

**By-Law Committee Meeting**  
**Wednesday, March 2, 2011**  
**Minutes**

**Attending:**

James Cooke-Chairman  
Cindy Mundell-Vice Chairman  
Michael P. Seery-Secretary  
Barbara Wilson  
Rudy Heller

The meeting opened at 6:13 p.m.

The committee reviewed the minutes of the February 23, 2011.

Barbara Wilson moved and Cindy Mundell seconded and the committee unanimously approved the Minutes of the February 23, 2011 By-Law Committee Meeting.

Cindy made a motion and James seconded to conduct a comparison from the most recently published book of 1985 to 2008. The vote was unanimously approved.

The committee started the review at Chapter 5 Financial Affairs.

**Committee Questions**

Question for Town Counsel or Attorney General-

- Since the town repealed Chapter 5 Section 5 of the by-laws of the May 2002 meeting, should we retain this section in the by-law copy?

Question for Town Counsel or Attorney General

- Since the town meeting created the capital improvement planning committee of the by-laws as chapter 5 section 6 and it appears in the most recent version as section 8, do we have to revote this because of the section number change?

After consulting with the Attorney General it was determined that the version has to reflect what the town meeting voted.

Question regarding By-Law-

- In chapter 6 Section 2 the adjective town does not appear in the phrase non salaried employee in the versions of the by-law up to 1985, should it be re-voted or can it simply be deleted?

After speaking with the Attorney General it was determined that the original version has to remain.

The Committee found that the May 6, 1985 town meeting, voted in favor article 32 which was to accept the booklet entitled "By-Laws of The Town of Brookfield 1985" as written. It was found on Page 367 of the May 1978 through September 1990 Town Record Book.

Attorney General approval has not yet been found. Mike Seery discussed what could be done in the future about this with Pat Cantor and one suggestion was to ask legislature to pass a special act.

Rudy Heller arrived at 8:12 p.m.

Section 17 paragraphs a, b, and c, of chapter 10 were adopted by the town meeting May 8, 1998 and approved by the Attorney General August 10, 1998.

Chapter 10, Section 17 paragraph d was voted by the town meeting May 9, 2008. The attorney general on September 8, 2008 questions the legality of this by-law. We need to define whether it is a revolving fund or if the money should be deposited in the general fund. This will be a subject of discussion when the committee discusses changes to the by-laws.

The committee completed its work at the end of Chapter 10. The committee will resume verification on Chapter 11 and 12 at the next meeting on March 17, 2011.

The committee agreed that we would ask the Assistant AG to come to our meeting at the town hall on March 30, or April 6.

It was moved by Rudy Heller and seconded by Cindy Mundell to adjourn the meeting. The motion was unanimously approved.

The meeting adjourned at 8:57 p.m.

Respectfully Submitted,

Michael P. Seery  
Secretary