

## ANNUAL REPORT OF THE TOWN CLERK CALENDAR YEAR 2001

Calendar year 2001 meant a full round of typical business for the Town Clerk, beginning with the Annual Street Census and dog licensing and ending with annual reports to various state agencies. This was my seventh full year of service to the Town of Brimfield.

**Elections and Registrations** -- The year included the local election (June), which had a good turnout (36%).

The Town Clerk published several newsletters for Election Workers and Town Committees. These have documented election results, contained reminders of election dates, and shared tidbits from Brimfield's past records.

<p><b>Population Jan 2001: 3320</b>                  Age under 16: 660                  Age 65 and over: 409                  Federal 2000 Census: 3339</p>
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<p><b>Registered Voters June 4, 2001: 2076</b>                  Democrats: 449                  Republicans: 350                  Unenrolled (independent): 1267                  Other designations: 10</p>
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**Street Census** -- The 2001 street census was conducted on time, with a modest return. The 2002 local census is in progress as I write this report. Proposals to discontinue the local census continue to be discussed in the General Court, but there is no date set for discontinuance. The accuracy the street list depends entirely on the prompt and complete return of the census forms by every resident.

**Vital Records** -- Due to confidentiality rulings, names and dates of vital events are not published by the Town Clerk.

<p>2001 marriages recorded: 11                  2001 births recorded: 38                  2001 deaths recorded: 26</p>
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**Division of Fisheries and Wildlife** -- Sales of all classes of hunting and fishing licenses declined, reflecting a state-wide trend. Selling sport licenses is not mandatory for the Town Clerk, but I prefer to continue to offer this service for my constituents. Saturday hours are particularly helpful for sportsmen and women seeking licenses.

<p>2001 Hunting and Sporting licenses, all classes: 11                  2001 Fishing and Trapping licenses, all classes: 21                  Special Permit Stamps, all classes: 4</p>
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**Dog Licensing** -- Dog licensing increased slightly in 2001. During the year I created a new database for record keeping, starting with the rabies certificates (provided to the office by veterinarians) and license records of the past two years. Cross referencing this data, I was able to

identify a possible 142 dogs which were not licensed and which had expired rabies vaccinations. Another 382 dogs were identified which were not licensed, but which did have valid rabies vaccinations. These lists certainly include dogs which have died or been transferred to new owners elsewhere; I found the numbers very disturbing. The Animal Control Officer (ACO) assisted in notifying the dog owners on the list and several acted quickly to get licenses or overdue vaccinations. It is my hope that dog owners will be responsible and take care of these important matters every year. I hope the database will be useful by letting dog owners know that their ownership information is being tracked. If you keep an unlicensed dog with no vaccination and it is picked up by the ACO, it can be very expensive: license fee, late fee, boarding fee, and vaccination at a minimum.

<p>Individual dogs licensed, 2001: 292                  Kennels issued, 2000: 13                  representing up to 80 dogs</p>
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<b>Dog Fund:</b>	
bal. July 1, 2001	\$13,955.54
received since	+ 250.00
expended since	- 178.02
fees to Town Clerk	- 14.25
<b>balance Jan 1, 2002</b>	<b>\$14,013.27</b>
<i>(not an official accounting record)</i>	

**Outreach and Resources** -- I continued to be available to town officers and citizens with questions about petitions, public records, open meetings, conflict of interest, and town meeting procedures.

**OATH OF OFFICE ALERT** -- I am very concerned that every year some appointed town officers fail to take the oath of office. **All persons appointed to a position under Massachusetts statutes or local bylaws must take an oath of office.** Failure to take the oath can bring the officer and the town into vulnerable positions, if a decision or action of the officer is questioned. Every appointee, whether new or incumbent, must take the oath of office with the Town Clerk.

**Archives** -- Vital records were bound into books and a new Official Record Book was opened, coincidental with the new millennium.

**Uniform Commercial Code Filings** -- A significant change in procedure for filing of Uniform Commercial Code filings took place in the year 2001. This function of local town clerks was entirely taken over by a state agency. These local filings recorded collateral and borrowers for banks and lending institutions for personal and business property (such as construction equipment, computers, machinery). The change concerned me because one of the outcomes is to collect information about borrowers in a centralized computer database. This state-controlled database will be accessible in ways that locally kept records could not be. If you are one of those who prefer to limit access to information about your personal or business transactions you should be concerned too. The other motivation for the state is money. While the fees collected at my office are quite small (less than \$100 a year), the fees from every community -- the biggest and the smallest -- will now flow to state government. Town Clerks will be responsible for current records for a period of seven years, but no new records will be filed locally.

**Availability** -- The Town Clerk is posted for regular offices hours on **Tuesday evenings (6:30-8:00 PM) and Saturday mornings (9-11 AM)**. Please call 245-4101 during office hours. Urgent

town business can be directed to my home office at 245-9696 at other times. Alternate summer hours (June-August) will be posted.

**Payroll, Wages, Fees** -- The Town Clerk keeps fees as provided by MGL for several services performed for state agencies, including selling of sport licenses (Division of Fisheries and Wildlife), certified vital records (Dept. of Public Health), DBA Certificates (Secretary of the Commonwealth), Mobile Home Homesteads (Register of Deeds), Uniform Commercial Code Filings (Banking Commissioners), and Pole Locations (Dept. of Public Utilities). The Town Clerk is a Notary Public and a Justice of the Peace. **There is never a charge for notary services to town residents.**

*Pamela E. Beall, Town Clerk*

Town Clerk Salary, Calendar 2001: \$8,698.12  
Town Clerk Fees, Calendar 2001: \$2,406.66

Election and Registration Workers calendar 2001 payments: *(not an accounting record; one election only)*

**Democrats**

Lizzie Brown – VOLUNTEER  
Joseph DiFabio  
Susan Hilker  
Alice Kolbe \$21.00  
Mike MacFadden \$21.00  
Pamela Moriarty – VOLUNTEER  
Lorraine Norton \$59.50  
Diane Panaccione –VOLUNTEER  
Terry Prospero \$28.00  
Beth St. Clair  
Lydia Walz – VOLUNTEER

**Republicans**

Paulette Banichar  
Kris Booden  
Cindy Clark \$87.50  
Suzanne Collins  
Anne Dutka \$21.00  
Leeds Frye \$21.00  
Jean Frazier  
Sheila Noyes-Miller  
Christine Kelly  
Kay Koprowski \$59.50  
Nancy Meacham  
Joanne Milani \$24.50  
Sandy Morris – VOLUNTEER  
Barbara Spencer  
Carol Warren

**Independents/Others**

Joan Erban \$21.00  
Shirley Backofen \$21.00  
Karen Connors (substitute) \$21.00  
Don Norton (Constable) \$77.00  
William Roberts (Constable) \$59.50

**Annual Town Meeting Actions, May 21 and 24, 2001**

The Annual Town Meeting, having been duly posted, was called to order at 7:00 PM on May 21, 2001 at the Town Hall, Moderator Robert Cheney presiding. The Town Clerk reported a quorum was present. The moderator made announcements for various charitable endeavors.

\* denotes article taken out of order

**ARTICLE 1:** Motion made and seconded to accept the reports of the officers and agents as written in the Town Report.

**So voted overwhelmingly at 7:10 PM on May 21, 2001.**

**ARTICLE 2:** Motion made and seconded to establish a revolving fund under MGL Chapter 44, Section 53E 1/2:

**Dog Revolving Fund** is authorized to, and for the use of, the Town Clerk for the receipt of dog licensing fees and other charges related to dog control, and, for the payment of expenses relating to the administration of dog licensing; the improvement of impound facilities and related matters; expenditures in FY2002 not to exceed \$15,000 from the fund. The Town Clerk shall report the income and expenditures from the fund in the Annual Town Report.

**So voted overwhelmingly at 7: 11 PM on May 21, 2001**

**ARTICLE 3:** Motion made and seconded to establish a revolving fund under MGL Chapter 44, Section 53E 1/2:

**Recreation Committee Revolving Fund** is authorized to, and for the use of, the Recreation Committee for the receipt of participant fees and for the payment of league fees, equipment purchases, umpire and referee services, and other expenses of the committee; expenditures in FY2002 not to exceed \$15,000 from the fund; the town budget appropriation to the Recreation Committee shall be considered part of this fund. The Recreation Committee shall report the income and expenditures of the fund in the Annual Town Report.

**So voted overwhelmingly at 7: 13 PM on May 21, 2001**

**ARTICLE 4:** Motion made and seconded to establish revolving funds under MGL Chapter 44, Section 53E 1/2:

**Building Inspector Revolving Fund** is authorized to, and for the use of, the Building Inspector for the receipt of inspection fees and for the payment of inspection services and other expenses of the Inspector; expenditures in FY2002 not to exceed \$10,000 from the fund. The Building Inspector shall report the income and expenditures of the fund in the Annual Town Report, and

**Electrical Inspector Revolving Fund** is authorized to, and for the use of, the Electrical Inspector for the receipt of inspection fees and for the payment of inspection services and other expenses of the Inspector; expenditures in FY2002 not to exceed \$10,000 from the fund. The Electrical Inspector shall report the income and expenditures of the fund in the Annual Town Report.

**So voted overwhelmingly at 7:14 PM on May 21, 2001**

**ARTICLE 5:** Motion made and seconded to establish a revolving fund under MGL Chapter 44, Section 53E 1/2:

**Historical Commission Revolving Fund** is authorized to, and for the use of, the Historical Commission for the receipt of proceeds from the sale of maps and other Historical projects and for the payment of a Historical Survey of the Town of Brimfield; expenditures in FY2002 not to exceed \$10,000 from the fund. The Historical Commission shall report the income and expenditures of the fund in the Annual Town Report.

So voted overwhelmingly at 7: 15 PM on May 21, 2001

**ARTICLE 6:** Motion made and seconded to establish a revolving fund under MGL Chapter 44, Section 53E 1/2:

**Planning Board Revolving Fund** is authorized to, and for the use of, the Planning Board for the receipt of fees payable under the provisions of the Subdivision Control Law and for the payment of engineering and inspection services authorized by the Board in connection with projects governed by the said Control Law and for the reimbursement to the developers of unexpended balances of fees paid following payment of relevant engineering and inspection services authorized by the Board; expenditures in FY2002 shall not exceed \$12,000 from the fund. The Planning Board shall report the income and expenditures of the funds in the Annual Town Report.

So voted overwhelmingly at 7: 16 PM on May 21, 2001

**ARTICLE 7:** Motion made and seconded to establish a revolving fund under MGL Chapter 44, Section 53E 1/2:

**Cable TV Revolving Fund** is authorized to, and for the use of, the Cable TV Advisory Committee, for the receipt of annual subscriber fees paid to the Town by Charter Communications; charges for duplication of tapes of local access programming; and, donations; to be expended for video tapes, supplies, equipment for local access programming and other expenses of the committee; expenditures in FY2002 not to exceed \$1,500; the town budget appropriation to the Cable TV Advisory Committee shall be considered a part of this fund. The Cable TV Advisory Committee shall report the income and expenditures from this fund in the Annual Town Report.

So voted overwhelmingly at 7:17 PM on May 21, 2001

**ARTICLE 8:** Motion made and seconded to establish a revolving fund under MGL Chapter 44, Section 53E 1/2:

**Cemetery Revolving Fund** is authorized to, and for the use of, the Cemetery Commission for the receipt of burial fees and foundation fees; and, for the payment of expenses incurred in burials and foundations; expenditures in FY2002 not to exceed \$10,000 from the fund. The Cemetery Commission shall report the income and expenditures of the fund in the Annual Town Report.

So voted overwhelmingly at 7:22 PM on May 21, 2001

**ARTICLE 9:** Motion made and seconded to establish the following two revolving funds under MGL Chapter 44, Section 53E 1/2, authorized to the Board of Health:

**Plumbing and Gas Inspector Revolving Fund** shall be for the use of the Plumbing and/or Gas Inspector, for the receipt of inspection fees and for payment of inspection services and other expenses of the Inspector; expenditures for FY2002 not to exceed \$12,000 from the

fund. The Inspector shall report the income and expenditures of the fund in the Annual Town Report.

**Recycling RF** which shall incorporate the existing Composting Revolving Fund and shall be for the use of the Board of Health, for the receipts of incidental recycling revenue and sale of composters and for the payment of promotion and publicity for recycling issues within the community, including town clean up and related services and for the procurement of composters; expenditures in FY2002 not to exceed \$1,500 from the fund. The Board of Health shall report the income and expenditures of the fund in the Annual Town Report.

So voted overwhelmingly at 7:25 PM on May 21, 2001

**ARTICLE 10:** Motion made and seconded to establish a revolving fund under MGL Chapter 44, Section 53E 1/2: -

**HAZMAT Emergency Revolving Fund** shall be for the use of the Fire Department for the receipt of monies received, or to be received, from fees charged for services rendered during HAZMAT emergencies and for disbursements therefrom; the Fire Chief shall authorize all expenditures of money from this account without further appropriation, provided that the amount to be expended in FY2002 shall not exceed \$10,000 unless such additional amount is approved by both the Board of Selectmen and the Finance Committee. Said monies shall be used for the replacement of HAZMAT control materials, man-hours and truck time and shall not be disbursed until the Town Accountant has certified that the fee or fees from which the monies were derived had not been used in computing the year's tax rate.

So voted overwhelmingly at 7: 26 PM on May 21, 2001

**ARTICLE 11:** Motion made and seconded to establish a revolving fund under MGL Chapter 44, Section 53E1/2.

**Council on Aging Revolving Fund** is authorized to, and for the use of, the Council on Aging for the receipt of participation fees and cash donations and for the payment of administrative, office, and program expenses related to the Council on Aging in FY 2002, not to exceed \$15,000. The Council on Aging shall report the income and expenditures from the fund in the Annual Town Report.

So voted overwhelmingly at 7:27 PM on May 21, 2001

**ARTICLE 12:** Motion made and seconded to raise and appropriate \$115,065.00 for salaries for various elected town officers for the ensuing fiscal year July 1, 2001 to June 30, 2002:

Moderator	\$100	Planning Board	\$2,500
Selectmen	\$3,090	Constables	\$250
Assessors	\$2,100	Tree Warden	\$441
Treasurer	\$17,510	Highway Surveyor	\$41,000
Town Collector	\$34,747	Cemetery Commissioners	\$1,500
Town Clerk	\$8,827	Board of Health	\$3,000

So voted overwhelmingly at 7:50 PM on May 21, 2001

**ARTICLE 13:** Motion made and seconded to raise and appropriate \$6,381,026.00 for various departments and activities of the Town, payment of debts and defraying of expenses of the ensuing fiscal year, July 1, 2001 to June 30, 2002.

So voted overwhelmingly at 9:37 PM on May 24, 2001.

*A completed budget, as amended and annotated, is appended to, and considered a part of, this record for reference.*

PROCEDURAL NOTE: Discussion of several budget items, notably the salary for the Deputy Assessor and its relationship to health care premiums was extended. After a brief recess, Motion was made and seconded to postpone action on Article 13.

**Motion to postpone passed with 85 in favor and 68 opposed at 8:48 PM on May 21.**

Motion made and seconded to reconsider Article 12, at such time as we take up Article 13.  
**Motion to reconsider failed with 49 in favor and 105 opposed at 8:49 PM on May 21.**

PROCEDURAL NOTE: Motion was made and seconded to adjourn the meeting at 11:00 PM, pending action on any article under discussion, and to reconvene on Thursday, May 24 at 7:00 PM. (The meeting was subsequently adjourned at 11:12 PM on May 21, 2001)  
**So voted overwhelmingly at 9:10 PM on May 21, 2001.**

PROCEDURAL NOTE: Citizen Mark Denning made motion, seconded, to move forward and take up articles in the following order: Article 24, 25, 31, 32, 41, 19, 20, 22, 23, 26, 27, 29, 44 and 46.  
**So voted overwhelmingly at 9:15 PM on May 21, 2001.**

*The meeting proceeded forthwith to consider the articles named in the order referenced.*

**ARTICLE 14:** Motion made and seconded to raise and appropriate \$52,283.47 and to transfer \$24,338.00 from supplemental FY01 Lottery Aid, to pay unpaid bills or overdrawn accounts for FY2001.

**So voted unanimously at 9:44 PM on May 24, 2001.**

**ARTICLE 15:** Motion made and seconded to raise and appropriate \$1,409.23 to pay unpaid bills or overdrawn accounts for fiscal years prior to FY2001.  
**So voted unanimously at 9:44 PM on May 24, 2001.**

**ARTICLE 16:** Motion made and seconded to raise and appropriate \$25,000.00 to the Highway Department for the purpose of oiling and Type-I work and other related materials on various roads, to be expended by the Highway Department subject to applicable public bidding laws.  
**So voted unanimously at 9:45 PM on May 24, 2001**

**ARTICLE 17:** Motion made and seconded to take no action on matching funds for the construction, reconstruction and improvement of town roads.  
**So voted unanimously at 9:45 PM on May 24, 2001**

**ARTICLE 18:** Motion made and seconded to accept as available funds, the sum of \$250,000 to be made available to the Town by the Massachusetts Highway Department, and, to use the funds for qualifying on state approved roads and Chapter 90 projects in the Town of Brimfield.  
**So voted unanimously at 9:46 PM on May 24, 2001.**

**\*ARTICLE 19:** Motion made and seconded to raise and appropriate \$4,500 for the purchase of a new ten-foot snow plow to replace the one that is currently 27 years old.

An amendment was made and seconded to transfer said funds from Free Cash. Amendment failed.

**Main motion voted overwhelmingly at 10:24 PM on May 21, 2001.**

**\*ARTICLE 20:** Motion made and seconded to transfer from Stabilization Fund \$31,000 for the purchase of a new heavy duty ¾ ton diesel truck with snow plow. Purchase of new vehicle will be subject requirements of applicable public bidding laws.

**So voted by two thirds on voice call of the Moderator at 10:26 PM on May 21, 2001.**

**ARTICLE 21:** Motion made and seconded to authorize the Highway Surveyor to enter into contracts for the usual and customary operations of public works including the care and upkeep of town ways and bridges.

**So voted unanimously at 9:45 PM on May 24, 2001.**

**\*ARTICLE 22:** Motion made and seconded to raise and appropriate \$4,000 to be added to an insurance reimbursement account to replace the one-ton dump truck destroyed by fire this winter.  
**So voted unanimously at 10:26 PM on May 21, 2001.**

**\*ARTICLE 23:** To see if the Town will vote to transfer the sum of \$39,300 from the insurance reimbursement account to replace the one-ton dump truck destroyed by fire this winter.  
**So voted by two thirds on voice call of the Moderator at 10:29 PM on May 21, 2001.**

**\*ARTICLE 24:** Motion made and seconded to disband the current Town Hall Building Committee established at the 1999 Annual Town Meeting, Article 22.  
**So voted overwhelmingly at 9:59 PM on May 21, 2001.**

**\*ARTICLE 25:** Motion made and seconded to direct the Planning Board in conjunction with the Board of Selectmen to review proposals for renovations and use of municipal properties adjacent to and including the Town Hall and report to the Annual Town Meeting of 2002, including recommendations for the formation of a new committee to oversee such renovations.  
**So voted overwhelmingly at 10:01 on May 21, 2001.**

**\*ARTICLE 26:** Motion made and seconded to accept funds to be used in conjunction with and in addition to any funds, including grant awards, allotted by the Commonwealth for the purpose of the Main Street Streetscape Project.  
**So voted overwhelmingly at 10:35 PM on May 21, 2001.**

**\*ARTICLE 27:** Motion made and seconded to authorize the Board of Selectmen to accept as a gift, a deed of a parcel of land approximate size 100' x 140' (14,000 square feet) located at the rear of #30 Sturbridge Road described as land court certificate document #125000 dated March 17, 1998, Certificate of Title #28309 granted to Jean M. Sullivan and Karen L. Wallace, to be under the care, custody management and control of the Board of Selectmen for the purpose of operating a Town Dog Pound.  
**Motion fails overwhelmingly at 10:48 PM on May 21, 2001.**

**ARTICLE 28:** Motion made and seconded to raise and appropriate \$2,700 for the purpose of replacing the thirty-five year old roof on the Sherman Room of the Lincoln Library.  
**So voted unanimously at 9:47 PM on May 24, 2001.**

**ARTICLE 29:** Motion made and seconded to raise and appropriate, or otherwise fund the sum of \$8,000 for materials and labor to continue the remodeling at the Fire Station.  
So voted unanimously at 10:50 PM on May 21, 2001.

**ARTICLE 30:** Motion made and seconded to raise and appropriate, or otherwise fund, the sum of \$500 to be added to the Conservation Fund as authorized by M.G.L. chapter 40, section 5 (51).  
So voted unanimously at 9:48 PM on May 24, 2001.

**\*ARTICLE 31:** Motion made and seconded to take no action to continue and expand the membership of the Town Hall Building Committee with three additional members, one appointed by the Council on Aging, one by the Housing Authority and one by the Library Board of Trustees. Said expanded committee to report in one year's time with a plan for the development of three town parcels, namely the Town Hall, 23 Main Street and the Public Library, with the intention of coordinating and integrating a plan for town use, handicapped access, landscaping, parking, site functions (water and waste), and such other concerns as may be appropriate for the continuing usefulness of the three properties.  
Motion for no action passes overwhelmingly at 10:02 PM on May 21, 2001.

**\*ARTICLE 32:** Motion made and seconded to take no action to raise and appropriate or otherwise fund the sum of \$25,000 to be added to the existing appropriation for Town Hall architectural services for the purpose stated in previous article.  
Motion for no action passes overwhelmingly at 10:03 PM on May 21, 2001.

**ARTICLE 33:** Motion made and seconded to authorize the Treasurer with the approval of the Selectmen to borrow money, from time to time, in anticipation of revenue, grants and reimbursements from state and federal agencies in the fiscal year beginning July 1, 2001 in accordance with the provisions of the General Laws, Chapter 44, Section 4 and to issue a note or notes payable within one year and to renew any note or notes as may be given for a period of less than one year, in accordance with MGL Chapter 44, Section 57.  
So voted unanimously at 10:06 PM on May 24, 2001.

**ARTICLE 34:** Motion made and seconded authorize the Treasurer with the approval of the Selectmen to borrow money in anticipation of reimbursements from allotments by the state and county for highways, including bridges.  
So voted unanimously at 10:06 PM on May 24, 2001.

**ARTICLE 35:** Motion made and seconded to transfer the care and custody of town-owned property to Selectmen for the purpose of conveyance, and further, to authorize the Selectmen to sell at public auction after first giving notice of the time and place of sale by posting such notice in some convenient public place of the Town, at least fourteen days before the sale, property taken by the Town upon tax title procedure, provided that Selectmen, or whomsoever they may authorize to hold such public auction, may reject any bid which they deem inadequate.  
So voted unanimously at 10:05 PM on May 24, 2001.

**ARTICLE 36:** Motion made and seconded authorize Selectmen to enter into contracts for general insurance, workers' compensation insurance, medical benefit insurance, and ambulance services within the scope and requirements defined by MGL Chapter 30B as amended.

So voted unanimously at 10:09 on May 24, 2001.

**ARTICLE 37:** Motion made and seconded to raise or appropriate, or otherwise fund the sum of \$35,000 which was given by Sprint PCS, L.P. for the necessary grading, resurfacing, road repairs or other repairs deemed needed to Dearth Hill Road. (This money was accepted as an unrestricted gift to the General Fund, May 2000 Town Meeting).  
So voted unanimously at 10:18 PM on May 24, 2001.

**ARTICLE 38:** Motion made and seconded to accept an unrestricted gift, a check in the amount of \$3,000 from The Norcross Wildlife Foundation, Inc. as an expression of support as a "host" community.  
So voted unanimously at 10:21 PM on May 24, 2001.

**ARTICLE 39:** Motion made and seconded to transfer \$309,790 from certified free cash and \$150,000 from certified overlay surplus to reduce the tax rate in FY2002.  
So voted unanimously at 10:22 PM on May 24, 2001.

**ARTICLE 40:** Motion made and seconded to transfer \$50,000 from certified free cash to be added to the Stabilization Fund.  
So voted unanimously at 10:22 PM on May 24, 2001.

**\*ARTICLE 41:** Motion made and seconded to amend the Personnel Bylaws adopted in Article 33 of the Annual Town Meeting of May 2000 by replacing Town Bylaw Article XXIV in it's entirety with the following text:

**Section 1: Purpose and Authorization**

1.1 By virtue of authority established under General Laws, Chapter 41, Section 108C and as amended, and all other acts thereto enabling, there is hereby established a Personnel Board for the purpose of developing and administering a personnel plan and supplementary policies for the Town of Brimfield.

**Section 2: Administration and Delegation of Responsibility**

**2.1 Personnel Board: Appointment Procedure**

There shall be a Personnel Board, consisting of five unpaid members, three of whom shall be appointed by the Moderator and two of whom shall be appointed by the Board of Selectmen for a term of five years, beginning the first day of July in the year of appointment. Initial terms of service shall be so arranged that the term of one member expires each year. Every member shall serve until his successor has been appointed. Mid-term vacancies in the membership of the Personnel Board shall be filled by the appointing authority for the remainder of the unexpired term. All members shall be sworn to the performance of the office by the Town Clerk. A simple majority of the board shall constitute a quorum.

**2.2 Eligibility**

No board member shall be in any paid position for the town, either elected, appointed, or hired.

**2.3 General Authority of the Personnel Board**

The Personnel Board shall administer the provision of this bylaw and shall determine all questions arising thereunder. The Personnel Board shall, from time to time, establish rules for



the conduct of its affairs not inconsistent with this bylaw, and may at any time amend or revoke same. Such rules may provide for the appointment of subcommittees, advisors and consultants, who may make recommendations for action by the Personnel Board.

2.3.1 Within its appropriation, if any, the Personnel Board may employ such personnel and incur such expenses as it deems necessary.

#### 2.4 Records and Information

The Personnel Board shall maintain adequate records, including detailed personnel records of all employees. Each department, committee and board of the town shall, in accordance with procedures prescribed by the Personnel Board, furnish the board with all facts, figures and other information pertaining to the employees of the town under their respective jurisdiction, as the Personnel Board shall require. The Personnel Board may delegate responsibility for the care and custody of personnel records to administrative officers of the town.

2.4.1 The Personnel Board shall make an annual report the town, consistent with the provisions of town bylaws for such reports.

#### Section 3: Definitions

3.1 For the purpose of this Bylaw, and the Personnel Plan to be adopted subsequently, the following definitions shall apply:

Employee – any person receiving compensation by salary or wages, whether elected, appointed, or hired.

Regular full time – any employee who is regularly scheduled to work a full-time schedule each week, 30 hours or more.

Regular part time – any employee who is regularly scheduled to work a part-time schedule each week, a minimum of 20 hours per week, up to 1000 hours per year.

Occasional or Per Diem – any employee who is regularly scheduled to work part-time less than 20 hours, or who is scheduled for specific periods, including seasonally, but not more than 1000 hours in a calendar year.

#### Section 4: Application

4.1 All town departments and positions in the town service for which compensation is paid (whether regular full-time, regular part-time, or temporary/intermittent part time) shall be considered as being within the scope of coverage, unless otherwise stated, and shall be subject to, and have the benefits of, this bylaw, with the following exceptions and/or limitations:

4.2. In conformance with Chapter 41, Section 108 of the General Laws, as amended, salaries paid to elected town officials shall be established annually by vote of the Town Meeting. The Personnel Board described in this bylaw shall, however, maintain the required records to properly evaluate the worth of such service, and on request, shall make recommendations as to equitable salaries for these positions.

4.3 Positions under the direction and control of the School Committee in conformance with Chapter 41, Section 108A of the General Laws, as amended, shall not be included unless such inclusion shall be at the specific request of the School Committee, and shall be accepted by the Personnel Board.

#### Section 5: Personnel Plan

5.1 The Personnel Board shall report progress on development and implementation of personnel policies and procedures annually.

#### 5.2 Amendment of the Personnel Plan

The following items in the Personnel Plan may be amended only by a majority vote of the Annual Town Meeting:

Leave benefits, other than those mandated by federal law or state statute  
Insurance benefits, other than those mandated by federal law or state statute

5.2.1 The proposed amendments to the Personnel Plan, as itemized above, shall be subject to a public hearing advertised by posting in five public places not less than seven days before such a hearing and held not less than seven days prior to the deadline for submission of articles for the Annual Town Meeting Warrant. A copy of the proposed amendments shall be delivered, together with a notice of the public hearing, to every employee who is, or might be, subject to the coverage under this bylaw and to every department head who supervises employees subject to coverage under this bylaw.

#### 6.1 Job and Position Descriptions

The Personnel Board may amend, revise or create job and position descriptions, following policies which the Board will adopt. The amendment or revision of a job description may be initiated by an employee, a member of the board, or the employee's supervisor and shall occur only in conjunction with an established procedure for evaluation. Subsequent changes in compensation may be subject to available appropriations for same.

#### 7.1 Employee Evaluations

The Personnel Board may amend, revise or create an evaluation procedure following established principles, to be conducted on the anniversary date of each employee.

#### 8.1 Supplementary Policies

The Personnel Plan may include such policies as determined by the Personnel Board to be necessary to the effective management of the town's workforce. Policies may include, but are not limited to, procedures for revision of individual job and position descriptions, procedures for classification or grade changes for individuals, drug-free workplace, sexual harassment, hiring procedures, termination procedures, recognition program, and safe workplace policies.

8.2 Supplementary policies shall always be consistent with federal law and state statutes, shall be adopted by a 3/5 vote of the Board membership.

PROCEDURAL NOTE: Motion made and seconded to table Article 41; so voted on two thirds voice call by Moderator at 10:21 PM on May 21, 2001.

Motion made and seconded to take Article 41 off the table; so voted overwhelmingly at 9:48 PM on May 24, 2001.

The main motion to amend the Personnel Bylaws passed overwhelmingly at 10:05 PM on May 24, 2001.

ARTICLE 42: Motion made and seconded to raise and appropriate or transfer from available funds in the treasury the sum of \$15,000 for Tax Title expenditures.  
So voted unanimously at 10:25 on May 24, 2001

ARTICLE 43: Motion made and seconded to raise and appropriate or otherwise fund the sum of \$1,500 to be expended by the Building Inspector for clerical help to re-organize all building permit records from 1986 to present, from permit number to parcel ID# and enter pre-1995 data onto present computer system.  
So voted overwhelmingly at 10:25 PM on May 24, 2001

\*ARTICLE 44: Motion made and seconded to take no action to raise and appropriate, or otherwise fund the sum of \$27,000 for the purchase and/or lease of one new police cruiser with equipment to replace one older 1992 Ford Crown Victoria Police cruiser. Purchase of new vehicle and disposal of old will be subject to the applicable public bidding laws.

PROCEDURAL MOTION: Motion made and seconded to table Article 44; failed with 65 in favor and 68 opposed, at 10:57 PM on May 21, 2001.

Main motion for no action fails at 11:01 PM on May 21, 2001.

A substitute motion was offered and seconded: To ~~raise and appropriate~~ transfer from Stabilization, \$27,000 to purchase a new police cruiser, and replace one cruiser to be chosen by the Police Chief.

An amendment was offered and seconded to reflect the original wording, to replace one cruiser to be chosen by the Police Chief; amendment voted overwhelmingly at 11:11 PM

An amendment was offered and seconded to transfer the sum of money from Stabilization; amendment voted overwhelmingly at 11:11 PM.

The substitute motion, as amended, passed overwhelmingly at 11:12 PM on May 21, 2001.

ARTICLE 45: Motion made and seconded to accept the provisions of Chapter 40, Section 8G of the Massachusetts General Laws, authorizing agreements with other cities and towns to provide mutual aid programs for Police Departments.  
So voted unanimously at 10:26 PM on May 21, 2001.

\*ARTICLE 46: Motion made and seconded take no action to mandate that all public meetings be posted on the cable access channel (channel 18) at least three days in advance of said meeting.  
Motion for no action fails, with 19 in favor and 43 opposed at 7:15 PM on May 24, 2001.

A substitute motion was made and seconded to mandate request that all public meetings be posted on cable access channel (channel 18) at least ~~three~~ two days in advance of said meeting, except in the case of emergency meetings.

An amendment was offered and seconded to replace the word "mandate" with the word "request" and replace the phrase "three days" with "two days;" so voted overwhelmingly at 7:17 PM on May 24, 2001.

An amendment was offered and seconded to add the phrase "except in the case of emergency meetings;" so voted overwhelmingly at 7:17 PM on May 24, 2001.

The substitute motion, as amended, passed overwhelmingly at 7:17 PM on May 24, 2001.

Having no further business, the motion was made, seconded and cheerfully passed overwhelmingly, to dissolve the meeting 10:26 PM on May 24, 2001.

NOTE: It is here noted that the session of May 24, 2001 was opened with words of remembrance and recognition for Jean McGann and Johnstone Prescott, long time public servants, who passed away in the past year.

Respectfully submitted for the official records of the Town of Brimfield,

Pamela E. Beall  
Town Clerk

*The foregoing is certified to be a correct record of the doings of the Annual Town Meeting of the Town of Brimfield, May 2001.*

NOTICE:  
PERSONNEL BYLAWS AND POLICIES ARE NOT SUBMITTED TO THE ATTORNEY GENERAL AND DO NOT REQUIRE REVIEW OR APPROVAL BY THE ATTORNEY GENERAL