto. *(Sponsored by the Select Board) Recommended: SB 3-0, Advisory*

ARTICLE 37: To see if the Town will vote to AMEND THE PERSONNEL BYLAWS Chapter XV. Section 16 by striking in its entirety, ~~“All part-time (20-35) employees shall be~~

granted ten (10) sick days per year. These sick days cannot be accumulated”, or take any action relative thereto. *(Sponsored by the Select Board) Recommended: SB 3-0, Advisory*

Zoning Bylaw Changes 2/3 vote for each

ARTICLE 38: To see if the Town will vote to AMEND THE ZONING BYLAWS AS FOLLOWS, by striking the following term or terms wherever they appear, “Board of Selectmen” and “Selectman” using in place thereof “Select Board” throughout the Zoning Bylaws of the Town of Brookfield, or take any action relative thereto. *(Sponsored by the Select Board) Recommended: SB 3-0, Advisory*

ARTICLE 39: To see if the Town will vote to AMEND THE ZONING BYLAWS Section 2, Definitions, ZONING ENFORCEMENT OFFICER, by striking “~~The Building Inspector for the Town of Brookfield or,~~” or take any action relative thereto. *(Sponsored by the Building Inspector) Recommended: SB 3-0, Advisory*

ARTICLE 40: To see if the Town will vote to amend the Zoning Bylaws in **Section 4**, District and Use Regulation, B. Prohibited Uses – All Districts by striking the following,

~~c. More than one Principal Use on a lot may be allowed by Special Permit issued by the Board of Appeals.~~ or take any action relative thereto. *(Sponsored by the Planning Board and Board of Appeals) Recommended: SB 3-0, Advisory*

ARTICLE 41: To see if the Town will vote to amend the Zoning Bylaws in **Section 4**, District and Use Regulation, B. Prohibited Uses – All Districts by inserting an additional column listing the permit granting authority (PGA) as stated within the Zoning Bylaws, to appear as follows;

D. Use Regulation Table

RR	V	BA	BB	FP	PGA

or take any action relative thereto. *Recommended: SB 3-0, Advisory*

ARTICLE 42: To see if the Town will vote to AMEND THE ZONING BYLAWS Section 4 District and Use Regulations, D. Use Regulation Table, 7. Other Uses, by striking, “~~a. Any use which meets the intent & purposes of this bylaw.~~” and inserting in place thereof, “a. Any use which meets the intent & purposes **of the zoning district in which the permit is sought.**”, or take any action relative thereto. . *(Sponsored by the Planning Board and Board of Appeals) Recommended: SB 3-0, Advisory*

ARTICLE 43: To see if the Town will vote to AMEND THE ZONING BYLAWS Section 13, Administration, A. Enforcement by striking in the first sentence after the words “by the” “~~Building Inspector, or his agent, or a zoning enforcement officer~~”, and inserting in place thereof, “Zoning Enforcement Officer”, or take any action relative thereto. . *(Sponsored by the Planning Board and Board of Appeals) Recommended: SB 3-0, Advisory*

ARTICLE 44: CITIZENS' PETITION

PETITION FOR ARTICLE FOR TOWN MEETING

The undersigned registered voters of the Town of Brookfield request that the following article be placed in the warrant for the next town meeting scheduled to commence on May 2, 2022

ARTICLE: **AMEND ZONING BYLAW TO ALLOW INDOOR MARIJUANA CULTIVATION AND MARIJUANA PRODUCT MANUFACTURING ON PARCELS TEN ACRES OR GREATER**

To see if the Town will vote to amend the Zoning Bylaw for the Town of Brookfield by amending the text of Section 8.G.4(b) as written herein below:

SECTION 8.G.4

b. A Special Permit is required for all Marijuana Facilities, except for Indoor Marijuana Cultivators and Marijuana Product Manufacturers located on any parcel of land within the Town that is ten (10) acres or more in size.

To see if the Town will vote to amend the Zoning Bylaw for the Town of Brookfield by deleting the text of Section 8.G.5 in its entirety and replacing it with the text below:

SECTION 8.G.5 Eligible Locations for Marijuana Facilities – Marijuana Facilities Overlay District and Large Parcels (10 Acres or Greater)

a. Marijuana Facilities shall be allowed within the Marijuana Overlay District (MOD), which was established by prior vote of Town Meeting and is identified on the Town of Brookfield Zoning Map on file with the Town Clerk.

Within the MOD, all requirements of the underlying zoning district remain in effect, except where these regulations provide an alternative to such requirements. Land within the MOD may be used for Adult Use and Medical Marijuana Facilities, in which case the requirements set forth in this Section shall apply; or a use allowed in the underlying district, in which case the requirements of the underlying district shall apply. Where the provisions of the MOD do not provide for specific regulation, the requirements of the underlying district shall apply. If the provisions of the MOD conflict with the requirements of the underlying district, the requirements of the MOD shall control.

b. Adult Use or Medical Marijuana Indoor Cultivation Facilities and Marijuana Product Manufacturer shall be allowed on any parcel of land within the Town that is ten (10) acres or more in size. All requirements of the underlying zoning district remain in effect, except where these regulations provide an alternative to such requirements.

And, to see if the Town will vote to amend the Zoning Bylaw for the Town of Brookfield by adding in a new line to Section 4.D(6) USE REGULATION TABLE to read as follows:

SECTION 4.D(6) USE REGULATION TABLE

Activity or Use	RR	V	BA	BB	FP
m. Indoor Marijuana Cultivator (Adult Use and/or Medical)		Y	on	Parcels	10 acres +
n. Marijuana Product Manufacturer		Y	on	Parcels	10 acres +

Or take any action relative thereto.