

**THE COMMONWEALTH OF MASSACHUSETTS
ANNUAL TOWN MEETING WARRANT
JUNE 18TH, 2010**

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 **ELEMENTARY SCHOOL, 37 CENTRAL STREET, BROOKFIELD, MA ON FRIDAY THE EIGHTEENTH DAY OF JUNE IN THE YEAR 2010 AT 7:00 P.M.** THEN AND THERE TO ACT ON THE FOLLOWING ARTICLES:

All votes Oral & Unanimous unless otherwise stated.

Action

Following the reading of the warrant by the moderator, it was voted to allow Patricia Cantor, Town Counsel with Koppleman & Paige to address the meeting. Town counsel determined that the selectmen had the authority according to MGL Chapter 39 Section 9 to change the date of the annual town meeting.

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.

Action:

Mr. William R. Simpson, chairman of the Master Plan Committee addressed the meeting to discuss the progress of the Master Plan Committee. Mr. Simpson mentioned that updates of the Master Plan are available at the Library and Town Hall.

The town voted to accept the Annual Town Report.

ARTICLE 2: 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.

Action

Mr. Gerald Johnson, chairman of the Advisory Committee addressed the meeting and provided an explanation of the proposed budget.

The town voted to raise and appropriate such sums of money as may be necessary to defray the expenses of the Town for the ensuing year.

Articles shown in the boxes below are on the Annual Town Meeting Warrant every year and are often voted as a block.

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 fiscal year beginning July 1, 2010 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.

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.

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 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.

ARTICLE 6: To see if the Town will vote to authorize the Selectmen to sell any old and obsolete equipment or personal property by sealed bids; 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 at an established market, or take any action relative thereto.

ARTICLE 7: 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.

ARTICLE 8: 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.

ARTICLE 9: 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 or any successor committee 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 per year, or take any action relative thereto.

ARTICLE 10: To see if the Town will vote to establish a revolving fund for the 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 per year, or take any action relative thereto.

Action

The town voted in favor of accepting articles, 1, 2, 3, 4, 5, 6, 7, 8, and 10. The town voted to pass over article 9.

ARTICLE 11: To see if the Town will vote to raise and appropriate, transfer or borrow a sum to the Cemetery Preservation Fund Account to be used toward the matching portion of the cemetery iron gate restoration grant, or take any action relative thereto.

Action

The town voted to transfer the sum of \$15,000 from Free Cash to the Cemetery Preservation Fund. The money will be used toward the matching portion of the cemetery iron gate restoration grant.

ARTICLE 12: To see if the Town will vote to transfer a sum of money from the General Fund to the Cemetery Preservation Fund, or take any action relative thereto.

Action

The town voted to transfer the sum of \$1,725.00 from Free Cash to the Cemetery Preservation Fund.

ARTICLE 13: To see if the Town will vote, pursuant to General Laws Chapter 114, Sec. 23, to approve the 2009 Regulations issued by the Cemetery Commission and any amendments thereto that the Commission may deem appropriate from time to time, or take any action relative thereto.

Action

The town voted to approve the 2009 Regulations issued by the Cemetery Commission and any amendments thereto that the Commission may deem appropriate from time to time.

ARTICLE 14: 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 the Municipal Diesel Fuel Account, or take any action relative thereto.

Action

The town voted to transfer the sum of \$1,600.00 from the Ambulance Billing Receipts Account to the Municipal Diesel Fuel Account.

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 2010, or take any action relative thereto.

Action

The town voted to transfer the sum of \$31,710.00 from the Ambulance Billing Receipts Account to fund the Ambulance Expense Account for fiscal year 2011.

ARTICLE 16: 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 Emergency Squad Wages Account for fiscal year 2010, or take any action relative thereto.

Action

The Town voted to transfer the sum of \$109,538.00 from the Ambulance Billing Receipts Account to fund the Emergency Squad Wages Account for fiscal year 2011.

ARTICLE 17: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money for the Town Hall Improvement Account, or take any action relative thereto.

Action

The town voted to transfer from Free Cash the sum of \$20,000.00 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 be used by the Brookfield 350th Quaboag Plantation Anniversary Celebration Committee, or take any action relative thereto.

Action

The town voted to raise and appropriate the sum of \$5,000.00 to be used by the Brookfield 350th Quaboag Plantation Anniversary Celebration Committee.

ARTICLE 19: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to perform fire station repairs, or take any action relative thereto.

Action

The town voted to raise and appropriate the sum of \$4,560.26 to be used for fire station repairs.

ARTICLE 20: To see if the Town will vote to accept and to expend a sum of money from Chapter 90 funds, or take any action relative thereto.

Action

The town voted to accept and expend the sum of \$131,022.00 from Chapter 90 funds.

ARTICLE 21: To see if the Town will vote to raise and appropriate, transfer or borrow from available funds, a sum of money to the Highway Construction, Reconstruction and Improvement of Town Roads, Bridges and Sidewalks Account, or take any action relative thereto.

Action

The town voted to transfer the sum of \$31,000.00 from Free Cash to the Highway Construction, Reconstruction and Improvement of Town Roads, Bridges and Sidewalks Account.

ARTICLE 22: To see if the Town will vote to transfer a sum of money from the Water Surplus Account to the Water-pump Station Account, or take any action relative thereto.

Action

The town voted to transfer the sum of \$30,000.00 from the Water Surplus Account to the Water-Pump Station Account.

ARTICLE 23: To see if the Town will vote to transfer a sum of money from the Water Surplus Account to the Water System Maintenance and Improvement Account, or take any action relative thereto.

Action

The town voted to transfer the sum of \$30,000.00 from the Water Surplus Account to the Water System Maintenance and Improvement Account.

ARTICLE 24: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used for the development and execution of a Historic Landscape Design and Preservation Plan for the Town Common and Mall, or take any action relative thereto.

Action

The town voted to raise and appropriate the sum of \$5,500.00 to be used for the development and execution of a Historic Landscape Design and Preservation Plan for the Town Common and Mall.

ARTICLE 25: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used to match a grant received from Massachusetts Technology Collaborative Final Clean Energy Choice Community Matching Grant Agreement, or take any action relative thereto.

Action

The town voted to transfer the sum of \$2,300.00 from Free Cash to be used to match a grant received from Massachusetts Technology Collaborative.

ARTICLE 26: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money for the Computer Acquisition Account be used for municipal computer purchases with related equipment and software, or take any action relative thereto.

Action

The town voted to transfer the sum of \$8,400.00 from Free Cash for the Computer Acquisition Account to be used for municipal computer purchases with related equipment and software.

ARTICLE 27: To see if the Town will vote to adopt a new General By-law by adding Chapter XII, a new Section, Section 6, which shall provide: The Town of Brookfield hereby establishes a citizen's committee to be called the Agricultural Commission. The Agricultural Commission shall be appointed by the Selectmen, and shall consist of 5 members. The Selectmen shall also appoint 5 alternates, who shall vote, if designated by the Agricultural Commission Chairman, in the event a regular member (or members) is absent or has a conflict of interest. Both regular members and alternates shall be appointed for 3-year terms. The Agricultural Commission shall facilitate and encourage the pursuit of agriculture in Brookfield, and promote agricultural-based economic opportunities in the Town. Its mission is to preserve, revitalize, and sustain the Brookfield agricultural industry and its lands and to encourage the pursuit of agriculture, promote agricultural-based opportunities and protect farmland, or take any action relative thereto.

Action

The Town voted to adopt a new General By-law by adding Chapter XII, a new Section, Section 6, which shall provide: The Town of Brookfield hereby establishes a citizen's committee to be called the Agricultural Commission. The Agricultural Commission shall be appointed by the Selectmen, and shall consist of 5 members. The Selectmen shall also appoint 5 alternates, who shall vote, if designated by the Agricultural Commission Chairman, in the event a regular member (or members) is absent or has a conflict of interest. Both regular members and alternates shall be appointed for 3-year terms each, with initial terms, however, to be one member for one year, two members for two years, and two members for three years. The Agricultural Commission shall facilitate and encourage the pursuit of agriculture in Brookfield, and promote agricultural-based economic opportunities in the Town. Its mission is to preserve, revitalize, and sustain the Brookfield agricultural industry and its lands and to encourage the pursuit of agriculture, promote agricultural-based opportunities and protect farmland.

ARTICLE 28: To see if the Town will vote to reduce the rate of interest that accrues on property taxes deferred by eligible seniors under M.G.L. Chapter 59 Section 5, Clause 41A from 8% to 4%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2010, or take any action relative thereto.

Action

The town voted to reduce the rate of interest that accrues on property taxes deferred by eligible seniors under M.G.L. Chapter 59 Section 5, Clause 41A from 8% to 4%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2010.

ARTICLE 29: To see if the Town will vote to transfer a sum of money from the Stabilization Fund to Maturing Principal for Brookfield Elementary School Account and to the Maturing Interest for Brookfield Elementary School Account, or take any action relative thereto.

Action

The town voted unanimously to transfer the sum of \$59,418.00 from the Stabilization Fund to be used to pay off the Maturing Debt Principal and the Maturing Debt Interest for the Brookfield Elementary School. A 2/3rds vote was required.

ARTICLE 30: To see if the Town will vote to transfer a sum of money from Free Cash to the Stabilization Account, or take any action relative thereto.

Action

The town voted to transfer the sum of \$9,000.00 from Free Cash to the Stabilization Account.

THIS WARRANT HAS A TOTAL OF 30 ARTICLES.

The meeting adjourned at 8:57 P.M. 67 voters attended.

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 FIRST (1st) day of June, in the year of our Lord, Two Thousand and Ten.

Respectfully Submitted,

SELECTMEN OF BROOKFIELD

S/Rudy Heller, Chairman

James W. Allen, Vice Chairman

Peter S. O'Connell, Clerk

A True Copy, Attest:
S/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 June 4, 2010 at 4 pm and at the Brookfield Town Hall at 3:45pm on the same day.

Seven days before the date of the meeting, as within directed.
S/Joseph F. Murray
Constable of Brookfield

A TRUE COPY ATTEST:

S/Michael P. Seery, Town Clerk



**OFFICE OF THE TOWN CLERK
MICHAEL P. SEERY
6 CENTRAL STREET
BROOKFIELD, MA 01506
508-867-2930 EXT. 12**

July 15, 2010

Office of the Attorney General
Municipal Law Unit
Western Massachusetts Division
1350 Main Street
Springfield MA 01103-1629

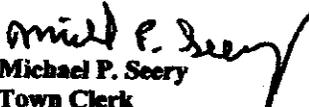
RE: Brookfield Annual Town Meeting
Friday June 18, 2010

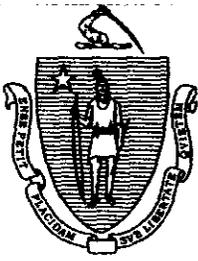
This is to certify that Article 27 was voted and unanimously approved at The Town of Brookfield's Annual Town Meeting held on Friday, June 18, 2010 at the Brookfield Elementary School, 37 Central Street, Brookfield MA 01506. The article is as follows:

ARTICLE 27: To see if the Town will vote to adopt a new General By-law by adding Chapter XII, a new Section, Section 6, which shall provide: The Town of Brookfield hereby establishes a citizen's committee to be called the Agricultural Commission. The Agricultural Commission shall be appointed by the Selectmen, and shall consist of 5 members. The Selectmen shall also appoint 5 alternates, who shall vote, if designated by the Agricultural Commission Chairman, in the event a regular member (or members) is absent or has a conflict of interest. Both regular members and alternates shall be appointed for 3-year terms. The Agricultural Commission shall facilitate and encourage the pursuit of agriculture in Brookfield, and promote agricultural-based economic opportunities in the Town. Its mission is to preserve, revitalize, and sustain the Brookfield agricultural industry and its lands and to encourage the pursuit of agriculture, promote agricultural-based opportunities and protect farmland, or take any action relative thereto.

The Town voted to adopt a new General By-law by adding Chapter XII, a new Section, Section 6, which shall provide: The Town of Brookfield hereby establishes a citizen's committee to be called the Agricultural Commission. The Agricultural Commission shall be appointed by the Selectmen, and shall consist of 5 members. The Selectmen shall also appoint 5 alternates, who shall vote, if designated by the Agricultural Commission Chairman, in the event a regular member (or members) is absent or has a conflict of interest. Both regular members and alternates shall be appointed for 3-year terms each, with initial terms, however, to be one member for one year, two members for two years, and two members for three years. The Agricultural Commission shall facilitate and encourage the pursuit of agriculture in Brookfield, and promote agricultural-based economic opportunities in the Town. Its mission is to preserve, revitalize, and sustain the Brookfield agricultural industry and its lands and to encourage the pursuit of agriculture, promote agricultural-based opportunities and protect farmland.

Certified this 15th day of July, 2010


Michael P. Seery
Town Clerk



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

WESTERN MASSACHUSETTS DIVISION
1350 MAIN STREET
SPRINGFIELD, MASSACHUSETTS 01103-1629

MARTHA COAKLEY
ATTORNEY GENERAL
www.mass.gov/ago

TEL: (413) 784-1240
FAX: (413) 784-1244

October 18, 2010

Michael P. Seery, Town Clerk
6 Central Street
Brookfield, MA 01506

RE: Brookfield Annual Town Meeting of June 18, 2010 — Case # 5702
Warrant Article # 27 (General)

Dear Mr. Seery:

Article 27 - We return with the approval of this Office the amendments to the Town by-laws adopted under this Article on the warrant for the Brookfield Annual Town Meeting that convened on June 18, 2010.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

If the Attorney General has disapproved and deleted one or more portions of any by-law or by-law amendment submitted for approval, only those portions approved are to be posted and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval.

Very truly yours,

MARTHA COAKLEY
ATTORNEY GENERAL

Margaret J. Hurley

by: Margaret J. Hurley, Assistant Attorney General
Chief, Central Massachusetts Division
Director, Municipal Law Unit
Ten Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 x 4402

enc.

cc: Town Counsel (via email)



local news

Gull study ongoing at Quabbin Reservoir

Public invited to participate when tagged birds are spotted

By Melissa Fales
Reporter

WARE - The Quabbin Reservoir and the Wachusett Reservoir are the two largest bodies of freshwater in Massachusetts, providing valuable drinking water for Metropolitan Boston and the towns of Chicopee, South Hadley and Wilbraham. "Over two million people drink the water from these two reservoirs every day," said Dan Clark, Director of Natural Resources for the Massachusetts Department of Conservation and Recreation (DCR), Division of Water Supply Protection. However, because these reservoirs are so big, they attract a large number of gulls which can pose a potential threat to the water quality.

According to Clark, gulls are driven by their biology to roost on water at night, in large communal groups. In the early 1990s, the Quabbin saw a significant increase in the number of gulls roosting, particularly in the late summer and early fall. "At the same time, we noticed an increase in fecal coliform in the water," said Clark. "It didn't take long for us to make the connection." Clark said in one night, 2000 gulls might descend on the Quabbin. "When you consider that they will be leaving their droppings there for the 10 to 12 hours of darkness, you can see why it's a problem," he added.

In response, the DCR has initiated a bird harassment program. "We established harassment zones near the point where the water leaves the reservoir," said Clark. There, DCR staff uses pyrotechnics and blank shells to scare the birds to another area of the reservoir where, thanks to dilution and settling, their droppings won't have such an impact.

While the harassment program is effective, it has its drawbacks, such as cost. "It's expensive to have personnel there on boats and outdoors seven days a week," said Clark. "They have to be there at night and on weekends." Clark said the harassment is only temporarily effective. "It's an ongoing process," he said.

In 2008, Clark initiated a study of the birds to see if the DCR could learn anything about the gulls that might help make the harassment program more effective. "Our goal was to identify individual birds," he said. "In order to get usable study results, we had to be able to track them through space and time to get a sense of their habits."

After trapping the birds, the DCR tagged them. They used aluminum numbered leg bands on one leg, as required by the federal government which operates a central data base of information on gulls. On the other leg, they tagged birds with a uniquely-coded colored leg band. Because gulls spend much of their time with their legs underwater, the DCR also began a wing-tagging program, using brightly-colored, numbered fabric. "Even when a gull is flying, the wing-tag is visible," said Clark. Several birds also had satellite transmitters attached to their bodies with a backpack-style unit. "These are tiny, solar-powered devices that are sewn in place on the bird," said Clark. Once the birds preen their feathers, the transmitters are not noticeable, save for the tip of the antenna. The transmitters have a lifespan of several years, over which they record the bird's location at least six times per day. "With the transmitters, we don't have to rely on sightings," said Clark.

For the survey, 1000 birds were captured and tagged. The DCR found that the majority of the birds were ring-billed gulls with some herring gulls and a few black-backed gulls. There have been approximately 2700 recorded sightings of tagged birds, from as far away as Florida and Newfoundland. "We learned that



TURKEY PISCIVORES SUBMITTED PHOTOS SHOULD BE SURE OF THE GULLS THAT HAVE BEEN TAGGED AS PART OF THE TAGGING STUDY.



these gulls are utilizing the captive eastern seaboard," said Clark.

Most of the sightings used in the study have been by the general public. The study is ongoing. Anyone who sees a tagged gull is encouraged to record the alphanumeric code on the tag and participate in the study by visiting www.mass.gov/dcr/gullstudy.

The study turned up some valuable information about the gulls' feeding habits. "We discovered they rely almost exclusively on humans for their food, not because they have to, but out of convenience," said Clark. "Parking lots seem to be a high-use habitat for them." Clark said the gulls regularly visit parking lots where dedicated bird-feeders make specific trips to feed them. Clark said the gulls are quick to take advantage of such an easy food supply.

The study also showed that gulls are using wastewater treatment plants as a source of food, picking things out of large settling tanks. "That was surprising and, frankly, disturbing," said Clark. "Knowing that these birds were eventually making their way back to the reservoir, it became a major priority for us to sever the birds' connection to this food source."

Clark said the DCR is working to protect the water supply by eliminating both of these human sources of food for the gulls. "These birds are highly mobile," he said. "We're optimistic that if we can eliminate these two sources of food in Central Massachusetts, the gulls will move on to other areas."

Clark said the DCR will soon be launching a public education campaign against feeding gulls. "Most people think they are doing a good deed by feeding the birds," Clark said. "They don't realize the long-term effects of their actions. People often think the birds rely on them for food, it might take more effort, but the birds can very easily find food somewhere else." Clark said the DCR is counting on the public to cooperate and help spread the word about the danger of feeding gulls.

At wastewater treatment plants, the DCR is working to install grids of wires over large settling tanks. While the gulls could actually fly between the wires, they visually perceive the grid as a barrier. So far, the grids have been successfully installed at plants in Leominster and Blackstone, with one planned for a plant in Springfield next.

Tax collector position still an appointed one, for now

By Jennifer Grybowald
Turkey Publications Reporter

BROOKFIELD - Although the town voted by Initiative Petition at the Special Town Meeting Oct. 29 to change the tax collector position to an elected one, not one appointed by the board of selectmen, it doesn't look like that will be happening any time soon.

Administrative Assistant Donna Neylon reported to the board during their Nov. 10 meeting that she sent the petition to State Sen. Stephen Bagwet, D-Barre, with a copy to State Rep. Anne Gold, D-Spencer, on Nov. 4. The board voted to do so after being urged by resident Stephen Connors, who spearheaded the petition, at the board's Nov. 3 meeting.

Neylon said that Brewer's office told her that the wording of the petition was not acceptable. The wording submitted was the exact wording the Town Meeting voted on and Brewer's office said that Town Council usually drafts the wording instead. Connors had said at the Nov. 3 meeting that he had spoken with legislative representatives and private counsel and was sure the petition could be set in as is.

The Selectmen Chair Rudy Heffer pointed out that at the Nov. 3 meeting the board had wanted to speak to Brewer first before sending in the petition to find out the proper protocol.

"Now we have to decide what the proper procedure is and the proper wording of it," Heffer said at the Nov. 10 meeting.

Board of Selectmen member Peter O'Connell said that he felt the board was being put in the same position as it had been put in when the Town Clerk became an elected one.

"I think this should be in the hands of the petitioner," he said.

The board moved not to send the question to Town Council, and to instead refer the question to Connors and have him return it to the board with the proper wording.

Now by-law approved

BROOKFIELD - The following by-law was voted on and approved by the town of Brookfield on June 18. The Attorney General has reviewed and approved this by-law on Oct. 10. It will be available for viewing at the town clerk's office.

The Town voted to adopt a new General By-law by adding Chapter XII, a new Section, Section 6, which shall provide: The Town of Brookfield hereby establishes a citizen's committee to be called the Agricultural Commission. The Agricultural Commission shall be appointed by the Selectmen, and shall consist of five members. The Selectmen shall also appoint five alternates, who shall vote, if designated by the Agricultural Commission Chairman. In the event a regular member (or members) is absent or has a conflict of interest, both regular members and alternates shall be appointed for three-year terms each, with initial terms, however, to be one member for one year, two members for two years, and two members for three years. The Agricultural Commission shall facilitate and encourage the pursuit of agriculture in Brookfield, and promote agricultural-based economic opportunities in the Town; its mission is to preserve, revitalize, and sustain the Brookfield agricultural industry and its lands and to encourage the pursuit of agriculture; promote agricultural-based opportunities and protect farmland.

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TAX AMNESTY AND THE COLLECTION OF DELINQUENT TAXES

In June, 2010, Town was owed approximately \$1,226,725 owed in back taxes, interest and fees

- The Tax Collector was owed \$444,150 in taxes, \$206,000 interest = \$650,000
- The Treasurer was owed \$316,575 in back taxes and \$260,000 in interest = \$576, 575
- The Town's ability to collect taxes on tax delinquent properties was at risk for 2002-2006 if owners declared bankruptcy or sold property

The Selectmen, Treasurer, and Tax Collector implemented a proactive tax collection policy that:

1. Notifies taxpayers of all tax delinquencies in each tax bill (2008 state law);
2. Hires Municipal Management Associates to collect back taxes with costs passed to delinquent taxpayers and ensures permanent liens on the properties;

In the first nine months of this policy, the Tax Collector has:

1. Obtained payment or entered into payment plans with nearly 50% of tax delinquents;
2. Reduced back taxes owed from \$553,000 to \$325,000 (not including interest and fees);
3. Lowered taxpayer delinquency in the payment of 2011 taxes.
4. Protected the Town's right to permanently collect taxes on 34 properties that have been turned over to the Treasurer to collect (\$348,064 plus fees and 16% interest)

The Board of Selectmen, working with Town Counsel and the Treasurer:

1. **Lakeside Campground:** (a) Secured Court judgments for non-payment of taxes totaling \$412,615; (b) Secured liens on assets (\$120,052), & are pursuing out-of-state assets of one (\$207,000) and (c) If legal and tax title funding is approved by Town Meeting, Selectmen and Treasurer will obtain title to all Lakeside Campground lots in 2011, which can either be sold or the Town can seek grant funding to develop it for a community need (housing? Health care?).
2. Arranged three payment plans with delinquent taxpayers totaling \$1,000 per month.

Financial Impact of Tax Amnesty Alternatives:

Years	Total Taxes Still Due	Interest Foregone at 50% Amnesty	Interest Foregone at 25% Amnesty
1995-2010	\$614,982	\$212,821	\$106,411
2005-2010	\$395,162	\$95,103	\$47,551
2008-2010	\$230,820	\$57,979	\$28,989

1. By state law, Tax Amnesty can begin ONLY after Town Meeting Approval (Nov. 1). This was about the earliest the Selectmen could have brought a plan to the Voters.
2. The Town cannot grant amnesty to delinquent taxpayers who already paid delinquent bills;
3. A participating taxpayer must pay all their taxes and fees before receiving amnesty on interest
4. If voted, Brookfield Amnesty ends May 13, 2011. It cannot be offered again in the future.
5. Without Tax Amnesty, by law, the Treasurer and Tax Collector can forgive no more than \$25 in interest per delinquent property.
6. The Selectmen **DO NOT RECOMMEND APPROVAL OF TAX AMNESTY**

	A	B	C	D	E
1		Description	FY11 VOTED		
2					
3		Article 2. Annual Budget Recommendations FY2011			
4					
5		GENERAL GOVERNMENT			
6					
7		Moderator salary	50		
8					
9		Selectmen salary	6,000		
10		Administrative Assistant wages	37,800		
11		Selectmen clerk wages	-		
12		Selectmen expenses	8,800		
13		Regional Agreements	500		
14		Physical exams	800		
15		Payment In Lieu Of Taxes	750		
16		Computer maintenance	3,000		
17		Consultant expenses*	3,000		
18		Town website*	-		
19		Total Selectmen	60,650		
20					
21		Reserve	24,000		
22					
23		Town Accountant wages	44,561		
24		Professional services - audit	-		
25		Town accountant expenses	3,290		
26		Town accountant: budget prep	1,500		
27		Total Town Accountant	49,351		
28					
29		Advisory committee-Clerk wages	-		
30		Advisory committee expenses	100		
31		Warrant books (print & mail)	1,000		
32		Total Advisory Committee	1,100		
33					
34		Assessors salary	44,688		
35		Assessors consulting services	2,500		
36		Assessors expenses	4,465		
37		Total Assessors	51,653		
38					
39		Treasurer salary	27,707		
40		Treasurer Clerk wages	22,246		
41		Payroll services	4,725		
42		Treasurer expenses	3,800		
43		Total Treasurer	58,278		
44					
45		Collector salary	30,293		
46		Collector Clerk wages	2,817		
47		Certification	1,000		
48		Collector expenses	7,608		
49		Collector software	1,000		
50		Total Collector	42,710		
51					
52					
53		Legal Services	50,000		
54					
55		Treasurer/Collector tax titles	10,000		
56					
57		Town Clerk salary	27,143		
58		Assistant Town Clerk wages	4,844		
59		Town Clerk certification	-		
60		Town Clerk expenses	3,155		
61		Town Clerk vault*	-		
62		Total Town Clerk	35,142		
63					
64		Elections & Registrations wages	7,000		
65		Elections & Registration expenses	7,000		
66		Total Elections & Registration	14,000		
67					
68		Conservation Commission Clerk	788		
69		Conservation Commission	500		
70			1,288		
71					
72		Central MA Regional Planning Comm	736		
73					
74		Planning Board clerk wages	3,152		
75		Planning Board salary	2,879		
76		Planning Board expenses	1,110		
77		Total Planning Board	6,941		
78					
79		Board of Appeals expenses	700		
80		Total Board of Appeals	700		
81					
82		Town Hall Custodian wages	11,847		
83		Town Hall expenses	8,415		
84		Total Town Hall	20,262		
85					
86		Print town report	1,800		
87					
88		Municipal Heating fuel	28,500		
89		Municipal Diesel fuel	17,117		
90		Municipal Gasoline	19,000		
91					

	A	B	C	D	E
1		Description	FY11 VOTED		
92		TOTAL GENERAL GOVERNMENT	493,256		
93					
94		PUBLIC SAFETY			
95					
98		POLICE DEPARTMENT			
97		Police wages Full Time	113,186		
98		Police Chief salary	59,636		
99		Police wages Part Time	48,193		
100		Police Dept. Clerk wages	9,165		
101		Police OT wages	14,500		
102		Police expenses	27,534		
103		Police station expenses	23,300		
104		Total Police	285,724		
105					
106		FIRE DEPARTMENT			
107		Fire Department wages	15,510		
108		FD Chief salary	-		
109		FD Brush Fire/Special Duty wages	-		
110		FD expenses	26,399		
111		FD recurring recertification/testing	3,829		
112		FD asset repair/replacement	7,000		
113		Total Fire Department	52,738		
114					
115		Telephone Contract/Leases	11,000		
116					
117		Building Inspector salary	13,912		
118		Asst Building Inspector wages	302		
119		Total Building Inspector	14,214		
120					
121		Gas & Plumbing Inspector salary	3,442		
122		Asst. Gas & Plumbing Inspector wages	293		
123		Gas & Plumbing Inspector expenses	720		
124		Total Gas & Plumbing Inspector	4,455		
125					
126		Wiring Inspector salary	3,420		
127		Assistant Wiring Inspector wages	302		
128		Wiring Inspector expenses	400		
129		Total Wiring Inspector	4,122		
130					
131		Zoning enforcement officer salary	8,694		
132		Zoning enforcement officer expenses	380		
133		Total Zoning Enforcement Officer	9,074		
134					
135		Emergency Mgmt Agency salaries(BEMA)	365		
136		BEMA expenses	3,050		
137		Total BEMA	3,415		
138					
139		Animal Control Officer salary	5,017		
140		Assistant Animal Control Officer wages	564		
141		Animal control officer expenses	2,000		
142		Total Animal Control Officer	7,581		
143					
144		Parking clerk & hearing officer salary	247		
145		Parking ticket expenses	100		
146		Total Parking Tickets	347		
147					
148		Tree Warden expenses	7,400		
149					
150		Shade Tree expenses	2,400		
151					
152		TOTAL PUBLIC SAFETY	412,470		
153					
154		SCHOOLS			
155					
156		School committee salary	1,500		
157		Regional committee salary	1,000		
158		Regional school assessment	1,315,542		
159		Transportation	77,362		
160		School expenses	2,774,330		
161		Total Schools	4,169,734		
162					
163		PUBLIC WORKS			
164					
165		Highway Supt. wages	46,935		
166		Highway Operator wages	39,042		
167		Highway OT/Other wages	4,529		
168		Highway wages PT/Office Clerk	22,589		
169		Police Detail/Flaggers	4,000		
170		Highway expenses	54,560		
171		Plow private roads	1		
172		Repair private roads	-		
173		Bridges, rails & signs	1,800		
174		Total Highway	173,256		
175					
176		Snow & ice account	50,000		
177					
178		Street lights	12,000		
179					
180		Sidewalks	1,000		

	A	B	C	D	E
1		Description	FY11 VOTED		
181					
182		Cemetery wages	15,000		
183		Cemetery Supt. salary	4,387		
184		Cemetery expenses	6,000		
185		Cemetery improvements	1,500		
186		Total Cemetery	26,887		
187					
188		TOTAL PUBLIC WORKS	263,143		
189					
190		HEALTH, SANITATION AND SPECIAL SERVICES			
191					
192		BOH salary	3,621		
193		BOH Clerk wages	2,041		
194		Health Agent	1,500		
195		Animal Inspector salary	1,000		
196		Title V administration	950		
197		BOH expenses	2,500		
198		Community health program	950		
199		Total Board of Health	12,562		
200					
201		Inspectors			
202					
203		Transfer Station wages	21,000		
204		Well tests	11,350		
205		Transfer station expenses	104,950		
206		Total Transfer Station	137,300		
207					
208		Outreach worker	1,500		
209		Tri valley crisis intervention	558		
210		Medi-car	2,000		
211		Council on aging expenses	442		
212		Total Senior Services	4,500		
213					
214		Director of Veterans Services salary	680		
215		Veterans-Agent salary	2,744		
216		Veterans Agent expenses	240		
217		Case work	15,000		
218		Total Veterans	18,664		
219					
220		TOTAL HEALTH, SANIT. AND SPEC. SERVICES	173,026		
221					
222		CULTURE AND RECREATION			
223					
224		Library Director wages	34,425		
225		Library Custodian wages	6,076		
226		Library Assts. wages	26,702		
227		Library Sat/holidays/vacation	4,166		
228		Library expenses	10,700		
229		Library books, videos, periodicals	19,841		
230		Total Library	101,910		
231					
232		Recreation wages	2,869		
233		Recreation commission expenses	7,700		
234		Lewis field maintenance expenses	-		
235		South Pond Beach expense	1,000		
236		Total Recreation Commission	11,569		
237					
238					
239		Historical commission	1,125		
240					
241		Memorial day	3,200		
242					
243		Cultural Council expenses	8,650		
244					
245		TOTAL CULTURE AND RECREATION	128,454		
246					
247		DEBT & INTEREST			
248					
249		Maturing principal (B.E.S.)	275,000		
250		Regional School	143,206		
251		Maturing interest (B.E.S.)	71,550		
252		Highway Garage principal	88,205		
253		Highway Garage interest	28,000		
254		Town Hall Roof (principal)	31,795		
255		Town Hall Roof (Interest)	10,100		
256		Fire Truck Principal	21,500		
257		Fire Truck Interest	3,500		
258		Total Debt and Interest	672,856		
259					
260					
261		ASSESSMENTS & OTHER MANDATED EXPENSES			
262					
263		Worcester county retirement	141,903		
264					
265		Unemployment insurance	7,500		
266					
267		Group health & life insurance	316,155		
268					

	A	B	C	D	E
1		Description	FY11 VOTED		
269		Medicare: town share	39,870		
270					
271		General insurance	125,000		
272					
273		TOTAL ASSESSMENTS & OTHER MANDATED EXP.	630,426		
274					
275		WATER DEPARTMENT			
276					
277		WD Commissioners salary	1,800		
278		WD Clerk wages	9,658		
279		WD Superintendent salary	57,850		
280		WD Secondary Operator wages	3,700		
281		WD Temporary Help	1,000		
282		WD expenses	41,485		
283		TOTAL WATER DEPARTMENT	115,503		
284					
285					
286		TOTAL OPERATING BUDGET	7,056,870		
287					
288		Article 16. Annual Budget Recommendations FY2011			
289					
290		EMERGENCY SQUAD			
291		ES wages	109,536		
292					
293		Article 15. Annual Budget Recommendations FY2011			
294					
295		ES expenses	31,710		
296					
297		TOTAL EMERGENCY SQUAD	141,246		
298		TRANSFER TO OTHER FUNDS	(141,246)		
299					
300					
301		TOTAL OPERATING EXPENDITURES	7,198,118		
302					
303		Article 11. Annual Budget Recommendations FY2011			
304					
305		Cemetery Preservation	15,000		
306		Free Cash	(15,000)		
307					
308		Article 12. Annual Budget Recommendations FY2011			
309					
310		Cemetery Preservation	1,725		
311		Free Cash	(1,725)		
312					
313		Article 14. Annual Budget Recommendations FY2011			
314					
315		Municipal Diesel Fuel	1,600		
316		Transfer To Other Funds	(1,600)		
317					
318		Article 17. Annual Budget Recommendations FY2011			
319					
320		Town Hall improvement	20,000		
321		Free Cash	(20,000)		
322					
323		Article 18. Annual Budget Recommendations FY2011			
324			5,000		
325		350th Quaboag Plantation			
326		Raise & Appropriate Levy			
327					
328		Article 19. Annual Budget Recommendations FY2011			
329					
330		Fire Station Repairs	4,560.26		
331		Raise & Appropriate Levy			
332					
333		Article 21. Annual Budget Recommendations FY2011			
334					
335		Highway Construction, Recon & Improv	31,000		
336		Free Cash	(31,000)		
337					
338		Article 22. Annual Budget Recommendations FY2011			
339					
340		Water Pump Station	30,000		
341		Transfer Water Surplus	(30,000)		
342					
343		Article 23. Annual Budget Recommendations FY2011			
344					
345		Water System Maintenance	30,000		
346		Transfer Water Surplus	(30,000)		
347					
348		Article 24. Annual Budget Recommendations FY2011			
349					
350		Common/Mini Improvements	5,500		
351		Raise & Appropriate Levy			
352					

	A	B	C	D	E
1		Description	FY11 VOTED		
353		Article 25. Annual Budget Recommendations FY2011			
354					
355		Clean Energy Grant matching	2,300		
356		Free Cash	(2,300)		
357					
358		Article 26. Annual Budget Recommendations FY2011			
359					
360		Municipal Computer Purchase	8,400		
361		Free Cash	(8,400)		
362					
363		Article 29. Annual Budget Recommendations FY2011			
364					
365		Maturing Debt/Maturing Interest (BES)	59,418		
366		Stabilization	(59,418)		
367					
368		Article 30. Annual Budget Recommendations FY2011			
369					
370		Stabilization	9,000		
371		Free Cash	(9,000)		
372					
373					
374					
375		FROM LEVY	7,071,930.26		
376		FREE CASH	87,425.00		
377		AVAILABLE	262,266.00		
378					
379		TOTAL	7,421,621.26		

