THE COMMONWEALTH OF MASSACHUSETTS
SPECIAL TOWN MEETING WARRANT
November 23, 2009

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 TO MEET AT THE **BROOKFIELD TOWN HALL, Banquet Room, 6 CENTRAL STREET, BROOKFIELD, MA ON MONDAY, November 23, 2009 AT 7:00** P.M. TO ACT ON THE FOLLOWING ARTICLES

ARTICLE 1: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used for the Highway Department Vehicle Account, or take any action relative thereto. (2/3rds vote)

The Town voted by a vote of 40 yes and 1 no to transfer the sum of $45,000 from the Fleet Stabilization, to the Highway Department Vehicle Acquisition Account.

ARTICLE 2: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money for the Highway Department Part-Time Salary Account, or take any action relative thereto.

The Town voted unanimously to transfer the sum of $3700.00 from Town Hall Wiring Account for the Highway Department Part-Time Salary Account.

ARTICLE 3: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money for the Highway Department's Overtime Account, or take any action relative thereto.

The Town voted unanimously to transfer the sum of $2,200 from the General Insurance Account to the Highway Department's Overtime Account.

ARTICLE 4: To see if the Town will vote pursuant to General Laws, Chapter 40, Section 6N, and the Town's General By-Laws, Chapter XII, Section 4, to raise and appropriate, transfer or borrow a sum of money to repair private ways as may be determined by the Selectmen, or take any action relative thereto.

The Town voted by a majority vote pursuant to General Laws, Chapter 40, Section 6N, and the Town's General By-Laws, Chapter XII, Section 4, to transfer the sum of $1.00 from Selectmen's Expense Account to be used to repair private ways as may be determined by the Selectmen.

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used for the purchase of Private Way signs, or take any action relative thereto.

The town voted that this article be passed over.

ARTICLE 6: To see if the Town will vote to transfer from the Assessor's Expense Account the sum of $6.00 to the Registry of Motor Vehicles, a late bill of the Assessors from Fiscal Year 2009, or take any action relative thereto. (9/10's vote)

The Town voted unanimously the sum of $6.00 be transferred from the Assessors Expense Account to be used to pay the Assessors late bill from fiscal year 2009 from the Registry of Deeds.

ARTICLE 7: To see if the Town will vote to amend the by-laws of the Town by inserting the following new section as,

Chapter XI, Section 6: Public Consumption or Use of Marijuana or Tetrahydrocannabinol
a) No person, whether in or upon a motor vehicle, conveyance, or on foot, shall display, burn, smoke, ingest, or otherwise use or consume Marijuana or Tetrahydrocannabinol (as defined in G.L. c 94C, §1, as amended) while in or upon an area owned by or under the control of the Town of Brookfield, including but not limited to any street, sidewalk, public way, foot way, passageway, stairs, bridge, park, playground, cemetery, or parking lot; or in or upon any place to which the public has the right of access as invitees or licensees.

b) Any Marijuana or Tetrahydrocannabinol that is seized in violation of this By-law shall be seized, held, and disposed of in accordance with G.L. c. 94C §47A.

c) Whoever is found in violation of this By-Law, when requested by an official authorized to enforce this By-Law, shall state his or her true name and address to said official. Any individual who refuses to comply with this section may be subject to a warrantless arrest.

d) This By-Law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c. 40 §21, or by non-criminal disposition pursuant to G.L. c. 40 §21D, by the Board of Selectmen, or their duly authorized agents, or any police officer.

e) The fine for a violation of this By-Law shall be Three Hundred Dollars ($300) for each offense.
f) In case any section, paragraph or part of this by-law is for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect; or take any action relative thereto

The Town voted unanimously by a motion to let Acting Police Chief Christopher Welsh to explain Article 7.

The Town voted unanimously to vote to pass over Article 7.

ARTICLE 8: To see if the Town will vote to amend the by-laws of the Town by inserting the following new section as:

Chapter XI Section 7: Public Consumption of Alcoholic Beverage
"No person shall publicly consume any alcoholic beverage in any Town Park, Cemetery, the Town Common, or on any public way in the Town of Brookfield. Any person violating this By-Law, shall be punishable by a fine of not more than Three Hundred Dollars ($300.00) for each offense; or take any other action relative thereto.
The Town voted unanimously to pass over Article 8.

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to purchase a new police cruiser and further to trade in or sell the 2002 Crown Victoria police cruiser, or take any action relative thereto. (2/3rds vote)

The Town voted by a vote of 42 yes and 1 no to transfer from the Fleet Stabilization Fund the sum of $32,029 and to transfer the sum of $1,259.00 from the Police Vehicle Purchase Account to a new account to be called the Police Vehicle Purchase and Repair Account, to be used for the purchase of a new police cruiser and further to trade in or sell the 2002 Crown Victoria police cruiser.

ARTICLE 10: To see if the Town will vote to authorize the Board of Selectmen to enter

into a lease upon such terms and conditions that the Selectmen deem to be in the interests of the Town for the lease of premises for the use as the Town's interim police station; or take any action relative thereto.

The Town voted unanimously to authorize the Board of Selectmen to enter into a lease upon such terms and conditions that the Selectmen deem to be in the interests of the Town for the lease of premises for the use as the Town's interim police station

ARTICLE 11: To see if the Town will vote to appropriate, transfer or borrow a sum of money for the fire department asset repair/replacement account, or take any action relative thereto.

The Town voted unanimously to transfer the sum of $3,000 from the Municipal Heating Account to the Fire Department Asset Repair/Replacement Account.

ARTICLE 12: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used in the Town Hall for computer security, etc., or take any action relative thereto.

The Town voted unanimously to transfer the sum of $800 from the Town Hall Exterior Renovation Account to be used in the Town Hall for computer security, etc.

ARTICLE 13: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used to cover the Fiscal 2009 budget deficit, or take any action relative thereto.

The Town voted that Article 13 be passed over.

ARTICLE 14: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used to cover the Fiscal 2010 budget deficit, or take any action relative thereto. (2/3rds vote)

A motion was passed unanimously to let Town Accountant Louise Benoit answer questions by residents concerning Article 14. Ms. Benoit explained that we were still working with estimates and these figures are the best we have, we are looking to get approval from the DOR to set the tax rate.

The Town vote unanimously to transfer from the Accountant's Professional Services Account the sum of $20,000; transfer the sum of $ 12,274 from Tantasqua Regional Assessment; transfer the sum $1,000 from the Tax Collector Certification Account; transfer the sum $1,447 from the Town Hall Wiring Account; transfer the sum $5,000 from the Municipal Heating & Maintenance Account; and to transfer the sum of $600 from the Municipal Telephone Account; making a total of $40,321 to be used to cover the Fiscal 2010 budget deficit.

And you are directed to serve this warrant, by posting up attested copies thereof, at the Town Hall and Post Office in said Town, fourteen day at least before the time of posting.

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 Fifth (5th) day of November, in the year of our Lord, Two Thousand and Nine.

Respectfully Submitted,

SELECTMEN OF BROOKFIELD

Rudy Heller, Chairman

James W. Allen, Vice Chairman

Peter S. O'Connell, Clerk

A True Copy, Attest:

Christopher Welsh,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 9th day of November 2009 at 10:50 a.m. and at the Brookfield Town Hall at 10:37 a.m. on the same day.

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

Christopher Welsh
Constable Brookfield

A TRUE COPY ATTEST:
LINDA M. LINCOLN, CMMC

The meeting adjourned at 7:45 PM. There were Fifty-one (51) voters in attendance.

COMMONWEALTH OF MASSACHUSETTS

WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

WORCESTER SS.

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

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in the Special State Primaries to vote at the Brookfield Town Hall, Banquet Hall, 6 Central Street, Brookfield on **TUESDAY, THE EIGHTH OF DECEMBER, 2009,** from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Special State Primaries for the candidates of political parties for the following office:

SENATOR IN CONGRESS. . . . . FOR THE COMMONWEALTH

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting. Given under our hands this 3rd day of November, 2009. And you are directed to serve this Warrant, by posting up attested copies at the Town Hall, Merrick Public Library and Brookfield Post Office.

Respectfully submitted,

Rudolf Heller, Chairman
James W. Allen, Vice Chairman
Peter S. O'Connell

Selectmen of the Town of Brookfield

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Brookfield by posting up attest copies of the same November 4 , 2009. at least seven days before the date of voting, as within directed. Posted at Brookfield Town Hall 10:45 A.M., Merrick Public Library 11:00 A.M. and Brookfield Post Office10:00 A.M.

A True Copy Attest: Joseph F. Murray, Constable
November 4, 2009

Total Vote count was 380

Democrat		Republican	
Michael E. Capuano	54	Scott P. Brown	* 91
Martha Coakley	*152	Jack E. Robinson	6
Alan A. Khazei	33		
Stephen G. Pagliuca	38		
Blanks	3		
Total Votes Cast	283		97

A True Copy Attest: Linda M. Lincoln CMMC
Town Clerk

The Commonwealth of Massachusetts

SPECIAL STATE PRIMARY

DEMOCRATIC PARTY

OFFICIAL ABSENTEE BALLOT

Tuesday, December 8, 2009

SENATOR IN CONGRESS

Vote for ONE

MICHAEL E. CAPUANO 172 Central St., Somerville
Congressman and Former Mayor

MARTHA COAKLEY 46 Coolidge Rd., Medford
Current Attorney General; Former District Attorney

ALAN A. KHAZEI 48 Allerton St., Brookline

STEPHEN G. PAGLIUCA 29 Webster Rd., Weston

DO NOT VOTE IN THIS SPACE.
USE BLANK LINE BELOW FOR WRITE-IN.

WRITE-IN SPACE ONLY