

## THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF BROOKFIELD

ANNUAL TOWN MEETING

May 2, 1983

WORCESTER SS

To either of the Constables of the Town of Brookfield in the County of  
Worcester; GREETING:

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 the Town Hall, Banquet Hall in said Town on Monday the second day of May next at 12:00 noon, then and there to act on the articles:

The polls will be open at 12:00 noon and shall be closed at 7:00 in the evening.

ARTICLE 1. To select all on one ballot the following officers: One Selectman for three years; one Treasurer for three years; one Town Clerk for three years, one member of the Regional School Committee for three years; one Assessor for three years; one Assessor for two years; one Water Commissioner for three years; one Cemetery Commissioner for three years; one trustee of Shade Tree and Cemetery Funds for three years; two Constables for three years; one Member of the Planning Board for five years; one Moderator for one year.

The polls opened at 12:00 Noon, Louise Willett, Warden presiding.

Warden	R Louise Willett	
Clerk	D Gloria Faugno	
Checkers	R Helen Armstrong	R Elizabeth Tourtellotte
	D Sandra Pratt	D Annette Faugno
	R Lee Finney	R Barbara Scott
	D Marie Minchoff	D Elizabeth Bansfield

Ballot Box Bertha Nolan (R)  
Police Officer Donna Lafleur

ELECTED AS FOLLOWS: TOTAL VOTES CAST 533

MODERATOR for one year

James W. Allen	448
Blanks	85

BOARD OF SELECTMEN for three years

Kenneth C. Cleveland	108
Bonita R. Porter	307
Edward Trepanier	121
Blanks	3

TOWN CLERK for three years

Leamana Terry	454
Blanks	79

TOWN TREASURER for three years

Diane C. Martell	436
Lisa Letendre	1
Edward Trepanier	1
Blanks	95

ASSESSOR for three years

Theresa A. Spence	368
Howard Glass	1
Blanks	8

ASSESSOR for two years

David E. Buch	357
Blanks	176

REGIONAL SCHOOL COMMITTEE for three years

Francis Bansfield	22
Patricia Boucher	8
Carol Trepanier	4
Irvin Filler	3
James Dahler	2

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REGIONAL SCHOOL COMMITTEE for three years

Francis Bansfield	22
Patricia Boucher	8
Carol Trepanier	4
Irvin Filler	3
James Dahler	2

Warren Campbell	1
Bonita Porter	1
Thomas Green	1
Edward Riquier	1
Blanks	488
<u>SCHOOL COMMITTEE for three years</u>	

Denise M. Charpentier	389
Michael McConville	1
Blanks	143

WATER COMMISSIONER for three years

Philip R. Merriam	399
Bonita Porter	1
Blanks	133

BOARD OF HEALTH for three years

Gary Lincoln	398
Donald Faugno	2
Richard Wallace	1
Blanks	141

CEMETERY COMMISSIONER for three years

Frances Young	411
Blanks	122

TRUSTEE FOR SHADE TREE & CEMETERY FUNDS for three years

Frances Young	406
Blanks	127

TRUSTEES FOR MERRICK PUBLIC LIBRARY for three years

Louise Davis	384
James T. Barron	275
Blanks	407

PLANNING BOARD for five years

Uuno Annala	399
Blanks	134

CONSTABLES for three years

Joseph Murray	376
Harold Thibault	278
Blanks	412

Polls closed at 7:00 P.M.

And you are further required to notify and warn the inhabitants to said Town of Brookfield, qualified to vote in Town affairs, to meet at the Town Hall Auditorium, Brookfield on Friday evening, May 6, 1983 at 8:00 P.M. then and there to act on the following articles:

Meeting opened at 8:00 P.M., James W. Allen, Moderator presiding.  
142 Voter present.

ARTICLE 2. To see if the Town will vote to raise and appropriate such sums of money as may be necessary to defray the expense of the Town for the ensuing year.

## GENERAL GOVERNMENT

1. MODERATOR	20.00
ADVISORY BOARD	
2. Clerk Salary	180.00
3. Expenses	150.00
SELECTMEN	
4. Salaries	1200.00
5. Clerk Salary	1300.00
6. Expenses	1000.00
7. MUNICIPAL AIDE-Salary	4770.00
ACCOUNTING OFFICER	
8. Salary	1200.00
9. Expenses	125.00

	TREASURER	
10.	Salary	1600.00
11.	Expenses	1050.00
	TAX COLLECTOR	
12.	Salary	1800.00
13.	Expenses	1800.00
	ASSESSORS	
14.	Salaries	3400.00
15.	Expenses	4900.00
	TOWN COUNSEL	
16.	Salary	750.00
17.	Agent to defend suits	500.00
	TOWN CLERK	
18.	Salary	1200.00
19.	Expenses	800.00
	ELECTIONS & REGISTRATIONS	
20.	Salaries	250.00
21.	Expenses	1350.00
22.	PLANNING BOARD-Expenses	50.00
23.	Janitor	2205.00
24.	Expenses	*5630.00
25.	MUNICIPAL FUEL	18000.00

\*From Revenue Sharing \$630.00

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54600.00

#### PUBLIC SAFETY

	POLICE DEPARTMENT	
26.	Salaries	36000.00
27.	Expenses	9536.00
	FIRE DEPARTMENT	
28.	Salaries	3000.00
29.	Expenses	7695.00
30.	INSECT PEST CONTROL	500.00
31.	DUTCH ELM DISEASE	1500.00
32.	TREE WARDEN	1000.00
	DOG OFFICER	
33.	Salary	600.00
34.	Expenses	800.00
35.	WIRE-INSPECTOR SALARY	600.00
36.	GAS-INSPECTOR SALARY	250.00
37.	PLUMBING INSPECTOR SALARY	250.00
	BUILDING INSPECTOR	
38.	Salary	600.00
39.	Expenses	300.00
40.	CIVIL DEFENSE-Expenses	500.00
41.	EMERGENCY SQUAD-Expenses	4895.00
42.	CONSERVATION-COMM exp	440.00

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68,466.00

#### HEALTH & SANITATION

	BOARD OF HEALTH	
43.	Salaries	1100.00
44.	Expenses	1150.00
45.	LANDFILL-Caretaker	23880.00
46.	SEWERAGE-Expenses	80.00
47.	SOUTH CENTRAL MASS HEALTH CLINIC	400.00
48.	COMM. HEALTH NURSING PROGRAM	600.00

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27,210.00

HIGHWAYS

	GENERAL HIGHWAY & SNOW & ICE	
49.	Salaries	40911.00
50.	Expenses	34551.00
51.	HIGHWAYS -CHAPTER 90 IMPROVEMENTS	ARTICLE 13
52.	SIDEWALKS	1000.00
53.	BRIDGES-RAILINGS-SIGNS	500.00
54.	STREET LIGHTING	7000.00
55.	HIGHWAYS-MACHINERY ACCOUNT	ARTICLE 7
		<hr/>
		83,962.00

VETERANS BENEFITS

	DIRECTOR OF VETERANS SERVICES	
56.	Salary	500.00
57.	Expenses	100.00
	VETERANS AGENT	
58.	Salary	540.00
59.	Expenses	200.00
60.	VETERANS BENEFITS-Case work	6000.00
		<hr/>
		7,340.00

SCHOOLS & LIBRARY

61.	BROOKFIELD SCHOOL COMMITTEE	
	Salaries	200.00
62.	RE. SCHOOL COMM. Expenses	200.00
63.	School Dept. Local	607540.00
64.	REGIONAL SCHOOL ASSESSMENT	400430.00
65.	PUBLIC LIBRARY-Salaries	8000.00
66.	Expenses	6225.00
		<hr/>
		1,022,595.00

PARKS & RECREATION

67.	YOUTH GUIDANCE	450.00
68.	SOUTH POND BEACH	2550.00
69.	COMMON MALL XMAS TREE	500.00
70.	RECREATION ACCOUNT	2440.00
		<hr/>
		5,900.00

UNCLASSIFIED

71.	PRINTING TOWN REPORT	720.00
72.	MEMORIAL DAY OBSERVANCE	920.00
73.	HISTORICAL COMM. Expense	50.00
74.	COUNCIL ON AGING-Expense	300.00
75.	ELDER HOME CARE	264.00
76.	ELDER BUS	ARTICLE 32
77.	INSURANCE	23000.00
78.	GROUP INSURANCE	20000.00
79.	CONTRIBUTORY INSURANCE	1500.00
80.	ABINGTON RETIREMENT SYSTEM	ARTICLE 6
81.	RESERVE FUND ACCOUNT	ARTICLE 16
		<hr/>
		46,754.00

WATER DEPARTMENT

	WATER DEPARTMENT	
82.	Clerk Salary	800.00
83.	Commissioners Salaries	450.00
84.	Superintendent-Salary	18112.00
85.	Expenses	15000.00
		<hr/>
		34,362.00

## CEMETERY

86. CEMETERY 4,000.00

## DEBT &amp; INTEREST

87. MATURING DEBT \*47643.00  
 88. INTEREST MATURING DEPT 24007.00  
 89. INTEREST TEMPORARY LOANS 2000.00  
 90. CERTIFICATION OF NOTES 100.00  
 91. STABILIZATION ACCOUNT ARTICLE 15

\*Voted to raise and appropriate \$47,643.00  
 and transfer \$25,000.00 from Fed. Rev.

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73,750.00

TOTAL APPROPRIATIONS 1,428,939.00

OTHER APPROPRIATIONS

ARTICLE 13. Construction & reconstruction of town roads 20,000.00  
 ARTICLE 18. Bathroom facilities in old town highway garage 300.00  
 ARTICLE 21. Drainage in highway yard 2,500.00  
 ARTICLE 34. Diagnostic and feasibility study grant 3,560.00  
 ARTICLE 35. Install, relocate or remove street lights 1,000.00

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27,360.00

GRAND TOTAL APPROPRIATIONS 1,456,299.00

ARTICLE 3. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 1983 in accordance with the provisions of General Laws, Chapter 44, Section 4 and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.

It was voted to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 1983 in accordance with the provisions of General Laws, Chapter 44, Section 4 and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17. Vote was unanimous.

ARTICLE 4. To see if the Town will vote to authorize the Town Treasurer with the approval of the Selectmen, to foreclose on Certain Tax Titles held by the Treasurer or take any action relative thereto.

It was voted to authorize the Town Treasurer with the approval of the Selectmen, to foreclose on Certain Tax Titles held by the Treasurer.

ARTICLE 5. To see if the Town will vote to instruct the Selectmen or their agent to sell for the Town, any land or building acquired by the Town by Tax Title foreclosure after first giving notice of said sale by posting a notice at the Town Hall and Post Office 14 days at least before said sale stating what parcels are to be sold, or offered for sale, and the time and place of the holding of said sale, or take any action relative thereto.

It was voted to instruct the Selectmen of their agent to sell for the Town, any land or building acquired by the Town by Tax Title foreclosure after first giving notice of said sale by posting a notice at the Town Hall and Post Office 14 days at least before said sale stating what parcels are to be sold, or offered for sale and the time and place of the holding of said sale.

ARTICLE 6. To see if the Town will vote to pay the Town of Abington, Ma. a sum of money for part of service rendered to the Town of Brookfield in the years 1931-1940 by Leonard Palopoli, or take any action relative thereto.

It was voted to pass over ARTICLE 6.

ARTICLE 7. To see if the Town will vote to authorize the Board of Selectmen to transfer monies accumulated in the Highway Machinery Rental Account to the Highway Maintenance Fund and Purchase of New Equipment Account whenever they deem it necessary or take any action relative thereto.

It was voted to authorize the Board of Selectmen to transfer monies accumulated in the Highway Machinery Rental Account to the Highway Maintenance Fund and Purchase of New Equipment Account whenever they deem it necessary.

ARTICLE 8. To see if the Town will vote to transfer a sum of money from the Library Extension Account (grant from the State) to the Public Library Account or take any action relative thereto.

It was voted to transfer \$1,250.00 from the Library Extension Account (grant from the State) to the Public Library Account.

ARTICLE 9. To see if the Town will vote to appropriate by transfer to the Library Fund Account the sum of money which was collected through December 31, 1982 for overdue books or take any action relative thereto.

It was voted to appropriate by transfer to the Library Fund Account the sum of \$243.87 which was collected through December 31, 1982 for overdue books.

ARTICLE 10. To see if the Town will vote to transfer all Grave Fees received up to December 31, 1982 to the Cemetery Appropriation Account or take any action relative thereto.

It was voted to transfer \$1,665.00 received as grave fees up to December 31, 1982 to the Cemetery Appropriation Account.

ARTICLE 11. To see if the Town will vote to transfer a sum of money from the Cemetery Interest Account to the Cemetery Appropriation Account or take any action relative thereto.

It was voted to transfer \$5,000.00 from the Cemetery Interest Account to the Cemetery Appropriation Account.

ARTICLE 12. To see if the Town will vote to appropriate by transfer from the Cemetery Sale of Lots Fund to the Cemetery Improvement Account all money received from sale of lots up to December 31, 1982 or take any action relative thereto.

It was voted to appropriate by transfer from Cemetery Sale of Lots Fund to the Cemetery Improvement Account the sum of \$1,100.00 received for sale of lots up to December 31, 1982.

ARTICLE 13. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$20,000.00 to be <sup>used</sup> with or without funds allotted by the Commonwealth for the construction, reconstruction and improvement of town roads, or take any action relative thereto.

It was voted to raise and appropriate the sum of \$20,000.00 to be used with or without funds allotted by the Commonwealth for the construction, reconstruction and improvement of town roads.

ARTICLE 14. To see if the Town will vote to authorize the Assessors to use a sum of money from Available Funds in the Treasury for the reduction of the Tax Levy for the period from July 1, 1983 to June 30, 1984 or take any action relative thereto.

It was voted to pass over ARTICLE 14.

ARTICLE 15. To see if the Town will vote to raise and appropriate or transfer from free cash a sum of money for the Stabilization Account or take any action relative thereto.

It was voted to pass over ARTICLE 15.

ARTICLE 16. To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money for the Reserve Account or take any action relative thereto.

It was voted to transfer \$4,000.00 from the Overlay Reserve Account to the Reserve Account.

ARTICLE 17. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$616.50 for the purchase of six double election booths or take any action relative thereto.

It was voted to transfer from Federal Revenue Sharing the sum of \$616.50 for the purchase of six double election booths.

ARTICLE 18. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$2,500.00 for the installation of bathroom facilities in the Town Highway Garage or take any action relative thereto.

A motion was made to raise and appropriate \$2,500.00 for the installation of bathroom facilities in the Town Highway garage. This motion was amended to reduce the sum to \$300.00 and that the facilities would be built in the old highway garage. It was then voted to raise and appropriate \$300.00 for the installation of bathroom facilities in the old town highway garage.

ARTICLE 19. To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money for the Assessors to provide tax valuation booklets in accordance with Chapter 8, Section 5 of the By-Laws of the Town of Brookfield, or take any action relative thereto.

It was voted to transfer from Federal Revenue Sharing the sum of \$1,000.00 for the Assessors to provide tax valuation booklets in accordance with Chapter 8, Section 5 of the By-Laws of the Town of Brookfield.

ARTICLE 20. To see if the Town will vote to transfer from Available Funds in the Treasury to the Common & Mall Account the sum of \$650.00 received as reimbursement for vandalism done to the Dr. Pease Fountain or take any action relative thereto.

It was voted to transfer from Available Funds in the Treasury to the Common & Mall Account the sum of \$650.00 received as reimbursement for vandalism done to the Dr. Pease Fountain.

ARTICLE 21. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$2,500.00 for drainage for the highway yard or take any action relative thereto.

It was voted to raise and appropriate the sum of \$2,500.00 for drainage for the highway yard.

ARTICLE 22. To see if the Town will vote to re-open the Joe Goddard Road located between Rice Corner Road and Glendale Road (in Sturbridge) or take any action relative thereto.

It was voted not to re-open the Joe Goddard Road located between Rice Corner Road and Glendale Road (in Sturbridge).

ARTICLE 23. To see if the Town will vote to amend Chapter 7, Section 2 of the By-Laws of the Town of Brookfield so as to provide for an increase in the amount from \$100.00 to \$500.00 or take any action relative thereto.

It was voted to pass over Article 23.

ARTICLE 24. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$25,000.00 for the reconstruction of Town Farm Road or take any action relative thereto.

A motion was made to raise and appropriate \$25,000.00 for the reconstruction of Town Farm Road. Another motion was made to pass over. It was voted to pass over Article 24.

ARTICLE 25. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$3,500.00 for the Highway Department to purchase a road-side mowing machine or take any action relative thereto.

It was voted to transfer the sum of \$3,500.00 from Federal Revenue Sharing for the Highway Department to purchase a road-side mowing machine.

ARTICLE 26. To see if the Town will vote to adopt the following by-law as Section 13 of Chapter X of the By-laws of the Town of Brookfield or take any action relative thereto:

Section 13: No person shall dispose of household trash in town trash barrels or trash barrels placed throughout the Town.

It was voted to adopt the following by-law as Section 13 of Chapter X of the By-laws of the Town of Brookfield:

Section 13: No person shall dispose of household trash in town trash barrels or trash barrels placed throughout the Town. Vote was unanimous.

ARTICLE 27. To see if the Town will vote to amend Section 6 of Chapter XIII of the By-Laws of the Town of Brookfield so as to provide for the establishment of a building permit fee schedule or take any action relative thereto.

It was voted to pass over Article 27.

ARTICLE 28. To see if the Town will vote to amend Section 6 of Chapter VI of the By-Laws of the Town of Brookfield so as to increase the amount of money from \$2,000.00 to \$4,000.00 or take any action relative thereto.

This article was defeated.

ARTICLE 29. To see if the Town will vote to adopt a By-Law to be known as Section 14 of Chapter X of the By-Laws of the Town of Brookfield controlling the dumping, incineration, recycling or presence of hazardous or radioactive waste within the Town or take any action relative thereto.

It was voted to adopt the following By-Law.

Chapter X, Section 14:

The dumping, incineration or recycling of any solid or liquid hazardous or radioactive waste is prohibited within the limits of the town.

Vote was 122 In Favor 9 Opposed

ARTICLE 30. To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money not to exceed \$3,000.00 for the Water Department to purchase a pump motor for stand-by at the Quaboag Street Pumping Station or take any action relative thereto.

It was voted to transfer the sum of \$1,650.00 from Federal Revenue Sharing Funds for the Water Department to purchase a pump motor for stand-by at the quaboag Street Pumping Station.

ARTICLE 31. To see if the Town will vote to accept a moratorium on the initiative of the Planning Board to prohibit the further placement of any mobile homes within the Town with the exception of the two current parks, Wagon Wheel Mobile Home Park and Nanatomqua Mobile Home Park, for period of five years, so that the Planning Board can conduct a study to determine the impact of such homes on the community or take any action relative thereto.

It was voted to pass over Article 31.

ARTICLE 32. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$1,200.00 as the Town's share of a new elder bus or take any action relative thereto.

It was voted to transfer from Federal Revenue Sharing the sum of \$1,200.00 as the Town's share of a new elder bus.

ARTICLE 33. To see if the Town will vote to transfer from the Waterways Improvement Fund to the Clean Lakes Account a sum of money for the purpose of being combined with any other funds acquired for the Town's share of the local share of \$21,000.00 for the grant recently awarded for a Diagnostic and Feasibility Study of Quaboag and Quacumquasit Ponds under Chapter 286 of the Acts of 1982 relative to Chapter 628 of the Acts of 1981 or take any action relative thereto.

It was voted to transfer from the Waterways Improvement Fund to the Clean Lakes Account the sum of \$551.16 for the purpose of being combined with any other funds acquired for the Town's share of the local share of \$21,000.00 for the grant recently awarded for a Diagnostic and Feasibility Study of Quaboag and Quacumquasit Ponds under Chapter 286 of the Acts of 1982 relative to Chapter 628 of the Acts of 1981.

ARTICLE 34. To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money not to exceed \$7,000.00 as the Town's share of the local share of the Diagnostic and Feasibility Study Grant for Quaboag and Quacumquasit Ponds pursuant to Chapter 286 of the Acts of 1982 or take any action relative thereto.

It was voted to raise and appropriate a sum of money not to exceed \$3,560.00 as the Town's share of the local share of the Diagnostic and Feasibility Study Grant for Quaboag and Quacumquasith Ponds pursuant to Chapter 286 of the Acts of 1982.

ARTICLE 35. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$1,000.00 to be used to install, relocate or remove street lights or take any action relative thereto.

It was voted to raise and appropriate the sum of \$1,000.00 to be used to install, relocate or remove street lights.

ARTICLE 36. To see if the Town will vote to take action relative to the opening or closing of that portion of Lake Road bounded on the north by property of Jeppson and on the south by property of Graves, a distance of approximately 150' and petition the County Commissioners accordingly or take any action relative thereto.

It was voted to close that portion of Lake Road bounded on the north by property of Jeppson and on the south by property of Graves, a distance of approximately 150' and petition the County Commissioners accordingly.

ARTICLE 37. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$1,000.00 for the purchase of a centrifugal pump to be used for emergency pumping of cellars in town or take any action relative thereto.

It was voted to transfer the sum of \$300.00 from Federal Revenue Sharing for the purchase of a centrifugal pump to be used for emergency pumping of cellars in town.

ARTICLE 38. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$1,500.00 to run a water service to the dog pound on Quaboag Street or take any action relative thereto.

It was voted not to raise and appropriate the sum of \$1,500.00 to run a water service to the dog pound on Quaboag St.

ARTICLE 39. To see if the Town will vote to rescind Article 4 of the Special Town Meeting held April 23, 1973 and vote to transfer the jurisdiction of the Lewis property to the Brookfield Recreation Committee and the Brookfield Housing Authority for future development as a recreational park and site of proposed Housing for the Elderly and that all future decisions be by agreement of these two boards and the Board of Selectmen or take any action relative thereto.

An amendment to transfer the jurisdiction of the Lewis property to the Brookfield Recreation Committee and the Board of Selectmen only was defeated. It was then voted to rescind Article 4 of the Special Town Meeting held April 23, 1973 and voted to transfer the jurisdiction of the Lewis property to the Brookfield Recreation Committee and the Brookfield Housing Authority for future development as a recreational park and site of proposed Housing for the Elderly and that all future decisions be by agreement of these two boards and the Board of Selectmen.

ARTICLE 40. To see if the Town will vote to adopt as Chapter XIV of the By-Laws of the Town of Brookfield, a by-law to be known as the Wagon Wheel Mobile Home Park Rent Control By-Law or take any action relative thereto.

It was voted to adopt the following by-law:

CHAPTER 14.

A by-law establishing a MOBILE HOME PARK RENT CONTROL BOARD in the Town of Brookfield; setting forth the powers and duties of the MOBILE HOME PARK RENT CONTROL BOARD; establishing standards and procedures for the Wagon Wheel Mobile Home Park;

Section 1. This By-Law shall be known and may be cited as the Wagon Wheel Mobile Home Park Rent Control By-Law.

Section 2. DEFINITIONS: For the purposes of this by-law the following terms, phrases, words and their derivations, shall have the meaning given herein, unless the context in which they are used clearly require a different meaning.

(1) "Rent Board" and "Board" means the Mobile Home Park Rent Control Board as established herein.

(2) "Mobile Home" shall mean a dwelling unit built on a chassis and complete electrical, plumbing and sanitary facilities, and designed to be installed on a temporary or a permanent foundation for permanent living quarters.

(3) "Mobile Home Park" means a park licensed by the Board of Health pursuant to Massachusetts General Laws, Chapter 140, 532B.

(4) "Rules and Regulations" means rules and regulations as promulgated by the BOARD.

(5) "Shall" is mandatory; "May" is permissive.

Section 3. MOBILE HOME PARK RENT CONTROL BOARD. There is hereby established a Mobile Home Park Rent Control Board consisting of three (3) members appointed by the Board of Selectmen. The members in the first instance shall be appointed for terms of one (1) year, two (2) years, and three (3) years. Upon expiration of a term of office, the subsequent term shall be for a period of three years.

Section 4. DUTIES AND POWERS:

(1) The BOARD shall regulate all rents, set minimum standards for use or occupancy of the Wagon Wheel Mobile Home Park accommodations and evictions of tenants therefrom; may require registration by owners of the Wagon Wheel Mobile Home Park; may require information of said owners relating to their parks under penalties of perjury.

(2) The BOARD may make rules and regulations, sue and be sued, compel attendance of persons and the production of papers and information, and issue appropriate orders which shall be finding on both the owner and tenants of Wagon Wheel Mobile Home Park accommodations.

Section 5. STANDARDS FOR ADJUSTING RENTS

(1) The BOARD may make individual or general adjustments, either upward or downward, as may be necessary to assure that rents for Wagon Wheel Mobile Home Park accommodations are established on levels which yield to owners a fair net operating income for such units.

(2) Fair net operating income shall be that income which will yield a return, after all reasonable operating expenses, on the fair market value of the property, equal to the debt service rate generally available from institutional first mortgage lenders or such other rates of return as the BOARD, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

(3) Fair market value shall be assessed valuation of the property or such other valuation as the BOARD, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

(4) The BOARD may establish further standards and rules consistent with the foregoing.

Section 6. SUMMARY PROCESS. The BOARD may regulate evictions of tenants at the Wagon Wheel Mobile Home Park and may issue orders which shall be a defense to an action of Summary Process for possession.

Section 7. REVIEW.

(1) The BOARD and its actions shall be subject to the provisions of Massachusetts General Laws, Chapter 30A (Administrative Procedures Act) as if the BOARD were an agency of the Commonwealth of Massachusetts.

(2) Pursuant to Chapter 557 of the acts of 1981 the District Court of Worcester County shall have original jurisdiction, concurrently with the Superior Court, of all petitions for review brought pursuant to Section fourteen of Chapter 30A of the General Laws.

(3) The Superior Court shall have jurisdiction to enforce the provisions of the by-law and may restrain violations thereof.

Section 8. PENALTIES. Violations of the by-law or any order of the BOARD shall be punishable by a fine of not more than One Thousand Dollars, (\$1,000.00) for any one offense.

Section 9. SEVERABILITY. If any provision of the by-law shall be held invalid, the validity of the remainder of this act shall not be affected thereby.

VOTE WAS 78 IN FAVOR  
22 OPPOSED

ARTICLE 41. To see if the Town will vote to transact any unfinished business before the Town.

It was voted to pass over article 41.

Meeting adjourned at 11:15 P.M.

And you are directed to serve this Warrant, by posting up attested copies thereof, at Town Hall, Post Office and Frazier's News in said Town, seven days at least before the time of holding said Meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of Meeting, as aforesaid.

Given under our hands this 22nd day of March in the year of our Lord, one thousand nine hundred and eighty three.

Respectfully submitted

S/ Kenneth C. Cleveland, Jr.

Joseph F. Murray

George W. Beeman

SELECTMEN OF BROOKFIELD

A true copy, attest:

S/ Bonita R. Porter

CONSTABLE OF BROOKFIELD

Worcester ....SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Brookfield by posting up attested copies of the same at

TOWN HALL	4/25/83	2:30 P.M.
POST OFFICE	4/25/83	2:35 P.M.
FRAZIERS NEWS	4/25/83	2:40 P.M.

7 days before the date of the meeting, as within directed.

S/ Bonita R. Porter

CONSTABLE of Brookfield

A true copy Attest

*Leamana Terry*  
Leamana Terry  
Town Clerk