

**THE COMMONWEALTH OF MASSACHUSETTS**  
**ANNUAL TOWN MEETING WARRANT**  
**May 6<sup>th</sup>, 2005**

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 THE **TOWN HALL, BANQUET HALL, 6 CENTRAL STREET, BROOKFIELD, MA ON MONDAY THE SECOND DAY OF MAY IN THE YEAR 2005 FROM 7:00 A.M. TO 7:00 P.M.** THEN AND THERE TO ACT ON THE FOLLOWING ARTICLE:

**ARTICLE 1:** To elect all on one ballot the following officers: One Moderator for one year; One Selectmen for three years; One Assessor for three years; One Member of the Elementary School Committee for three years; One Member of the Planning Board for three years; One Member of the Board of Health for three years; One Water Commissioner for three years; Two Trustees for Merrick Public Library for three years; One Cemetery Commissioner for three years; One Trustees for Shade Tree & Cemetery Funds for three years; One member of the Housing Authority for five years; and One Member of the Planning Board for five years.

ALSO TO MEET AT THE BROOKFIELD ELEMENTARY SCHOOL, 37 CENTRAL STREET, BROOKFIELD, MA ON FRIDAY, MAY 6, 2005 AT 7:00 P.M. TO ACT ON THE FOLLOWING:

**ARTICLE 2:** To see if the Town will vote to accept the annual report of the Town officials, as printed, or take any action relative thereto. (Sponsored by the Selectmen)

The Town voted unanimously to accept the annual report of the Town officials, as printed.

**ARTICLE 3:** To see if the Town will vote to raise and appropriate such sums of money as may be necessary to defray the expenses of the Town for the ensuing year, or take any action relative thereto.

*A motion was made by Board of Selectmen and Advisory Board and voted by a majority vote that the Town vote to amend Article 3 line items in the Annual Budget they are as follow:*

*Town Account Wages - \$38,881.00  
Police Chief Salary - \$53,162.00  
Police Full time OT – police Full time OT account to read Police OT  
Assistant Building Inspector Wages- \$268.00  
Gas & Plumbing Inspector Salary - \$3,030.00  
Wiring Inspector Salary - \$3,029.00  
Assistant Wiring Inspector Wages - \$268.00  
Tree Warden - \$1,896.00  
Regional School Assessment - \$939,714.00  
Library Custodian Wages - \$5,398.00  
Municipal Gasoline - \$21,456.00  
Board of Health - \$4000.00  
Planning Board - \$2500.00  
Regional School Committee - \$1500.00  
Elementary School Committee - \$1500.00  
Election & Registrations Salaries - \$6520.00  
Election & Registrations Expenses - \$5900.00*



*William Gillmeister Chairman of the School Committee made a motion to the Brookfield Elementary School budget line item and was voted on by a majority vote it is as follows:*

*The Town voted by a majority vote to raise and appropriate the amount of \$2,555,974.00 and that the Town agree to increase this approve amount, up to \$50,000.00, by any amount of FY 06 Chapter 70 State funding ultimately received in excess of \$1,316,184.00.*

*Selectman James Allen made a motion to round up any line items that ended in cents to the next dollar amount, the Town voted unanimously to accept the motion.*

The Town voted by a majority to raise and vote to raise and appropriate such sums of money as may to defray the expenses of the Town for the ensuring year.

**ARTICLES SHOWN IN THE BOXES BELOW ARE ON THE ANNUAL TOWN MEETING WARRANT EVERY YEAR. THEY ARE OFTEN VOTED AS A BLOCK.**

**ARTICLE 4:** 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 fiscal year beginning July 1, 2006 in accordance with the provisions of Massachusetts 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 Massachusetts General Laws, Chapter 44, section 17, or take any action relative thereto. (Sponsored by the Board of Selectmen)

**ARTICLE 5:** 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. (Sponsored by the Treasurer)

**ARTICLE 6:** 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 the 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 holding said sale, or take any action relative thereto. (Sponsored by the Tax Collector)

**ARTICLE 7:** To see if the Town will vote to authorize the Selectmen to sell at public auction after first giving notice of the time and place of sale by posting such notice of sale in some convenient and public place in Town, and by advertising once in a local newspaper, fourteen days at least before the sale, any old and obsolete equipment or personal property, provided that the Selectmen or whomsoever they may authorize to hold such auction or sale may reject any bid which they deem inadequate, or take any action relative thereto. (Sponsored by the Board of Selectmen)

**ARTICLE 8:** To see if the Town will vote to authorize the Board of Selectmen to apply for any and to expend any State, Federal or other grants that may become available to the Town of Brookfield, or take any action relative thereto. (Sponsored by the Board of Selectmen)

**ARTICLE 9:** To see if the Town will vote to authorize the Board of Health to appoint one of its members to hold the position of Health Agent, Title V Administrator, and Transfer Station Administrator and to provide compensation therefore, or take any action relative thereto. (Sponsored by the Board of Health)

**ARTICLE 10:** To see if the Town will vote to establish a revolving fund for the Brookfield Local Public Access under M.G.L. Chapter 44, Section 53E ½ and to authorize the license fee paid by Charter Cable and all monies raised through advertising and fundraising to be deposited in said revolving fund, provided that no monies shall be

expended in excess of \$15,000.00, or take any action relative thereto. (Sponsored by the Local Public Access Committee)

**ARTICLE 11:** To see if the Town will vote to establish a revolving fund for the Library Trustees under M.G.L. Chapter 44, section 53E ½ and to receive monies derived from fines collected on overdue materials and copies and to expend these monies to pay for replacement of materials, maintenance and supplies for the copy machine provided that no monies shall be expended in excess of \$1,000.00, or take any action relative. (Sponsored by the Library Trustees)

**ARTICLE 12:** To see if the Town will vote to establish a revolving fund for the Brookfield Recreation Commission under M.G.L. Chapter 44, section 53E ½ and to receive monies derived from registration fees and to expend these monies to pay for costs associated with sports activities provided that no monies shall be expended in excess of \$5,000.00, or take any action relative thereto. (Sponsored by the Recreation Commission)

The Town voted unanimously to approve all of annually recurring Articles 4 through 12.

**ARTICLE 13:** To see if the Town will vote to establish a revolving fund for the Board of Health under MGL C. 44, section 53E ½ and to receive monies derived from engineering, inspection, and review fees charged in relation to witnessing of percolation test, septic plan review, site inspections, and resolution of variances, and to expend these monies to pay all costs associated with the Inspector's/Professional Engineer's review of said activities provided that no monies shall be expended in excess of \$20,000.00; and further that a sum of money be raise and appropriated, transferred or borrowed to seed said revolving account to cover initial lag time of checks being deposited/cleared and invoice being paid, or take any action relative thereto. (Sponsored by the Board of Health)

The Town voted unanimously to establish a revolving fund for the Brookfield Board of Health under M.G.L. Chapter 44, Section 53E ½ and to receive monies derived from engineering, inspection, and review fees charged in relation to witnessing of percolation test, septic plan review, site inspections, and resolution of variances, and to expend these monies to pay all costs associated with the Inspector's/Professional Engineer's review of said activities provided that no monies shall be expended in excess of \$20,000.00.

**ARTICLE 14:** To see if the Town will vote to transfer a sum of money from the Ambulance Billing Receipts Account this was established according to Chapter 40-Section 5F, to fund the Emergency Squad Salary Account for fiscal year 2006, or take any action relative thereto. (Sponsored by the Emergency Squad)

The Town voted unanimously to transfer the sum of \$101,940.00 from the Ambulance Billing Receipts Account to fund the FY06 Ambulance Salary Account as follow

**ARTICLE 15:** To see if the Town will vote to transfer a sum of money from the Ambulance Billing Receipts Account which was established according to Chapter 40, Section 5F to fund the Ambulance Expense Account for fiscal year 2006, or take any action relative thereto. (Sponsored by the Emergency Squad)

The town voted unanimously to transfer the sum of \$23,600.00 from the Ambulance Billing Receipts Account, which was established according to Chapter 40, Section 5F to fund the Ambulance Expense Account for fiscal year 2006.

**ARTICLE 16:** To see if the Town will vote to transfer a sum of money from the Ambulance Billing Receipts Account to the Municipal Diesel Fuel Account, or take any action relative thereto. (Sponsored by the Emergency Squad)

The Town voted unanimously to transfer the sum of \$2,100.00 from the Ambulance Billing Receipts Account to the Municipal Diesel Fuel/Repairs/Maintenance Account.

**ARTICLE 17:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to the Town Hall Improvement Account, or take any action relative thereto (Sponsored by the Board of Selectmen)

The Town voted unanimously raise and appropriate \$14,000.00 the sum of \$24,000.00 from Free Cash to be transferred to the Town Hall Improvement Account.

**ARTICLE 18:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to hire a consultant to assist the Town in the development of a Master Plan for the Town of Brookfield, or take any action relative thereto (Sponsored by the Board of Selectmen)

The Town voted by a majority vote to transfer the sum of \$10,000.00 from Free Cash to hire a consultant to assist the Town in the development of a Master Plan for the Town of Brookfield

**ARTICLE 19:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used for the repair & maintenance of the Clock on the Town Hall, or take any action relative thereto. (Sponsored by the Board of Selectmen)

The Town voted to pass over Article 19.

**ARTICLE 20:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used to purchase a new photocopy machine for use in the Town Hall, or take any action relative thereto. (Sponsored by the Board of Selectmen)

The Town voted unanimously to transfer the sum of \$6,000.00 from Free Cash to be used to purchase a new photocopy machine for use in the Town Hall

**ARTICLE 21:** To see if the Town will vote to create the position of Cable Access Coordinator and further to transfer a sum of money from the Cable Access Account to fund this position. (Sponsored by the Selectmen)

The Town voted to pass over Article 21.

**ARTICLE 22:** To see if the Town will vote to close the Treasurer Fees Account by transferring the sum of \$4.94 to the Stabilization Account, or take any action relative thereto. (Sponsored by the Town Accountant)

The Town voted unanimously to close the Treasurer Fees Account by transferring the sum of \$4.94 to the Stabilization Account

**ARTICLE 23:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to the Costs to Collector Account to close the account, or take any action relative thereto. (Sponsored by the Accountant)

The Town voted unanimously to transfer the sum of \$3,573.85 from Free Cash to the Costs to Collector Account to close the account.

**ARTICLE 24:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to the Town Clerk Fees Account to close the account, or take any action relative thereto. (Sponsored by the Accountant)

The Town voted unanimously to transfer the sum of \$15.25 from Free Cash to the Town Clerk Fees Account to close the account.

**ARTICLE 25:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to the D.A.R.E. Grant Account to close the account, or take any action relative thereto. (Sponsored by the Accountant)

The Town voted unanimously to transfer the sum of \$8,444.44 from Free Cash to the D.A.R.E. Grant Account to close the account.

**ARTICLE 26:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to the Police Block Grant Account to close the account, or take any action relative thereto (Sponsored by the Accountant)

The Town voted unanimously to transfer the sum of the sum of \$710.94 from Free Cash to the Police Block Grant Account to close the account.

**ARTICLE 27:** To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, a sum of money for record preservation, or take any action relative thereto. (Sponsored by the Town Clerk)

The Town voted to pass over Article 27.

**ARTICLE 28:** To see if the Town will vote to authorize the municipality to enter into an inter-municipal joint purchasing agreement pursuant to G.L. Ch. 40 Section 4A for the provision of technology solutions and related consulting and support services with the community software Consortium, preserving the rights and privileges established in prior agreement(s). The duration of this agreement, in accordance to statute, shall be for no more than 25 years, with the ability of the community to withdraw from this agreement at any time. The annual obligation of the municipality under this agreement will be paid from the participating department's expense appropriations. The annual obligation is determined by membership vote pursuant to the consortium's bylaws, or takes any action relative thereto. (Sponsored by the Assessors)

The Town voted unanimously to authorize the municipality to enter into an inter-municipal joint purchasing agreement pursuant to G.L. Ch. 40 Section 4A for the provision of technology solutions and related consulting and support services with the community software Consortium, preserving the rights and privileges established in prior agreement(s). The duration of this agreement, in accordance to statute, shall be for no more than 25 years, with the ability of the community to withdraw from this agreement at any time. The annual obligation of the municipality under this agreement will be paid from the participating department's expense appropriations. The annual obligation is determined by membership vote pursuant to consortium's bylaws.

**ARTICLE 29:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money for the Fire Apparatus Stabilization Account, or take any action relative thereto. (Sponsored by the Fire Department)

The Town voted unanimously to transfer the sum of \$32,000 from Free Cash to the Fire Apparatus Stabilization Account.

**ARTICLE 30:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to purchase a new pumper for the Fire Department to replace the 1972 fire truck, or take any action relative thereto. (Sponsored by the Fire Department)

The Town voted by a vote of 69 yes and 10 no to transfer the sum of \$64,000.00 from the Fire Apparatus Stabilization Account to purchase a new pumper for the Fire Department to replace the 1972 fire truck; and further that the sum of \$236,000.00 be borrowed for this purpose with the borrowed amount being contingent on the passage of a debt exclusion vote. (Total cost - \$300,000.00).

**ARTICLE 31:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to perform pump repairs on Fire Department Engine 3, or take any action relative thereto. (Sponsored by the Fire Department)

The Town voted unanimously to transfer the sum of \$10,000.00 to perform pump repairs on Fire Department Engine 3.

**ARTICLE 32:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to the Highway Construction, Reconstruction and Improvement of Town Roads, Bridges and Sidewalks Account to be used with or without funds allotted by the Commonwealth of Massachusetts, or take any action relative thereto. Sponsored by the Highway Department)

The Town voted unanimously to transfer the sum of \$30,000 from Free Cash to the Highway Construction, Reconstruction and Improvement of Town Roads, Bridges and Sidewalks Account to be used with or without funds allotted by the Commonwealth of Massachusetts.

**ARTICLE 33:** To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to purchase a new one-ton truck for the Highway Department, or take any action relative thereto. (Sponsored by the Highway Department)

The Town voted unanimously to transfer the sum of \$15,000.00 from the Highway Department Stabilization Account and further that the sum of \$30,000.00 be transferred from ~~FREE CASH~~ to purchase a new one-ton truck for the Highway Department.

**ARTICLE 34:** To see if the Town will vote pursuant to General Laws Chapter 114, Sec.23 to approve the issuance of regulations by the Cemetery Commission, or take any other action relative thereto. (Sponsored by the Cemetery Commissioners)

The Town voted unanimously pursuant to General Laws Chapter 114, Sec.23 to approve the issuance of regulations by the Cemetery Commission.

**ARTICLE 35:** To see if the Town will vote to amend its Personnel By-Laws, CHAPTER XV, Section 2 – Mandatory Classification, GRADES FOR POSITIONS for the following positions: Delete Patrol Officer Trainee; Matron to Grade 5, 210 points; Deputy Police Chief to Grade 12, 420 points; Patrol Officer to Grade 8, 300 points; add Reserve Officer at Grade 8. 300 points; add Special Police Officer at Grade 1; and Police Sergeant to Grade 15, 520 points or take any action relative thereto. (Sponsored by the Personnel Board)

The Town voted by a majority vote to amend its Personnel By-Laws, CHAPTER XV, Section 2 – Mandatory Classification, GRADES FOR POSITIONS for the following positions: Delete Patrol Officer Trainee; Matron to Grade 5, 210 points; Deputy Police Chief to Grade 12, 420 points; Patrol Officer to Grade 8, 300 points; add Reserve Officer at Grade 8. 300 points; add Special Police Officer at Grade 1; and Police Sergeant to Grade 15, 520 points.

**ARTICLE 36:** To see if the Town will vote to amend its Personnel By-Laws CHAPTER XV, Section 2 – Mandatory Classification, GRADE FOR POSITIONS for the following positions: change Library Assistant to Grade 9, 315 points; delete Librarian, Grade 8, 290 points and add the new position of Library Director, Grade 15, 495 points, or take any action relative thereto. (Sponsored by the Personnel Board)

A motion was made by Selectman Beverly Lund to amend Article 36 by deleting the words “delete Librarian” and Grade 8, 290 points. The motion was voted on and approved by a majority vote, the article is as follows:

The Town voted by a majority vote to amend its Personnel By-Laws CHAPTER XV, Section 2 – Mandatory Classification, GRADE FOR POSITIONS for the following positions: change Library Assistant to Grade 9, 315 points; and add the new position of Library Director, Grade 15, 495 points.

**ARTICLE 37:** To see if the Town will vote to amend its Personnel By-Laws by adding the following new classifications under CHAPTER XV, Section 2 – Mandatory Classification, GRADE FOR POSITIONS by adding the position of Fire Chief, Grade & points, or take any action relative thereto. (Sponsored by the Personnel Board)

The Town voted by a majority to amend its Personnel By-Laws by adding the following new classifications under CHAPTER XV, Section 2 – Mandatory Classification, GRADE FOR POSITIONS by adding the position of Fire Chief, Grade & points. GRADE 16, *16th* POINTS 535

**ARTICLE 38:** To see if the Town will vote to amend its Personnel By-Laws CHAPTER XV, Section 2 – Mandatory Classification, GRADE FOR POSITIONS by adding the following positions: Assistant Town Clerk, Grade 6, 230 points and Administrative Clerk – Tax Collector/Treasurer, Grade 6, 230 points, and deleting position Financial Clerk, or take any action relative thereto. (Sponsored by the Personnel Board)

The Town voted by a majority vote to amend its Personnel By-Laws CHAPTER XV, Section 2 – Mandatory Classification, GRADE FOR POSITIONS by adding the

**b. Lot Size.** The minimum lot size for each single-family structure in an OSRD shall be no less than 50,000 (fifty thousand) square feet; and for each two-family structure shall be no less than 60,000 (sixty thousand) square feet unless a density bonus is granted pursuant to Section c. below. Two-family dwellings shall have no more than two bedrooms in each unit.

**c. Density Bonus.** The Planning Board may award a density bonus to increase the number of dwelling units beyond the Basic Maximum Number. However, in no event shall a density bonus for the OSRD exceed twenty-five (25%) percent of the Basic Maximum Number. A density bonus may be awarded as follows:

For every four (4) dwelling units restricted to occupancy for a period of not less than 30 (thirty) years by persons over the age of fifty-five or qualifying as low or moderate income, one (1) dwelling unit may be added as a density bonus; provided, however, that this density bonus shall not exceed 25% (twenty-five percent) of the basic maximum number, and provided that no lot in the development shall, as a result of the grant of a density bonus be less than forty thousand (40,000) square feet for a single family structure or less than fifty thousand (50,000) square feet for a two-family structure.

**d. Frontage.** The minimum lot frontage shall be 150 (one hundred fifty) feet.

**e. Setbacks.** Front, side, and rear yard setbacks for single family residential structures shall be at least 50, 25, and 25 feet respectively and for two-family structures shall be at least 50, 50 and 50 feet respectively.

### 3. Design Criteria.

- a. No OSRD served by on-site sewage disposal systems shall be approved unless the applicant can demonstrate to the satisfaction of the Planning Board and the Board of Health that the potential for groundwater pollution is no greater than would be expected from the conventional subdivision with single family lots meeting normal lot size requirements located on the same parcel.
- b. Where the proposed development abuts a body of water, a portion of the shoreline, as well as reasonable access to it, shall be part of the Open Space.
- c. Residences shall be grouped so that scenic views and long views remain unobstructed, particularly those seen from roads.
- d. The removal of native vegetation shall be minimized.
- e. Disturbance of features or structures of historical significance shall be minimized.
- f. Any grading or earthmoving operation in conjunction with the proposed development shall be planned and executed in such a manner that the final contours are consistent with the existing terrain, both on and adjacent to the site.
- g. Safeguards shall be employed where needed to mitigate against environmental degradation from erosion, sedimentation, water pollution, or flooding.
- h. Roads. The principal roadway(s) serving the site shall be designed to conform to the standards of the *Town of Brookfield Subdivision Rules and Regulations*.
- i. Parking. Each dwelling unit shall be served by two (2) off-street parking spaces.
- j. Access. OSRD shall have access on a public way or a way approved under the Subdivision Control Law.
- k. Common Driveways. Common driveways serving no more than two residential structures may be allowed in the OSRD, provided that all criteria in the *Brookfield Zoning Bylaw* Section 8.F. are met.

#### 4. Open Space

- a. **Area.** The area preserved as Open Space shall be not less than thirty percent (30%) of the gross area of the entire parcel. The area required for roadways and their appurtenances and any wetland areas shall not be considered Open Space area. At least seventy (70%) percent of the Open Space shall be contiguous, unless otherwise approved by the Planning Board.
- b. Open Space shall be planned as large, contiguous areas whenever possible. Long thin strips or narrow areas of open space (less than one hundred [100] feet wide) shall occur only when necessary for access, as vegetated buffers along wetlands or the perimeter of the site, or as connections between large open space areas.
- c. **Subdivision.** Further subdivision of open space, or its use for other than conservation, agriculture, forestry, or non-commercial recreation shall be prohibited, and the approved plan shall be so endorsed in writing.
- d. **Ownership.** All Open Space created hereunder shall either:
  1. Be conveyed to the Town of Brookfield, for a park or open space use if accepted by the Town; or
  2. Be conveyed to a nonprofit organization, the principal purpose of which is the conservation of open space; or,
  3. Be conveyed to a corporation or trust owned or to be owned by the owners of lots or residential units within the OSRD.
- e. **Access.** Access shall be provided to the Open Space from a public way or a way approved under the Subdivision Control Law. Such access shall be at least 20 (twenty) feet wide and may be in the form of a walking or hiking/biking path.

#### 5. Application and Review

- a. OSRDs will be allowed only by Special Permit. All applications shall be made on the form published by the Planning Board and shall include all documents and supporting materials as required under Section 12.C. of the *Brookfield Zoning Bylaw*, as amended, and Article IV of the *Rules and Regulations of the Planning Board*, as amended.
- b. In so far as the OSRD constitutes a subdivision, both the subdivision and special permitting approval processes may run concurrently. However, subsequent approval by the Planning Board of such portions of the development as constitute a subdivision shall be required as set forth in the Subdivision Control Law, including the approval of streets and utility systems. A favorable action which may be made by the Planning Board on a special permit application, shall not, therefore, be deemed either to constitute subdivision approval under the Subdivision Control Law or the *Town of Brookfield Subdivision Rules and Regulations*, or imply that such approval will be given.
- c. The Planning Board shall require the applicant for an Open Space Residential Development to submit two preliminary plans, one of conventional design as stipulated under the Town's Subdivision Rules and Regulations, and one showing the proposed OSRD, as satisfactory evidence that the number of lots in the OSRD plan is no greater than that shown on the conventional plan. This preliminary plan shall be accompanied by the results of percolation tests (including soil logs and test locations), as administered by the Board of Health to confirm the number and location of potentially buildable lots on the parcel.
- d. The OSRD plan shall show compliance with the requirements of this by-law and shall show any other particular features of the OSRD as requested by the Planning Board to enable the Planning Board to determine compliance with this by-law.
- e. After notice and a public hearing in accordance with the Town of Brookfield Zoning Bylaw and *Rules and Regulations of the Planning Board*, the Planning

Board may grant a Special Permit with any conditions, safeguards, and limitations, if it determines:

1. that the application is properly completed in form and content; and
2. that all the other requirements of this section and any other applicable sections of the Town of Brookfield Zoning Bylaw are fully met; and
3. that the OSRD plan is superior to a conventional plan in meeting one or more of the purposes of this section.

## 6. Waiver of Compliance

The Brookfield Planning Board, acting as the Special Permit granting authority under this section, may waive strict compliance with such requirements of this section, where such action is in the public interest and not inconsistent with the purpose and intent of this section and any other applicable sections of the *Town of Brookfield Zoning Bylaw*.

And further to amend the Zoning Bylaw to include references to Open Space Residential Development as follows:

Section 7.C. 2. *For dimensional regulations relative to Open Space Residential Development see Section 8.E.,*

Section 8.D.7. add \*\* to RR section of table with a note below the table to read: *\*\* for dimensional regulations for two-family homes in Open Space Residential Developments, see Section 8.E.,*

or take any other action relative thereto. (Sponsored by the Planning Board)

The Town voted to defeat Article 43 by a vote of 26 yes 15 no (2/3 vote).

**ARTICLE 44:** To see if the Town will vote to amend the Brookfield Zoning Bylaw by deleting Section 7.B.5, or take any other action relative thereto. (deletes smaller than standard rear lot provision) (Sponsored by the Planning Board)

The Town voted to defeat Article 44 by a vote of 26 yes 15 no (2/3 vote)

**ARTICLE 45:** To see if the Town will vote to amend the Brookfield Zoning Bylaw, Section 7.C. by changing the minimum lot area required in the Rural Residential district to *80,000 square feet*, or takes any other action relative thereto. (increases minimum from 70,000 square feet) (Sponsored by the Planning Board)

The Town voted to defeat Article 45 by a vote of 22 yes 17 no (2/3 vote).

**ARTICLE 46:** To see if the Town will vote to amend the Brookfield Zoning Bylaws, by deleting *Section 8.D.3.*, or take any action relative thereto. (deletes provision for more than one multi-family structure on a lot) (Sponsored by the Planning Board)

The Town voted to defeat Article 46 by a vote of 21 yes 15 no (2/3 vote)

**ARTICLE 47:** To see if the Town will vote to amend the Brookfield Zoning Bylaw by adding **Section 1.1 Rate of Development Limit** to read as follows:

### 1.1 Rate of Development Limit

- a. **Purpose:** The purpose of this section is to ensure that the issuance of building permits for new residential construction will be limited for a defined period while the Town develops a comprehensive Master Plan that will assess the Town's natural resources, land use patterns, infrastructure, and services, and provide a long-range planning tool for future development in the Town. This section is adopted in response to a dramatic increase in residential growth in the community that has reduced open space, forests, and farmland, threatened sensitive habitats, diminished access to valuable natural and historic features, and strained municipal service capacity. The average annual number of single family homes constructed in Brookfield in the years 1995 – 1999 was 9; the average annual number

constructed in the years 2000-2004 was 33. This dramatic increase in the rate of growth has occurred through development of lots on existing public ways rather than in subdivisions. This has meant that the Town has had little opportunity to conduct a comprehensive review of the plans and ensure that municipal services are keeping up with the development. The Master Planning process will provide a forum for a community-wide self-study that will produce a plan in which due consideration is given to the multiple interests in the community while the rural character of the town is maintained. Setting a limit on new growth for a short period will help ensure that this project is carried out in an environment less pressured by extremely rapid growth.

b. The rate of development will be limited as follows:

1. The number of building permits issued for new residential structures shall not exceed thirty (30) per year for each of two consecutive twelve (12) month periods beginning July 1, 2005.
2. No more than ten percent (10%) of the building permits authorized by Section 1. shall be issued to any one applicant or set of applicants involving one or more of the same principals within each twelve-month period. Multifamily residential developments, nursing homes and congregate care facilities shall be phased to comply with this requirement.

or take any other action relative thereto. (Sponsored by the Planning Board)

The town voted to defeat Article 47 by a vote of 26 yes 15 no (2/3 vote).

**ARTICLE 48:** To see if the Town will vote to establish an Open Space committee composed of nine (9) members including one member from the Conservation Commission and one member from the Recreation Commission who shall be appointed by their respective commissions and who shall serve one-year terms beginning July 1<sup>st</sup> of each year. All remaining members shall be appointed by the Selectmen and shall serve terms of three years, with initial appointments to be made as follows: two members shall be appointed for terms to expire June 30 2006; two members shall be appointed for terms to expire June 30, 2007; and three members shall be appointed for terms to expire June 30, 2008. The purpose of the committee shall be to facilitate the implementation of the Town's Open Space and Recreation five-year action plan, annually update the Open Space and Recreation Plan, seek out appropriate grants, raise funds and propose Town expenditures that further the goals of the Open Space and Recreation Plan, or take any action relative thereto. (Sponsored by the Selectmen)

The Town voted by a majority vote to establish an Open Space committee composed of nine (9) members including one member from the Conservation Commission and one member from the Recreation Commission who shall be appointed by their respective commissions and who shall serve one-year terms beginning July 1<sup>st</sup> of each year. All remaining members shall be appointed by the Selectmen and shall serve terms of three years, with initial appointments to be made as follows: two members shall be appointed for terms to expire June 30 2006; two members shall be appointed for terms to expire June 30, 2007; and three members shall be appointed for terms to expire June 30, 2008. The purpose of the committee shall be to facilitate the implementation of the Town's Open Space and Recreation five-year action plan, annually update the Open Space and Recreation Plan, seek out appropriate grants, raise funds and propose Town expenditures that further the goals of the Open Space and Recreation Plan.

**ARTICLE 49:** To see if the Town will vote to transfer a sum of money from Free Cash as may be necessary to defray the expenses of the Town for the ensuing year as voted under Article 3, or take any action relative thereto. (Sponsored by the Advisory Committee)

The Town voted to pass over Article 49.

**ARTICLE 50:** To see if the Town will vote to transfer a sum of money from the Water Department Surplus Account to the Municipal Gasoline Account, or take any action relative thereto. (Sponsored by the Selectmen)

The Town voted by a majority vote to transfer the sum of \$1,456.00 from the Water Department Surplus Account to the Municipal Gasoline Account.

AND YOU ARE DIRECTED TO SERVE THIS WARRANT, BY POSTING UP ATTESTED COPIES THEREOF, AT THE TOWN HALL AND POST OFFICE IN SAID TOWN, SEVEN DAYS AT LEAST BEFORE THE TIME OF THE HOLDING OF 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 THE MEETING, AS AFORESAID. GIVEN UNDER OUR HANDS THIS **EIGHTEENTH (18<sup>th</sup>) DAY OF APRIL** IN THE YEAR OF OUR LORD, TWO THOUSAND AND FIVE.

RESPECTFULLY SUBMITTED,

**Beverly A. Lund, Chairman**  
**Robert S. Phillips, Vice Chairman**  
**Joseph J. Klimavich, Clerk**

SELECTMEN OF BROOKFIELD

A TRUE COPY, ATTEST  
**Joseph F. Murray**  
CONSTABLE OF BROOKFIELD

WORCESTER, SS:  
BROOKFIELD, MASSACHUSETTS

PURSUANT TO THE WITHIN WARRANT, I HAVE NOTIFIED AND WARNED THE INHABITANTS OF THE TOWN OF BROOKFIELD BY POSTING UP ATTESTED COPIES OF SAME AT THE U.S. POST OFFICE ON 9:20 A.M. AND THE BROOKFIELD TOWN HALL AT 9:15 A.M. ON THE SAME DAY APRIL 21, 2005.

SEVEN DAYS BEFORE THE DATE OF THE MEETING, AS WITHIN DIRECTED.

**Joseph F. Murray**  
CONSTABLE OF BROOKFIELD

*The Annual Town Meeting was held at the Brookfield Elementary School. One Hundred and Twenty-Five (125) residents were in attendance. The voters unanimously voted to adjourn until May 13, 2005 at 7:00 P.M., the Meeting adjourned at 11:35 P.M.*

*The Annual Town Meeting reconvened on May 13, at 7:00 P.M. at the Brookfield Elementary School. Forty-Five (45) residents were in attendance, the meeting adjourned at 8:35 P.M.*

*Linda M. Lincoln*

**A TRUE COPY ATTEST: LINDA M. LINCOLN CMMC**

FY05 BUDGET DETAIL

Description	Req FY06	Recc FY06
GENERAL GOVERNMENT		
Moderator salary	55	55
Selectmen salary	6,648	6,648
Administrative Assistant wages	33,446	33,446
Selectmen expenses	7,815	7,815
Physical exams	400	400
Consultant expenses	2,400	2,400
Payment In Lieu Of Taxes	700	700
	2,500	0
<i>Total Selectmen</i>	<i>53,909</i>	<i>51,409</i>
erve	20,000	20,000
Town Accountant wages	39,181	38,881
Professional services - audit	8,700	10,500
Town accountant expenses	3,174	3,174
Town accountant: prof. services	0	0
<i>Total Town Accountant</i>	<i>51,055</i>	<i>52,555</i>
Advisory committee clerk salary	309	0
Advisory committee expenses	350	350
Warrant books (printing & mailing)	2,000	2,000
<i>Total Advisory Committee</i>	<i>2,659</i>	<i>2,350</i>
Assessors salary	39,707	39,707
Assessors consulting services	2,500	2,500
Assessors Cont. Serv. Revaluation	0	0
Assessors expenses	3,285	3,285
<i>Total Assessors</i>	<i>45,492</i>	<i>45,492</i>
Treasurer wages	24,617	24,617
Treasurer Clerk wages	19,969	19,969
Interim Treasurer wages	0	0
roll services	5,500	5,500
king services		0
asurer expenses	6,000	6,000
<i>Total Treasurer</i>	<i>56,086</i>	<i>56,086</i>
Collector wages	26,803	26,803
Collector Clerk wages	2,493	2,493
Collector expenses	6,484	6,484
	382	382
	1,000	1,000
	1,000	1,000
<i>Total Collector</i>	<i>38,162</i>	<i>38,162</i>
Legal Services	45,000	45,000
Personnel Board expenses	0	0
Treasurer/Collector tax titles	0	0
Town Clerk salary	24,091	24,091
Assistant Town Clerk wages	4,700	2,100
Town Clerk expenses	3,295	3,295
Town Clerk Certification	1,000	1,000

FY05 BUDGET DETAIL

Description	Req	Recc
	FY06	FY06
Total Town Clerk	33,086	30,486
Elections & Registrations wages	5,512	6,520
Elections & registration expenses	4,900	5,900
Total Elections & registration	10,412	12,420
Conservation Commission	150	150
Central MA Regional Planning Comm	650	650
Planning board clerk salary	1,800	1,800
Planning Board Salary	2,500	2,500
Planning board expenses	860	860
Total Planning Board	5,160	5,160
Board of appeals clerk salary	0	0
Board of appeals expenses	1,021	1,021
Total Board of Appeals	1,021	1,021
Capital Improvement Planning Comm	0	0
Town Hall Custodian wages	10,797	10,797
Town Hall expenses	9,515	9,515
Total Town Hall	20,312	20,312
Print town report	1,500	1,500
Municipal Heating fuel	25,000	25,000
Municipal Diesel fuel	8,500	8,500
Municipal Gasoline	27,000	21,456
<b>TOTAL GENERAL GOVERNMENT</b>	<b>445,209</b>	<b>437,764</b>
<b>POLICE DEPARTMENT</b>		
Police wages Full Time	66,560	66,560
Police Chief salary	52,696	53,162
Police wages Part Time	106,494	90,000
Police Dept. Clerk	8,112	8,112
Police OT	9,984	9,984
Police expenses	51,467	46,467
Police station expenses	18,716	18,716
Total Police	314,029	293,001
<b>FIRE DEPARTMENT</b>		
Fire Department wages	10,191	10,191
FD Chief salary	1,198	1,198
FD Brush Fire/Special Duty wages	3,766	3,766
FD expenses	26,350	24,350
FD recurring recertification/testing	3,050	3,050
FD asset repair/replacement	6,000	6,000
Total Fire Department	50,555	48,555
Telephone Contract/Leases	9,685	9,685
Building Inspector salary	12,360	12,360
Assistant Building Inspector wages	360	268
Building Inspector expenses	500	500
Total Building Inspector	13,220	13,128

FY05 BUDGET DETAIL

Description	Req FY06	Recc FY06
Gas & Plumbing Inspector salary	3,058	3,030
Asst. Gas & Plumbing Inspector wages	258	258
Gas & Plumbing Inspector expenses	620	620
<i>Total Gas &amp; Plumbing Inspector</i>	<i>3,936</i>	<i>3,908</i>
Wiring Inspector salary	2,940	3,029
Assistant Wiring Inspector wages	260	268
Wiring Inspector expenses	400	400
<i>Total Wire Inspector</i>	<i>3,600</i>	<i>3,697</i>
Zoning enforcement officer salary	7,725	7,725
Zoning enforcement officer expenses	470	470
<i>Total Zoning Enforcement Officer</i>	<i>8,195</i>	<i>8,195</i>
Emergency Management Agency (BEMA)	470	470
Animal control officer salary	4,458	4,458
Assistant Animal Control Officer wages	500	500
Animal control officer expenses	2,692	2,692
<i>Total Animal Control Officer</i>	<i>7,650</i>	<i>7,650</i>
Parking clerk & hearing officer salary	300	219
Parking ticket expenses	100	100
<i>Total Parking Tickets</i>	<i>400</i>	<i>319</i>
Tree warden	2,400	1,896
Harbor Master	0	0
Shade tree	2,400	2,400
Insect/pest control	0	0
<b>TOTAL PUBLIC SAFETY</b>	<b>416,540</b>	<b>392,904</b>
<b>SCHOOLS</b>		
School committee salary	1,500	1,500
Regional committee salary	1,500	1,500
Regional school assessment	958,507	939,714
Transportation	6,051	6,051
School department	2,605,974	2,555,974
<b>TOTAL SCHOOLS</b>	<b>3,573,532</b>	<b>3,504,739</b>
<b>PUBLIC WORKS</b>		
Highway Supt. wages	41,307	41,307
Highway Operator wages	33,369	33,369
	26,250	0
Highway OT/Other wages	2,500	2,500
Highway wages PT/Office Clerk	10,200	10,200
Highway expenses	45,000	45,000
Plow private roads	1	1
Bridges, rails & signs	1,600	1,600
Police Detail	500	500
<i>Total Highway</i>	<i>160,727</i>	<i>134,477</i>
Snow & ice account	30,000	40,000
Street lights	11,500	11,500

FY05 BUDGET DETAIL

Description	Req FY06	Recc FY06
Sidewalks	1,000	1,000
Cemetery wages	11,330	11,330
Cemetery Supt. salary	4,284	4,284
Cemetery expenses	6,531	6,531
Cemetery improvements	1,650	1,650
<i>Total Cemetery</i>	<i>23,795</i>	<i>23,795</i>
<b>TOTAL PUBLIC WORKS</b>	<b>227,022</b>	<b>210,772</b>
<b>HEALTH, SANITATION AND SPECIAL SERVICES</b>		
Health salary	3,000	4,000
Health Clerk wages	1,000	1,000
Health Agent	1,200	1,200
Animal Inspector salary	954	954
Title V administration	2,500	2,500
Septage hauling	0	0
BOH expenses	2,000	2,000
<i>Total Board of Health</i>	<i>10,654</i>	<i>11,654</i>
Inspectors	2,000	2,000
Transfer Station wages	17,404	17,404
Well tests	12,000	12,000
Transfer station expenses	103,590	103,590
<i>Total Transfer Station</i>	<i>132,994</i>	<i>132,994</i>
Community health program	850	850
Outreach worker	1,500	1,500
Tri valley crisis intervention	0	0
Medi-car	2,000	2,000
Council on aging expenses	1,000	1,000
<i>Total Senior Services</i>	<i>4,500</i>	<i>4,500</i>
Director of Veterans Services salary	607	607
Veterans services salary	2,437	2,437
veteran's agent expenses	600	600
Case work (reimbursed 75%)	20,000	20,000
<i>Total Veterans Case Work</i>	<i>23,644</i>	<i>23,644</i>
<b>TOTAL HEALTH, SANIT. AND SPEC. SERVICES</b>	<b>174,642</b>	<b>175,642</b>
<b>CULTURE AND RECREATION</b>		
Library Director wages	28,673	28,673
Library Custodian wages	5,356	5,398
Library Assts. wages	19,537	17,037
Library Sat/holidays/Vacation	3,744	3,744
Library expenses	8,780	8,780
Library books, videos, periodicals	16,521	16,521
<i>Total Library</i>	<i>82,611</i>	<i>80,153</i>
Recreation commission salaries	0	0
Recreation salaries	2,600	2,600
Recreation commission expenses	5,000	5,000
Lewis field maintenance expenses	2,200	2,200

FY05 BUDGET DETAIL

Description	Req	Recc
	FY06	FY06
<i>Total Recreation Commission</i>	9,800	9,800
South pond salary	0	0
South pond expenses	0	0
<i>Total South Pond</i>	0	0
Historical commission	550	550
Memorial day	3,050	3,050
Cultural Council expenses	6,650	5,000
<b>TOTAL CULTURE AND RECREATION</b>	<b>102,661</b>	<b>98,553</b>
<b>DEBT &amp; INTEREST</b>		
Maturing principal (B.E.S.)	275,000	296,333
Regional School	386,434	386,434
Maturing interest (B.E.S.)	149,582	166,249
Temporary loan interest	0	0
<b>TOTAL DEBT AND INTEREST</b>	<b>811,016</b>	<b>849,016</b>
<b>ASSESSMENTS &amp; OTHER MANDATED EXPENSES</b>		
Worcester county retirement	100,361	100,361
Abington retirement	2,268	2,268
Pension Liability	0	0
Unemployment insurance	13,105	13,105
Group health & life insurance	346,000	346,000
Medicare: town share	30,000	30,000
General insurance	77,607	77,607
<b>TOTAL ASSESSMENTS &amp; OTHER MANDATED EXP.</b>	<b>569,341</b>	<b>569,341</b>
<b>WATER DEPARTMENT</b>		
WD commissioners salary	1,639	1,639
WD Clerk wages	8,019	8,019
WD superintendent salary	51,399	51,399
WD Secondary Operator wages	3,288	3,288
WD Casual Labor	1,000	1,000
WD expenses	32,691	32,691
<b>TOTAL WATER DEPARTMENT (self funded)</b>	<b>98,036</b>	<b>98,036</b>
<b>TOTAL OPERATING BUDGET</b>	<b>6,417,999</b>	<b>6,336,767</b>
<b>EMERGENCY SQUAD</b>		
ES wages	95,950	95,950
ES expenses	23,600	23,600
<b>TOTAL EMERGENCY SQUAD (self funded)</b>	<b>119,550</b>	<b>119,550</b>
<b>TOTAL OPERATING EXPENDITURES</b>	<b>6,537,549</b>	<b>6,456,317</b>

FY05 BUDGET DETAIL

Description	<i>Req</i>	<i>Recc</i>	
	<i>FY06</i>	<i>FY06</i>	

revised 5/13/04

# ANNUAL TOWN ELECTION MAY 2, 2005 - ELECTION RESULTS

## MODERATOR 1YR

James W. Allen	48
Donald Faugno	25
William Frangiamore	11
Douglas Martell	6
Blanks	371
Scattered	12

## SELECTMAN 3YRS

James W. Allen	359
Frank F. Leo	74
Linda M. Peirce	34
Scattered	3
Blanks	3

## ASSESSOR 3YRS

Donna M. Wentzell	379
Scattered	2
Blanks	92

## PLANNING BOARD 5YRS

Michael J. Dean	354
Scattered	2
Blanks	115

## PLANNING BOARD 3YRS

Frank P. Smith	337
Scattered	4
Blanks	117

## ELEMENTARY SCHOOL COMMITTEE 3YRS

Stephen Comptois II	59
Karla Strom Galuska	34
Scattered	25
Blanks	355

**TOTAL VOTES CAST 473**

## WATER COMMISSIONER 3YRS

Joseph F. Murray	401
Blanks	72

## BOARD OF HEALTH 3YRS

Timothy K. McElroy	363
Scattered	1
Blanks	109

## TRUSTEE FOR MERRICK PUBLIC LIBRARY 3YRS-2

Barbara A. Clancy	385
Jean E. Dahler	335
Blanks	226

## HOUSING AUTHORITY 5YRS

Bruce Clarke	4
Rudy Heller	2
William Frangiamore	2
Scattered	9
Blanks	456

## CEMETERY COMMISSIONER 3YRS

Wayne Yaskoski	393
Scattered	2
Blanks	78

## TRUSTEE FOR SHADE TREE & CEMETERY FUNDS 3YF

Wayne Yaskoski	394
Scattered	2
Blanks	77

**A TRUE COPY ATTEST: LINDA M. LINCOLN CMMC**