THE COMMONWEALTH OF MASSACHUSETTS
ANNUAL TOWN MEETING WARRANT
JUNE 7, 2013

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 SEVENTH DAY OF JUNE IN THE YEAR 2013** AT **7:00 P.M.** THEN AND THERE TO ACT ON THE FOLLOWING ARTICLES:

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.

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.

Articles shown in the box below are on the Annual Town Meeting Warrant every year and are often voted as a block. The Board of Selectmen and the Advisory Committee unanimously support these articles.

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, 2013 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 authorize 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 authorize 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.

ARTICLE 11: To see if the Town will vote to authorize a Revolving Fund for the Regional Highway Equipment Cooperative under M. G. L., Chapter 44, Section 53E ½, and to be administered and expended in accordance with the Regional Highway Equipment Cooperative Agreement, and to receive monies from fees, grants, donations and other sources to purchase, repair, or replace equipment owned in common by the member communities provided that no monies shall be expended in excess of $20,000 per year, or take any action thereon.

The purpose of the article is to create a capital fund for the repair, replacement and purchase of equipment owned in common with the other member communities of the Regional Highway Equipment Cooperative. Brookfield is the lead community in the program and would manage the account. Funds could accrue through equipment fees, grants, donations or other sources. The Board of Directors of the Cooperative would authorize expenditures and request the Board of Selectmen to ratify the payment through the regular expense warrant. The fund will be re-authorized on an annual basis.

ARTICLE 12: To see if the Town will vote to authorize the Board of Health to fund additional betterment projects through the existing Community Septic Management Program account, or take any action relative thereto.

The Board of Health already has money in an account which may be used for septic loans to qualified residents. An annual re-authorization by Town Meeting is required to loan these funds.

ARTICLE 13: 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.

This dollar amount is the annual interest earned from the money raised and deposited for the Cemetery Preservation Fund.

(The Board of Selectmen and Advisory Committee unanimously support Article 13.)

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 fiscal year 2014 Ambulance Expense Account, or take any action relative thereto.

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 Wages Account for fiscal year 2014, or take any action relative thereto.

The two above Articles are presented to the ATM every year and they are transfers within the EMS Department. They make the ambulance services virtually self-supporting.

(The Board of Selectmen and Advisory Committee unanimously support Articles 14 & 15.)

ARTICLE 16: To see if the Town will vote to raise and appropriate, transfer or borrow the sum of $7,500 to paint centerlines and/or fog lines on the roads in town, or take any action relative thereto.

Centerline painting should be an annual project for safety reasons. Through the Town's membership in the Regional Highway Equipment Sharing Cooperative, we have been able to achieve a substantial savings in the cost of this project. Funding of this article would allow us to get more lines painted on more roads in town.

(The Board of Selectmen and Advisory Committee unanimously support Article 16.)

ARTICLE 17: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used for the Fire Department hydraulic rescue tools, or take any action relative thereto.

The hydraulic rescue tools (commonly known as the "Jaws of Life") are over 22 years old. Over that time, changes in vehicle construction necessitate upgrades to the tools for efficient operation.

(The Board of Selectmen and Advisory Committee unanimously support Article 17.)

ARTICLE 18: To see if the Town will vote to raise and appropriate, transfer, or borrow a sum of money for the Fire Department to purchase replacement air tanks and protective clothing, or take any action relative thereto.

Several air tanks will need to be replaced in the coming years (12 in 2015: 7 in 2016 ; 6 in 2017; 7 in 2019) Current air tanks are approximately $1,100 each; this account has $7,700 at this time. Protective clothing needs to be replaced. State funding for this stopped several years ago. Coats cost $1,428.00 and pants cost $1,071 each.

(The Board of Selectmen and Advisory Committee unanimously support Article 18.)

ARTICLE 19: To see if the Town will vote to raise and appropriate, transfer or borrow, a sum of money for the Highway Construction, Reconstruction and Improvement of Town Roads, Bridges and Sidewalks Account, or take any action relative thereto.

These are funds that we allocate on a yearly basis for roadwork. The Board of Selectmen and the Advisory Committee unanimously support this article.

(The Board of Selectmen and Advisory Committee unanimously support Article 19.)

ARTICLE 20: To see if the Town will vote to combine the Highway Vehicle Acquisition Account and the Fire Department Fleet Account and to create a new account to be named the Fleet Replacement and Repair Account; said new account to be included in the Board of Selectmen's line item budget and to be spent at the discretion of the Board of Selectmen, or take any action relative thereto.

ARTICLE 21: To see if the Town would vote to raise and appropriate, transfer or borrow a sum of money to be used to fund the new Fleet Replacement and Repair Account, or take any action relative thereto.

ARTICLE 22: To see if the Town will vote to transfer the balance of the Fire Stabilization Account Highway Stabilization Account and Fleet Stabilization Account to the new Fleet Replacement and Repair Account, or take any action relative thereto.

Articles 20, 21 and 22 would eliminate each department's fleet line item and establish one fleet account under the purview of the Board of Selectmen, with the intent that the account will be funded on a planned basis by the Board of Selectmen for the purchase of vehicles within the Town.

(The Board of Selectmen and Advisory Committee unanimously support Articles 20, 21, 22.)

ARTICLE 23: To see if the Town will vote to raise and appropriate, transfer, or borrow a sum of money to be used to replace the 2007 Police SUV and to transfer the 2007 SUV from the Police Department to the Fire Department, or take any action relative thereto.

(The Board of Selectmen and Advisory Committee unanimously support Article 23.)

ARTICLE 24: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used for building maintenance at Merrick Public Library, or take any action relative thereto.

The Merrick Public Library has an ongoing building maintenance plan and has already replaced their heating/air conditioning system and begun pointing the bricks on the outside. It is intending to use this $10,000 to complete installation of newly constructed corbels by Cole Construction, the painting of the soffit and window frames along the Lincoln Street side of building, new window thermoplastic replacement for front of building and top Lincoln St., continue the re-pointing project with Chris Cote and pursue estimates for ADA ramp repair.

(The Board of Selectmen and Advisory Committee unanimously support Article 24.)

ARTICLE 25: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money for the purpose of making improvements to Lewis Field by enclosing the ditch that runs along the eastern border of the soccer field, or take any action relative thereto.

The Recreation Committee has agreed to begin upgrades to Lewis Field by having the ditch "covered" and the Highway Department has agreed to help. The cost of pipe (48 inches by 400 feet); including concrete blocks and cement is $24,000 (Phase 1). Phase 2 is to resurface

the main entrance to the field with gradings from a Route 49 project (little or no cost to the town). Phase 3 includes installation of a parking area on property that currently lies on the East side of the drainage ditch, with the final phase (4) being the finish paving of the circle with appropriate road paving material. The burial of the ditch is the first phase of capital improvements at Lewis Field and addresses a safety issue. The Capital Improvement Planning Committee has approved this article.

(The Board of Selectmen and Advisory Committee unanimously support Article 25.)

ARTICLE 26: 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 a new copier for the Town Hall, or take any action relative thereto.

The current copier is seven years old and the company no longer carries parts. It is expected that a new copier would cost about $6,000.

(The Board of Selectmen and Advisory Committee unanimously support Article 26.)

ARTICLE 27: To see if the Town will vote to create a new account to be named the Massachusetts Preservation Project Matching Grant Account and to transfer a sum of money from the Consultant Account to that new account, or take any action relative thereto.

(The Board of Selectmen and Advisory Committee unanimously support Article 27.)

ARTICLE 28: To see if the Town will vote to transfer a sum of money from the Town Hall Improvements Account to the Massachusetts Preservation Project Matching Grant Account, or take any action relative thereto.

(The Board of Selectmen and Advisory Committee unanimously support Article 28.)

ARTICLE 29: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money to be used for contracting an actuarial computation service, or take any action relative thereto.

This article would bring the Town into compliance with GASB requirement to determine the Town's pension liabilities. The Board of Selectmen (unanimous) and the Advisory Committee (4 to 1) support this article.

(The Board of Selectmen and Advisory Committee unanimously support Article 29.)

ARTICLE 30: To see if the Town will vote to raise and appropriate, transfer or borrow the sum of $5,000 to be used to replenish funds in the Clean Lakes Account, or take any action relative thereto.

The Clean Lakes Account holds funds (managed by QQLA) for ongoing water quality management efforts of Quaboag (North) and Quacumquasit (South) Ponds. These funds are requested to help defray the expenses associated with maintaining and improving the quality of these natural resources. Work will include, but will not be strictly limited to, lake monitoring, water testing, weed mappings and treatment of invasive weeds (including weed control around the Jeppson Beach in Brookfield as may be needed), and any other actions necessary to help manage and protect these waters.

(The Board of Selectmen and Advisory Committee unanimously support Article 30.)

ARTICLE 31: To see if the Town will vote to raise and appropriate, transfer or borrow the sum of $2,193.87 to be used to pay the third of three installments of the 2012 Workers' Compensation invoice dated December 1, 2011, or take any action relative thereto.

This is the result of an invoice received from the Town's Workers' Compensation Carrier (similar invoices have gone to all of their customers) for a surcharge to be paid in three installments (the first of which was voted at the Special Town Meeting and the second at the 2011 Annual Town Meeting). This article funds the third installment of $2,193.87 is due on or before 7/1/2014.

(The Board of Selectmen and Advisory Committee unanimously support Article 31.)

Article 32: To see if the Town will vote to accept M.G.L. Chapter 59, Section 5K, authorizing the Board of Selectmen to establish a program to allow persons over the age of 60 to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligations of that person on the person's tax bills, in addition to any exemption or abatement to which that person is otherwise entitled, not to exceed $500.00 per year and not to exceed the current minimum wage of the Commonwealth per hour; and further to see if the Town will vote to adjust the exemption by allowing maximum reduction of the real property tax bill to be based on 50 volunteer service hours in a given year, rather than $500.00;
or take any other action relative thereto.

Article 33: To see if the Town will vote to accept M.G.L. Chapter 59, Section 5N, authorizing the Board of Selectmen to establish a program to allow Veterans, as defined in M.G.L. Chapter 4, Section 7, Clause 43, to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligations of that Veteran on the Veteran's tax bills, in addition to any exemption or abatement to which that Veteran is otherwise entitled, not to exceed $500.00 and not to exceed the current minimum wage of the Commonwealth per hour; and further to see if the Town will vote to adjust the exemption by allowing the maximum reduction of the real property tax bill to be based on 50 volunteer service hours in a given year, rather than $500.00; or take any other action relative thereto.

These programs are designed to allow qualified elderly and veterans to work up for the Town to 50 hours a year and take a maximum of $500 of their real estate tax bill.

(The Board of Selectmen and Advisory Committee unanimously support Article 32 & 33.)

ARTICLE 34: To see if the Town will vote to amend the Town's General By-Laws by adding a new Chapter XIX, Right to Farm to provide as follows:

Right to Farm

Section 1. Legislative Purpose and Intent

The purpose and intent of this By-law is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97, of the Constitution, and all state statutes and regulations thereunder including but not limited to M. G. L., Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128 Section 1A. We the citizens of Brookfield restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution, ("Home Rule Amendment").

This General By-law encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Brookfield by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This By-law shall apply to all jurisdictional areas within the Town.

Section 2. Definitions

The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.
The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:

- farming in all its branches and the cultivation and tillage of the soil;
- dairying;
- production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;
- growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- raising of livestock including horses;
- keeping of horses as a commercial enterprise; and
- keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.

"Farming" shall encompass activities including, but not limited to, the following:

- operation and transportation of slow-moving farm equipment over roads within the Town;
- control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- application of manure, fertilizers and pesticides;
- conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
- maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- on-farm relocation of earth and the clearing of ground for farming operations.

Section 3. Right To Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Brookfield. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-law are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Right To Farm By-law shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

Section 4. Resolution of Disputes
Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Select Board, the Zoning Enforcement Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer or Select Board may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame. The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

Section 5. Severability Clause
If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Brookfield hereby declares the provisions of this By-law to be severable.

Or take any action relative thereto.

This General By-law encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Brookfield by recognizing that agricultural uses and related activities may function with minimal conflict with abutters and local agencies.

(The Board of Selectmen does not support Article 34, by a vote of 2-1. The Advisory Committee unanimously supports Article 34.)

ARTICLE 35: To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 800, **TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS/REGISTERED MARIJUANA DISPENSARIES,** that would provide as follows, and further to amend the Table of Contents to add Section 800, "Temporary Moratorium on Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries:"

Section 800.A. Purpose

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013. On May 8, 2014, the State Department of Public Health promulgated Regulations that are effective on May 24, 2013. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center, identified in the State Regulations as a Registered Marijuana Dispensary, is not a permitted use in the Town of Brookfield, the State Regulations are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of such use and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning By-law regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Center/Registered Marijuana Dispensaries so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

Section 800.B Definition

"Medical Marijuana Treatment Center" shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health as a Registered Marijuana Dispensary, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

Section 800.C Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center/Registered Marijuana Dispensary. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the State Regulations and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries and related uses; or take any action relative thereto.

(The Board of Selectmen unanimously supports Article 35. The Advisory Committee supports Article 35, but not unanimously.)

ARTICLE 36: To see if the Town will vote to amend the Town's General By-Laws, Chapter XII, Section 1.3, by adding the following:", provided however, that, a car cover or tarpaulin shall not qualify as shielding," or take any action relative thereto.

As amended, Chapter XII, Section 1.3 would provide: "3. motor vehicles within an enclosed building or shielded from view, provided, however, that a car cover or tarpaulin shall not qualify as shielding."

(The Board of Selectmen unanimously supports Article 36. The Advisory Committee supports Article 36, with 4 in support, 1 against and 1 abstaining.)

ARTICLE 37: To see if the town will vote to amend the Town's General By-Laws, Chapter IV, Advisory Committee, as follows:

Delete the word "Advisory" and replace it with the word "Finance" in the title, so that the title of the Chapter shall be "Finance Committee";

In Section 1: in the first sentence, delete the word "Advisory" and replace it with the word "Finance"; insert a new fourth sentence to provide: "The said Committee is responsible for developing a town budget to be submitted to the Selectmen no less than thirty (30) days prior to the date scheduled for the Annual Town Meeting; in the next sentence delete the word "legal" and replace it with the word "registered", delete "Section 2" and replace it with "Section 3"; and in the last sentence delete "Section 3" and replace it with "Section 4";

Add a new Section 2 to provide:

SECTION 2.

The Committee shall study proposed capital outlays involving major non-recurring tangible assets and projects which:

1. Are purchased or undertaken at intervals of not less than five (5) years, or
2. Have a useful life of at least five (5) years, or
3. Cost over $5,000.

The Committee shall prepare and submit to the Selectmen in February of each year an annual report recommending a Capital Improvement budget for the next fiscal year and shall annually prepare a five (5) year inventory report and financial projection.

Renumber Section 2 to be Section 3, Section 3 to be Section 4, and Section 4 to be Section 5;

And to delete from the Town's General By-laws, Chapter V, Section 7, which authorizes a Capital Improvement Planning Committee,
Or take any action relative thereto.

As amended, Chapter IV would provide as follows, with amendments shown in **bold**:

CHAPTER IV **Finance** Committee

SECTION 1.

There shall be a **Finance** Committee for the Town to which shall be referred all articles and any warrant hereafter issued for Town Meeting. The Selectmen, after drawing a warrant for a Town Meeting, shall immediately forward a copy thereof to the Chair of said Committee, which shall consider all articles in the warrant and make such report, in print or otherwise to the Town Meeting as it deems for the best interest of the Town. The Committee will also make reports and issue recommendations for all articles, questions or other matters referring to Proposition 2 ½ so called. **The said Committee is responsible for developing a town budget to be submitted to the Selectmen no less than thirty (30) days prior to the date scheduled for the Annual Town Meeting.** The said Committee shall consist of nine **registered** voters of the Town to be appointed as provided in **Section 3**. Elected or appointed town officers or employees shall be eligible to serve, however, they must abstain from voting on articles affecting their department. If any member is absent from five (5) consecutive meetings of said Committee, except in case of illness, their position shall be deemed to be vacant and shall be filled as provided in **Section 4.**

SECTION 2.
The Committee shall study proposed capital outlays involving major non-recurring tangible assets and projects which:

1. **Are purchased or undertaken at intervals of not less than five (5) years, or**
2. **Have a useful life of at least five (5) years, or**
3. **Cost over $5,000.**

The Committee shall prepare and submit to the Selectmen in February of each year an annual report recommending a Capital Improvement budget for the next fiscal year and shall annually prepare a five (5) year inventory report and financial projection.

SECTION 3.
The Selectmen in office when this By-Law is adopted shall, within thirty (30) days after such By-Law becomes effective, appoint from the citizens of the Town three (3) persons whose term of office shall expire at the adjournment of the first Annual Town Meeting following the time when this By-Law becomes effective; three (3) whose term of office shall expire at the adjournment of the second Annual Town Meeting following the time when this By-Law becomes effective, and three (3) whose term of office shall expire at the adjournment of the third Annual Town Meeting following the time when this By-Law becomes effective. Annually, thereafter, the Selectmen in office at the close of the Annual Town Meeting shall, within thirty (30) days, appoint three (3) members whose term of office shall expire at the close of the third Annual Town Meeting after their appointment. Said committee shall choose its own officers and shall, with the exception of its secretary, serve without pay.

SECTION 4.
Whenever a vacancy occurs in said Committee, said vacancy shall be filled by said Committee by the appointment of a person to serve until the close of the next Annual Town Meeting, when the Selectmen in office shall appoint, in the same manner as the original appointment, a successor to fill out the unexpired term of the person whose office has been vacated

SECTION 5.
In the discharge of its duty, said Committee shall have free access to all books or records and accounts, bills and vouchers on which money has been or may be paid from the Town treasury.

(The Board of Selectmen unanimously supports Article 37. The Advisory Committee unanimously does not support Article 37.)

ARTICLE 38: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money not to exceed $260,000.00 to be used for repair and rehabilitation of Saw Mill Pond Dam; or take any action relative thereto.

The Massachusetts Office of Dam Safety has mandated that the Town conduct a study to determine how best to repair or breach Saw Mill Pond Dam to ensure that water levels for a 100 year flood can be safely passed downstream without washing out Lake Road. $30,380 was voted at the June 2012 Annual Town Meeting for this project; most of this has been used to pay the engineer for his services and other miscellaneous fees.

(The Board of Selectmen and Advisory Committee unanimously support Article 38.)

ARTICLE 39: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money not to exceed $2,600,000.00 for the design and construction of a new Police Station on Town owned property on Prouty Street or take any action relative thereto.

(The Board of Selectmen unanimously support Article 39. The Advisory Committee supports Article 39, 4-1.)

ARTICLE 40: To see if the Town will vote to transfer a sum of money from free cash to the Stabilization Account or take any action thereto.

The Town must transfer available FY12 free cash into the Stabilization Account or it will "fall" to next year's free cash. The amount to be transferred, if any, depends on whether articles recommended to be funded from free cash receive favorable votes.

(The Board of Selectmen and the Advisory Committee unanimously support Article 40.)

THIS WARRANT HAS TOTAL OF 40 ARTICLES.

And you are directed to serve this warrant, by posting up attested copies thereof, at the Town Hall and Post Office and on-line at www.mytowngovernment.org 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 21st day of May, in the year Two Thousand and Thirteen.

Respectfully Submitted,

SELECTMEN OF BROOKFIELD

Stephen J. Comtois II, Chairman

Nicholas M. Thomo, Vice Chairman

Linda M. Lincoln, Clerk

A True Copy, Attest:
Richard A. Lapierre
Constable of Brookfield
RICHARD A. LAPIERRE
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 May 22, 2013 at 2:00 ~~am~~/pm and at the Brookfield Town Hall at 2:00 ~~am~~/pm on the same day.

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

Richard A. Lapierre
Constable of Brookfield
RICHARD A. LAPIERRE

A TRUE COPY ATTEST:

Michael P. Seery, Town Clerk