



Office of the Town Clerk

Annual Report – 2015

Local Election Results June 1, 2015

- 1 Year		
MILLER	296	293
	80	278
ector - 3 Years		181
CKER	279	273
	97	103
Assessors – 3 Years		
ESSLER	203	
	173	
Surveyor - 3 Years		
LEMIEUX	299	276
	77	290
		18
n - 3 Years		
MILLER	264	273
INACCIONE	106	16
	6	11
		452
rk - 3 Years		
SULLIVAN	320	296
	56	80
y Commission - 3 Years		
N PHIFER	287	268
	89	12
Fund Trustee - 3 Years		96
IKILLIAN	310	
	66	
Fund Trustee - 3 Years		
ID SIEWECK	285	290
	91	86
g Authority - 5 Years, 2 Seats		
SMITH	263	295
ERRISH	289	287
	200	278
		264
		287
		469

Library Trustee - 3 Years, 2 seats		
MAURRY TAMARKIN		293
ALYSHIA JENSEN		278
Blank		181
Library Trustee - 1 Year		
CATHERINE WICKENS		273
Blank		103
Board of Health - 3 Years, 2 Seats		
RICHARD COSTA		276
MICHAEL KOPROWSKI		290
Blank		18
Elementary School Cmte - 3 years, 2 Seats		
JENNIFER POLESNAK-CUSTANCE		273
RUSTY CORRIVEAU		16
SARAH KOMISSI		11
Blank		452
Treasurer - 3 Years		
ANDREA BEAUDRY		296
Blank		80
Planning Board - 5 Years		
RUSSELL SMITH		268
PAUL ADAMS		12
Blank		96
Tree Warden – 1 year		
ZACHARY LEMIEUX		290
Blank		86
Constable - 3 Years, 5 Seats		
THOMAS BROWN		295
RICHARD MORRIS		287
WARDWELL COX		278
ALAN MARCHAND		264
KATHRYN KOPROWSKI		287
Blank		469

Town Clerk's Report – Continued

Population Statistics - Calendar year 2015

All residents: 3633
17 and under: 694
65 and older: 541
Registered voters: 2613

Vital Records Recorded - Calendar year 2015

Resident Marriages: 12
Births: 24
Deaths: 27

**Town of Brimfield
The 284rd Annual Town Meeting
May 18, 2015 - Brimfield Town Hall
Minutes and Actions**

Michael Miller, moderator, called the meeting to order at 7:09 PM

106 registered voters in attendance.

Procedural Announcements:

The moderator reminded the meeting that the articles placed on the Town Warrant by the Board of Selectmen may not necessarily be supported by the Board of Selectmen.

The moderator announced that all speakers must be recognized and will be limited to five minutes when explaining a motion which they have placed before the meeting; individuals will be limited to two minutes when addressing the

meeting about a motion under discussion; and all motions are required to be seconded.

Other notes:

- Articles that are marked with an asterisk (*) denote that they were taken out of order.
- [brackets] are used to add explanatory information where necessary.
- If an amendment to a motion is defeated it is not recorded.
- The Finance Committee may, at its discretion, make a single consent motion for approval of these routine authorizations: Articles: 8, 9, 11, 12 and 13.

ARTICLE 1: To hear reports of the officers and agents heretofore chosen by the Town and take any other action thereon. (Board of Selectmen)
>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend approval and move that the reports of the officers and agents be accepted as written in the Town Report."*

Motion to approve Article 1 passed by show of voting cards. (7:21 PM)

ARTICLE 2: To see if the Town will vote to establish the following revolving funds under M.G.L. c. 44, §53E ½, (Chart of Accounts in Appendix), or, take any other action thereon. (Various Boards and Departments)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend approval of the group of revolving funds authorized under MGL Chapter 44, Section 53E 1/2 listed in Appendix 1, with the exception of the Electrical Inspector fund, for which the authorized expenditure shall be changed to read 'inspection services of controlled construction projects and related inspector expenses' and move such funds be established for the purposes stated for FY 2016."*

Motion to approve Article 1 passed by show of voting cards. (7:22 PM)

SEE APPENDIX #1 and #2 for detailed list of accounts which relate to Articles 3 and 4

ARTICLE 3: To see if the Town will vote to raise and appropriate \$ for various elected town officers for the ensuing fiscal year July 1, 2015 to June 30, 2016; or, take any other action thereon. (Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded: "*Recommend and move that the Town raise and appropriate the sum of \$199,885, as detailed in the Finance Committee Recommendations accompanying the Warrant, for the purpose stated in the article.*"

Motion to approve Article 3 passed by show of voting cards. (7:24 PM)

ARTICLE 4: To see if the Town will vote to raise and appropriate \$ for various departments and activities of the Town, payment of debts and defraying of expenses of the ensuing fiscal year, July 1, 2015 to June 30, 2016, and direct how the same shall be expended; or, take any other action thereon. (Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded: "*Recommend and move that the Town raise and appropriate the sum of \$8,454,688 as detailed in the Finance Committee Recommendations accompanying the handout of May 18th [distributed at this meeting], for the purpose stated in the article.*"

Motion to approve Article 4 passed by show of voting cards. (7:42 PM)

ARTICLE 5: To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, a sum of \$ to pay unpaid bills or overdrawn accounts for FY15; or, take any other action thereon. (Board of Selectmen)

Moderator ruled that Article 5 would not be considered because no bills for FY15 remained.

ARTICLE 6: To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, a sum of \$ to pay unpaid bills or overdrawn accounts for any fiscal year prior to FY15; or, take any other action thereon. (Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded: "*Recommend and move that the Town raise and appropriate the sum of \$4585.99 for an unpaid bill from FY 2014.*"

Motion to approve Article 6 passed by show of voting cards. The moderator determined the vote to be a 4/5 majority. (7:44 PM)

ARTICLE 7: To see if the Town will vote, pursuant to Chapter 420 of the Acts of 2010, to limit expenditures from the Brimfield Flea Market Fund for administrative, operating, maintenance and emergency services to an amount not

in excess of \$150,000 for FY16 and provided further, that any funds remaining in said account over \$50,000 for FY16 shall close to the general fund; or, take any other action thereon. (Board of Selectmen)

Motion made by Finance Committee (per Chairperson) and seconded: "*Recommend and move that the town, pursuant to Chapter 420 of the Acts of 2010, limit the Brimfield Flea Market Fund expenditures to \$150,000.00 for FY 16, and that any funds remaining in said account over \$50,000.00 for FY 16 shall close to the general fund as stated in the article.*"

Motion to approve Article 7 passed by show of voting cards. (7:44 PM)

Moderator ruled that Articles 8, 9, 11, 12, and 13 be considered as a group.

***ARTICLE 8:** To see if the Town will vote to accept as available funds, the sum of \$250,000, or any other amount, to be made available to the Town by the Massachusetts Department of Transportation Highway Division, and, to use the funds for qualifying on state approved roads and Chapter 90 projects in the Town of Brimfield according to State contract; or, take any other action thereon. (Highway Surveyor)

***ARTICLE 9:** To see if the Town will vote 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; or, take any other action thereon. (Highway Surveyor)

***ARTICLE 11:** To see if the Town will vote to 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; or, take any other action thereon. (Board of Selectmen)

***ARTICLE 12:** To see if the Town will vote 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, 2015 in accordance with the provisions of M.G.L. c. 44, §4 and to issue or renew a temporary note or notes as may be given for the period provided by law, in accordance with M.G.L. c. 44, §17; or, take any other action thereon. (Board of Selectmen)

***ARTICLE 13:** To see if the Town will authorize the Board of Selectmen, as required by Chapter One, Section 5.1 of the Town Bylaws to enter into contracts for general insurance, workers' compensation insurance, medical benefit insurance and ambulance services within the scope and requirements defined by

M.G.L. c. 30B as amended; or, take any other action thereon. (Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded: *"For the purpose of re-establishing a group of routine authorizations involving no change from prior year, recommend approval of the following authorizations for FY 2016 and move such authorizations be re-established for the purposes stated in their respective articles: 8,9,11,12 &13"*

Motion to approve Articles 8, 9, 11, 12 & 13 passed by show of voting cards. (7:45 PM)

ARTICLE 10: To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, the sum of \$ to be used in conjunction with and in addition to any funds allotted by the Commonwealth for the construction, reconstruction and improvement of town roads; or, take any other action thereon. (Highway Surveyor)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend and move that the Town raise and appropriate the sum of \$0 for the purpose stated in the article."*

Motion to approve Article 10 passed by show of voting cards. (7:45 PM)

ARTICLE 14: To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, the sum of \$15,000 to the Treasurer's Department for the purpose of paying costs associated with the tax title process; or, take any other action thereon. (Treasurer)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Move that the Town raise and appropriate the sum of \$15,000 for the purpose stated in the article."*

Motion to approve Article 14 passed by show of voting cards. (7:46 PM)

ARTICLE 15: To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$11,083 which amount shall serve as matching funds for the Mass DOT grant funding in the amount of \$44,332, to purchase and equip a new handicap accessible van to replace current van, to transport senior and disabled members of community to and from Hospitals, Doctors, Shopping and the Senior Center and for such other public purposes consistent with the Council's charge under state and local law; or, take any other action relative there to. (Council on Aging)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend and move that the Town take no action for the purpose stated in the article."*

Motion to take no action on Article 15 passed by show of voting cards. (7:48 PM)

ARTICLE 16: To see if the Town will vote to transfer the sums of \$3,076.12 from the Municipal Waterway Improvement Fund (#14-3560), and \$5,300 from the Thames River Grant (#14-3562-0122) to the Lake Sherman Weed Control account (#01-0630-5355) to be expended by the Board of Selectmen for aquatic vegetation management to control the growth of milfoil in Lake Sherman; or take any other action thereon. (Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend and move that the Town transfer the sum of \$3,076.12 from the Municipal Waterway Improvement Fund and \$5,300 from the Thames River Grant to the Lake Sherman Weed Control account (01-0630-5355) for the purpose stated in the article."*

Motion to approve Article 16 passed by show of voting cards. (7:51 PM)

ARTICLE 17: To see if the Town will raise and appropriate, or otherwise transfer from available funds, the sum of \$20,000 to replace four overhead doors and 3 windows at the Fire Station, including all incidental and related expenses; or, take any other action thereon. (Fire Chief)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend and move that the Town raise and appropriate the sum of \$20,000 for the purpose stated in the article."*

Motion to approve Article 17 passed by show of voting cards. (7:52 PM)

ARTICLE 18: To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, the sum of \$3,500 to establish a new budget line item titled, "Code Red Expense Account" for the purpose of an Emergency warning system for residents; including all costs incidental and related thereto; or, take any other action thereon.

(Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend and move that the Town raise and appropriate the sum of \$3,500 to establish a "Code Red Expense" account for the purpose stated in the article."*

Motion to approve Article 18 passed by show of voting cards. (7:52 PM)

ARTICLE 19: To see if the Town will raise and appropriate, borrow, or transfer from the Capital Purchase Stabilization Fund the sum of \$36,000.00, to be expended by the Board of Selectmen, subject to the requirements of applicable public bidding laws, for the purchase and equipping of one new Ford Interceptor, Dodge Charger, Chevy Caprice or other similar type vehicle for use by the Brimfield Police Department as a patrol vehicle; or, take any other action thereon. (Chief of Police)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend and move that the Town raise and appropriate the sum of \$36,000 for the purpose stated in the article."*

Motion to approve Article 19 passed by show of voting cards. (7:53 PM)

ARTICLE 20: To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, the sum of \$30,000 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; or, take any other action thereon. (Highway Surveyor)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend and move that the Town raise and appropriate the sum of \$30,000 for the purpose stated in the article."*

Motion to approve Article 20 passed by show of voting cards. (7:53 PM)

ARTICLE 21: To see if the Town will vote to raise and appropriate, borrow, or otherwise transfer from available funds, the sum of \$80,000 to be expended by the Highway Surveyor subject to the requirements of applicable public bidding laws for the purchase and equipping of a new 19,500 GVW 4WD (four wheel drive) dump truck for the use of the Brimfield Highway Department and for the cost of retrofitting the old dump truck chassis to the Fire Department Brush Truck, pursuant to the Town's Capital Expenditure Plan, including all incidental and related costs; or, take any other action thereon. (Highway Surveyor)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend and move that the Town raise and appropriate the sum of \$80,000 for the purpose stated in the article."*

Motion to approve Article 14 passed by show of voting cards. (7:54 PM)

ARTICLE 22: To see if the Town will vote to raise and appropriate, borrow, or otherwise transfer from available funds, the sum of \$7,000 to be expended by the Highway Surveyor subject to the requirements of applicable public bidding laws for the purchase of a new 9' plow for the use of the Brimfield Highway Department pickup truck, pursuant to the Town's Capital Expenditure Plan; or, take any other action thereon. (Highway Surveyor)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend and move that the Town raise and appropriate the sum of \$7,000 for the purpose stated in the article"*

Motion to approve Article 22 passed by show of voting cards. (7:55 PM)

***ARTICLE 45:** To see if the Town will vote to raise and appropriate, borrow, or otherwise fund, the sum of \$75,000 to be expended by the Highway Surveyor subject to the requirements of applicable public bidding laws for the purpose of removing two (2) buried 1000 gallon fuel tanks and replacing with two (2) new above ground fuel tanks pursuant to the Town's Capital Expenditure Plan; or, take any other action thereon. (Highway Surveyor)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend and move that the Town raise and appropriate the sum of \$75,000 for the purpose stated in the article."*

Motion to approve Article 45 passed by show of voting cards. (7:55 PM)

ARTICLE 23: To see if the Town will vote to amend the General Bylaws by inserting a new chapter, Chapter 7, entitled "Non-Zoning Wetlands Protection Bylaw", which shall provide as follows:

7.1 The purpose of this bylaw is to protect the Town of Brimfield's various fresh water wetlands systems, essential to supporting core and critical natural resources and their adjoining land areas by regulating activities deemed by the Brimfield Conservation Commission (hereinafter referred to as the Commission) likely to have a significant or cumulative effect on resource area values, including but not limited to the following: public or private water supply, groundwater, flood control, erosion and sedimentation control, storm damage prevention, water quality, prevention and control of pollution, fisheries, wildlife habitat, rare species habitat including rare plant and animal species, agriculture and aquaculture deemed important to the community (collectively, the "resource area values protected by this bylaw").

7.2 Except as permitted by the Commission no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following resource areas: any freshwater wetlands, marshes, wet meadows, bogs, swamps, certified vernal pools, springs, banks, reservoirs, lakes, ponds, beaches, and lands under water bodies; intermittent streams, brooks and creeks; lands adjoining these resource areas out to a distance of 100 feet, known as the buffer zone; perennial rivers, streams, brooks and creeks; lands adjoining these resource areas out to a distance of 200 feet, known as the riverfront area; and lands subject to flooding or inundation by groundwater or surface water (collectively the "resource areas protected by this bylaw"). Said resource areas shall be protected whether or not they border surface waters.

7.3 The same permits, plans and specifications required to be filed by an applicant under M.G.L. c.131, §40 shall be accepted as fulfilling the applicable requirements of this Bylaw. Town Projects are exempt from filing fees under Section 7.8.

7.4 All hearings and public meetings held under M.G.L. c.131, §40 and under this Bylaw shall be held simultaneously. Definitions, exemptions, time frames and procedures set forth in M.G.L. c.131, §40, and in the regulations promulgated by the Department of Environmental Protection, are hereby made a part of this Bylaw.

7.5 The Commission is empowered to deny permission for any activity that is likely to remove, dredge, fill or alter subject lands within the Town if, in its judgment, such denial is necessary for the protection of public or private water supply, groundwater, flood control, erosion control, storm damage prevention, or the prevention of pollution or the protection of fisheries or wildlife. The Commission may also deny a permit for failure to submit necessary information and plans requested by the Commission.

7.6 The Commission may, as an alternative to a denial, impose such conditions as it deems necessary to contribute to the protection and preservation of the subject lands in accordance with the purposes of this Bylaw.

7.7 A decision of the Commission shall be reviewable in a court of competent

jurisdiction, in accordance with M.G.L. c.249, §4.

7.8 At the time of an application, the applicant shall pay a filing fee of \$50.00 per application. The fee is in addition to that required by the Wetlands Protection Act and regulations. Failure to submit the fee will result in denial due to incomplete project application. The said fees shall be paid to the Town of Brimfield and deposited into a separate account from the account established for filing fees paid under the state Wetlands Protection Act and shall be expended by the Commission for the administration and enforcement of this bylaw and the Wetlands Protection Act.

7.9 No person shall remove, fill, dredge, build upon, degrade, or otherwise alter resource areas protected by this bylaw, or cause, suffer, or allow such activity, or leave in place unauthorized fill, or otherwise fail to restore illegally altered land to its original condition, or fail to comply with a permit or an enforcement order issued pursuant to this bylaw.

7.10 The Commission shall have authority to enforce this bylaw, its rules and regulations, and permits issued there under by letters, phone calls, electronic communication and other informal methods, violation notices, non-criminal citations under M.G.L. c.40, §21D and Chapter 1, Section 2.1.3 of the General Bylaws, and civil and criminal court actions. Any person who violates provisions of this bylaw may, in addition to being subject to the fine schedule below, be ordered to restore the property to its original condition and take other action deemed necessary to remedy such violations, or may be fined, or both. For purposes of non-criminal disposition a fine of \$300 per violation shall apply. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the bylaw, regulations, permits, or administrative orders violated shall constitute a separate offense.

7.11 Any person who violates any provision of this bylaw, or regulations, permits, or administrative orders issued thereunder, shall be punished by a fine of not more than \$300. Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the bylaw, regulations, permits, or administrative orders violated shall constitute a separate offense.

7.12 The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit, approval or determination which previously has been issued.

And further, by amending Chapter 1, Section 2.1.3 of the General Bylaws by inserting, at the end of the list of bylaws subject to enforcement using non-criminal disposition, the following:

Ch. 7, section 7.10 & 7.11 – wetlands protection \$300.00
(Selectmen, Conservation Commission, their agents)

or, take any other action thereon. (Conservation Commission)
>Motion made by Finance Committee (per Chairperson) and seconded:
"Recommend and move that the town approve the article as written."

Motion to approve Article 23 failed by a show of voting cards: 23 yes, 70 no. (8:30 PM)

ARTICLE 24: To see if the Town will vote to amend Chapter 3, Section 5.1 of the General Bylaws, entitled "Conservation Commission Fees", as set forth below, by deleting the strikethrough text and inserting in place thereof the underlined:

Section 5.0 Conservation Commission Fees

~~5.1: Any party filing a request for determination or notice of intent application pursuant to the Wetlands Protection Act for approval by the Conservation Commission of the Town of Brimfield shall pay the approved expenses for consultant services deemed necessary by the Commission for the independent and objective verification of the information submitted with the application. The consultant services which may be necessary for the review of the information include: expert review and determination of wetland borders through identification of plants and soils; expert identification of potentially affected wildlife; expert interpretation and analysis of technical drawings and specifications; and civil engineering and hydrology studies and opinions. Within ten working days after the receipt of the request for determination, or before the close of the hearing on a notice of intent, the Commission shall notify the applicant in writing as to the amount, if any, of the said consultant fees and expenses. Further, any~~

~~additional consultant services required by the Commission prior to the issuance of a certificate of compliance shall be paid by the applicant in like manner. Funds collected by the Conservation Commission for these services shall be transferred to the town treasurer for deposit in general revenue. (adopted May 1989)~~

Section 5.0 Conservation Commission Consultation Fees

5.1: Pursuant to M.G.L. c.44, §53G, the Commission may impose reasonable fees upon applicants for the purpose of securing outside consultants including engineers, wetlands scientists, wildlife biologists or other experts in order to aid in the review of proposed projects. Such funds shall be deposited with the town treasurer, who shall create an account specifically for this purpose. Additional consultant fees may be required where the requisite review is more extensive than originally calculated or where new information requires additional consultant services.

Only costs relating to consultant work done in connection with a project for which a consultant fee has been collected shall be paid from this account, and expenditures may be made at the sole discretion of the Commission. Any consultant hired under this provision shall be selected by, and report exclusively to, the Commission. The Commission shall provide applicants with written notice of the selection of a consultant, identifying the consultant, the amount of the fee to be charged to the applicant, and a request for payment of that fee. Notice shall be deemed to have been given on the date it is mailed or delivered. The applicant may withdraw the application or request within five (5) business days of the date notice is given without incurring any costs or expenses.

The entire fee must be received before the initiation of consulting services. Failure by the applicant to pay the requested consultant fee within ten (10) business days of the request for payment shall be cause for the Commission to declare the application administratively incomplete and deny the permit without prejudice, except in the case of an appeal. The Commission shall inform the applicant and Department of Environmental Protection (DEP) of

such a decision in writing. The applicant may appeal the selection of an outside consultant to the Board of Selectmen, who may disqualify the consultant only on the grounds that the consultant has a conflict of interest or is not properly qualified. The minimum qualifications shall consist of either an educational degree or three or more years of practice in the field at issue, or a related field. The applicant shall make such an appeal in writing, and must be received within ten (10) business days of the date that request for consultant fees was made by the Commission. Such appeal shall extend the applicable time limits for action upon the application; >Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the town approve the article as written."

or, take any other action thereon. (Conservation Commission)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the town approve the article as written."

Motion to approve Article 24 passed by show of voting cards. (8:42 PM)

ARTICLE 25: To see if the Town will vote to amend the Zoning Bylaws by inserting one new chapter, Chapter 7A, entitled, "Large-Scale Ground-Mounted Solar Photovoltaic Installations".

7A. Large-Scale Ground-Mounted Solar Photovoltaic Installations

1.0 Purpose

The purpose of this bylaw is to provide for the regulation of Large-Scale Ground-Mounted Solar Photovoltaic Installations, as defined herein, by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety and minimize impacts on scenic, natural and historic resources, and to provide adequate financial assurance for the eventual decommissioning of such installations.

1.1 Applicability

This section applies to Large-Scale Ground-Mounted Solar Photovoltaic Installations proposed to be constructed after the effective date of this section, as well as to physical modifications to such installations presently

existing or hereafter constructed that materially alter the type, configuration, or size of the installation or related equipment or impact abutters.

2.0 Definitions

The following definitions shall apply to Section 7A.

Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

Site Plan Approval Authority: The site plan approval authority as designated by the Zoning Bylaws.

Solar Photovoltaic Array: an arrangement of solar photovoltaic panels.

Zoning Bylaws: The Town of Brimfield Zoning Bylaws.

3.0 General Siting Standards

3.1 Lot Requirements

Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be permitted on lots larger than 5 acres.

3.2 Site Control

The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed Large-Scale Ground-Mounted Solar Photovoltaic Installation.

3.3 Setbacks

For Large - Scale Ground-Mounted Solar Photovoltaic Installations, front, side and rear setbacks shall be as follows:

(a) Front yard: The front yard depth shall be at least 100 feet.

(b) Side yard. Each side yard shall have a depth at least 100 feet.

(c) Rear yard. The rear yard depth shall be at least 100 feet.

3.4 Height of Structures

The height of any structure associated with a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall not exceed 20 feet.

3.5 Project Area

The total area of a Large-Scale Ground-Mounted Solar Photovoltaic Installation, including all appurtenant structures and improvements, shall not exceed ten (10) acres.

4.0 Permit Process, Requirements & Enforcement

4.1 Site Plan Review

Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be constructed, installed, used and modified only in conformity with site plan approval issued by the Site Plan Approval Authority in accordance with the Zoning Bylaws. The requirements set forth in this chapter shall be applied coincident with the site plan approval requirements set forth in Section 7.0 of the Zoning Bylaws and any amendments thereto. The requirements of this section shall take precedence in the event of a direct conflict.

4.2.1 Required Documents

Pursuant to the site plan approval process, the project proponent shall provide the following:

- i. A site plan prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts showing property lines and physical features, including roads, for the project site, proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures, and existing trees 6" caliper or larger;
- ii. Blueprints or drawings of the installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts

showing the proposed layout of the system and any potential shading from nearby structures;

- iii. One or three line electrical diagram detailing the installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
- iv. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
- v. Name, address, and contact information for proposed system installer;
- vi. Name, address, phone number and signature of all project proponents and property owners;
- vii. The name, contact information and signature of any agents representing the project proponent;
- viii. Documentation of actual or prospective access and control of the project site;
- ix. An operation and maintenance plan (see also Section 6.6);
- x. Zoning district designation for the parcel(s) of land comprising the project site;
- xi. Proof of liability insurance written by companies licensed to provide such insurance in Massachusetts and with coverage limits at commercially acceptable levels;
- xii. Description of financial surety that satisfies Section 6.3. ;
- xiii. A list of any hazardous materials proposed to be located on the site in excess of household quantities and a plan to prevent their release to the environment, as appropriate;
- xiv. Documentation by an acoustical engineer of the noise levels projected to be generated by the installation;

- xv. Documentation of soil types on all land involved with the project;
- xvi. Locations of wetlands and Priority Habitat Areas defined by the Natural Heritage & Endangered Species Program (NHESP);
- xvii. Locations of floodplains or inundation areas for moderate or high hazard dams; and
- xviii. Provision of water including that needed for fire protection.

The Site Plan Approval Authority may require additional information, data or evidence as it deems necessary pursuant to the site plan approval process, or may waive information requirements as it deems appropriate.

All material modifications to a Large-Scale Ground-Mounted Solar Photovoltaic Installation made after site plan approval has been issued shall require approval of the Site Plan Approval Authority under the site plan approval process.

5.0 Design Standards

5.1 Lighting

Lighting of Large-Scale, Ground-Mounted Solar Photovoltaic Installations shall be consistent with local, state and federal law. Overnight lighting shall not be permitted unless required by the Site Plan Approval Authority or by local, State or Federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

5.2 Signs and Advertising

Signs on Large-Scale, Ground-Mounted Solar Photovoltaic Installations shall comply with the Zoning Bylaws. A sign consistent with this section shall be required to identify the owner and provide a 24-hour emergency contact phone number. Large-Scale, Ground-Mounted Solar Photovoltaic Installations

shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the installation.

5.3 Utility Connections

Reasonable efforts, as determined by the Site Plan Approval Authority, shall be made to place all utility connections from the Large-Scale, Ground-Mounted Solar Photovoltaic Installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

5.4 Fencing

The Large-Scale, Ground-Mounted Solar Photovoltaic Installation shall be fenced so as to control access to the facility. The fence setback from the property line will be a minimum of 90 feet.

5.5 Land Clearing, Soil Erosion and Habitat Impacts

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Large-Scale, Ground-Mounted Solar Photovoltaic Installation or otherwise prescribed by applicable laws, regulations, and bylaws.

5.6 Control of Vegetation

Herbicides shall not be used to control vegetation at the installation. Mowing, grazing or using geotextile materials underneath the solar array are possible alternatives.

5.7 Noise

Noise generated by Large-Scale Ground-Mounted Solar Electric Installations and associated equipment and machinery shall conform to applicable state and local noise regulations, including the DEP's Division of Air Quality noise regulations, 310 CMR 7.10. A source of sound will be considered in violation of said regulations if the source's broadband sound level is more than 65 dba 10 feet from the source.

5.8 Facility Access and Conditions

The Large-Scale, Ground-Mounted Solar Photovoltaic Installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for maintaining the installation and any access road(s) that are not accepted public ways maintained by the responsible public authority.

The owner and operator of the installation shall identify a responsible person for emergency purposes and public inquiry and shall at all times throughout the life of the installation maintain current contact information (name, address, telephone number, e-mail address) for such person(s) on file with the Building Inspector, the Fire Chief, and the Site Plan Approval Authority.

5.9 Screening

Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be screened from view by a staggered and grouped planting of shrubs and small trees having a minimum depth of fifteen (15) feet. Such plantings shall use native plants and a mix of deciduous and evergreen species and may be located within the setback area.

5.10 Appurtenant Structures

All appurtenant structures to a Large-Scale, Ground-Mounted Solar Photovoltaic Installation shall be considered part of that Installation for purposes of applying dimensional regulations as set forth in this bylaw and otherwise in the Zoning Bylaws, including such regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

6.0 Additional Provisions

6.1 Discontinuance and Decommissioning.

The Large-Scale Ground-Mounted Photovoltaic Installation, or any substantial part thereof, not in operation for a period of one hundred and fifty (150) continuous days or more without written permission from the Site Plan Approval Authority, or that has reached the end of its useful life, shall be considered discontinued and shall be removed. Upon written request from the Building Inspector addressed to the contact address provided and maintained by the owner and operator as required above, the owner or operator shall provide evidence to the Building Inspector demonstrating continued use of the installation. Failure to provide such evidence within thirty (30) days of such written request shall be conclusive evidence that the installation has been discontinued. The owner or operator of the installation shall notify the Site Plan Approval Authority and Building Inspector by certified mail of the proposed date of discontinued operations and plans for removal.

6.2 Removal Requirements

The owner or operator shall physically remove the installation no more than one hundred and fifty (150) days after the date of discontinued operations.

Removal shall consist of:

- (a) Removal of the installation in its entirety, including all associated structures, equipment, security barriers and transmission lines from the site.
- (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- (c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Site Plan Approval Authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

If the owner or operator of the large-scale, ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of discontinuance or the proposed date of decommissioning, the Town of Brimfield shall have the right, to the extent it is otherwise duly authorized by law, to enter the property and

remove the installation at the expense of the owner of the installation and the owner(s) of the site on which the installation is located.

6.3 Financial Surety

Proponents of Large-Scale, Ground-Mounted Solar Photovoltaic Installations shall provide to the Town, prior to construction, a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Site Plan Approval Authority. Such surety will not be required for municipally- or state-owned installations. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

6.4 Compliance with Laws, Bylaws and Regulations

The construction and operation of all Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of the installation shall be constructed in accordance with the State Building Code.

6.5 Building Permit and Building Inspection

No Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

6.6 Fees

A site plan approval application for a Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be accompanied by the required fee, and, in accordance with the site plan approval requirements of the Zoning Bylaws, a deposit sufficient to cover any expenses connected with a public hearing and review of plans, monitoring and inspections fees, including but not limited to the costs of any engineering, legal or planning consultant services necessary for review purposes. An application for the required building permit shall be accompanied by the appropriate fee. All other fees that shall be required by

permitting parties (Conservation Commission, etc.) shall be administered according to their regulations.

6.7 Operation & Maintenance Plan

The project proponent shall submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

6.8 Utility Notification

No Large-Scale, Ground-Mounted Solar Photovoltaic Installation shall be constructed until evidence has been given to the Site Plan Approval Authority that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

6.9 Emergency Services

The Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Fire Chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the installation shall be clearly marked.

6.10 Waiver

The Site Plan Approval Authority may waive specifically identified and requested procedures, design specifications, performance standards, or other requirements set forth in this bylaw, provided that the Site Plan Approval Authority finds in writing that there are no reasonable conditions or alternatives that would allow the proposed activity to proceed in compliance with said regulations; that avoidance, minimization and mitigation have been employed to the maximum extent feasible; and that the waiver is necessary to accommodate an overriding public interest or to avoid a decision that so restricts the use of the property as to constitute an unconstitutional taking without compensation; or, take any other action thereon. (Board of Selectmen)

>Motion made by Board of Selectmen (per Chairperson) and seconded: *"Recommend and move that the town approve the article as written."*

>Motion to amend article made by the Planning Board (per Chairperson) and seconded: *"move that Article 25, Chapter 7A, Section 3.4 be amended so that the phrase 'shall not exceed 20 feet' be changed to read 'shall not exceed 15 feet' "*

Motion to amend Article 25 Chapter 7A, Section 3.4 passed by a counted show of voting cards: 22 Yes, 18 No (9:32)

>Motion to amend article made by the Planning Board (per Chairperson) and seconded: *"move that Article 25, Chapter 7A, Section 5.4 be amended so that a third sentence be added to read 'The fencing should be a non reflective color-blending fence' "*

Motion to amend Article 25 Chapter 7A, Section 5.4 passed by a show of voting cards. (9:36)

>Motion to amend article made from the floor and seconded: *"move to amend Article 25 [to change heading] as follows: 'To see if the Town will vote to amend the Zoning Bylaws by inserting one new chapter, Chapter 7A, entitled, "Large-Scale Ground-Mounted Solar Photovoltaic Installations In the Business District" and a second addition, Section 3.1, Lot Requirements [section to read] Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be permitted on lots larger than 5 acres in the Business District'"*

Motion to amend Article 25 in two places passed by a counted show of voting cards: 36 Yes, 28 No (9:44 PM)

>Motion to amend article made from the floor and seconded: *"In Section 5.7, Noise, move to strike the last sentence [beginning 'A source of sound...'] in that section"*

Motion to amend Article 25 Chapter 7A, Section 5.7 passed by a show of voting cards (9:46)

>Motion to amend article made from the floor and seconded: *"move that Article 25 be amended by adding a section to read 'The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof.'"*

Motion to amend Article 25 by adding a new section at the end of the article passed by a show of voting cards (9:54)

Original motion to approve with five (5) amendments passed by a counted show of voting cards 40 Yes, 8 No, 2 Abstentions - 2/3 minimum required (9:58)

ARTICLE 26: To see if the Town will vote to authorize and approve a tax agreement pursuant to M.G.L. c. 59, § 38H(b), and M.G.L. c. 164, § 1, or any other enabling authority as negotiated by the Board of Selectmen and on file with the Town Clerk, between the Town of Brimfield and Seaboard Solar Operations, LLC, or its successors or assigns, for both real property and/or personal property taxes associated with a privately owned and operated solar photovoltaic facility to be installed on property located at 53 Apple Road, Brimfield, which property is shown as Map 4, Block D, Lot 3, on the Town of Brimfield Assessors' Maps, for a term of up to thirty (30) years and for an amount equal to \$14,000 per megawatt, increasing by 2% each year, on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town; and to take all actions necessary to implement and administer such agreement; or take any other action thereon. (Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded: *"Recommend and move that the town approve the article as written."*

Motion to approve Article 26 passed by show of voting cards. (10:00 PM)

ARTICLE 27: To see if the Town will vote to amend Section 3.2 of the Zoning Bylaws, entitled "Residential Districts – Permitted Uses", and in particular, 3.2.5.1, by inserting the underlined text and deleting the strikethrough text as follows:

3.2.5.1 Use of a room or rooms in a dwelling or accessory buildings for a customary home occupation conducted solely by a resident with no more than ~~one person~~ two persons besides the residents ~~resident, regularly employed or~~ operative in the practice of a recognized profession; or, take any other action thereon. (Planning Board)

>Motion made by Planning Board (per Chairperson) and seconded: *"Recommend and move that the town approve the article as written."*

Motion to approve Article 27 passed by a counted show of voting cards 40 Yes, 4 No - minimum 2/3 required. (10:07 PM)

ARTICLE 28: To see if the Town will vote to add Section 6.2.6 and amend 6.3 of Section 6 of the Zoning Bylaws, entitled "Sign Regulations", by inserting the underlined text as set forth below,:

6.2.6 Signs cannot be artificially illuminated from within or the rear, with the

exception of fuel pump signs which are not to exceed 1 square foot, the intensity of which shall be deemed acceptable if it does not exceed a factor of 3 above the ambient light intensity at any point when measured with a light meter. The intensity of the sign illumination, in foot candles, is measured with all normal background and ambient illumination on.

6.3 Enforcement

It shall be the responsibility of the Selectmen or their legally appointed delegate to take the initiative to enforce this bylaw with or without a citizen's complaint. No sign shall hereinafter be displayed without a permit issued by the enforcing authority. [adopted May 1977]

It shall be the responsibility of the property owner to ensure that all signs placed on the property are installed in compliance with Section 6 of the Zoning Bylaws, entitled "Sign Regulations" and any other applicable laws. Unless indicated otherwise, no sign shall be erected in the Town of Brimfield without a permit from the Building Inspector. Application for a sign permit shall be accompanied by a scaled, 2 dimensional drawing showing the size and location of the sign or signs on the property. The Building Inspector shall inspect a sign when and as deemed appropriate. The Building Inspector shall have the enforcement authority to order the repair, alteration or removal of any sign that constitutes a public health and/or safety problem by reason of improper or inadequate maintenance, design, construction, condition or dilapidation, or that was not properly permitted. Signs to be erected on Town property other than the Town, Commonwealth or their agencies shall require a permit from the Board of Selectmen;

or, take any other action thereon. (Planning Board)

>Motion made by Planning Board (per Chairperson) and seconded: "Recommend and move that the town approve the article as written."

Motion to approve Article 28 failed by a counted show of voting cards 34 Yes, 19 No – minimum 2/3 required. (10:16 PM)

ARTICLE 29: To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, the sum of \$20,050 to implement mapping and GIS development services for the town; or, take any other action thereon.(Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town raise and appropriate the sum of \$20,050 for the purpose stated in the article, and further, to accept grant funding as may be made available."

Motion to approve Article 29 passed by show of voting cards. (10:36 PM)

ARTICLE 30: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 40, Section 8G, which will authorize the Town to enter into agreements with other cities and towns to provide mutual aid programs for police departments to increase their capability to protect lives, safety and property of the people in the area served, or take any other action thereon.(Board of Selectmen)

>Motion made by Board of Selectmen and seconded: "Recommend and move that the town approve the article as written."

Motion to approve Article 30 passed by show of voting cards. (10:37 PM)

ARTICLE 31: To see if the Town will vote to authorize the Board of Selectmen to enter into an agreement or agreements for the purchase of net metering credits generated by a renewable energy facility, whether from Next Sun Energy, its affiliates, or other provider of net metering credits, for a term of up to 20 years from the date of commercial operations of any such facility, and upon such terms and conditions as the Board of Selectmen deems in the best interest of the Town; and further, to authorize the Board of Selectmen to take all such actions as may be necessary to administer, effectuate, and implement such agreement; or take any other action relative thereto. (Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the town approve the article with the amendment 'with review and approval of the Finance Committee' after the phrase 'Board of Selectmen' in the first line of the article"

Motion to approve Article 31 passed with one (1) by show of voting cards. (10:37 PM)

ARTICLE 32: To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, including the Capital Purchase Stabilization Fund, or borrow the sum of \$46,000 to be expended by the Brimfield Elementary School Committee for the purpose of installing a building-wide wireless computer network, or take any action in relation thereto.

(Brimfield Elementary School Committee)

>Motion made by Finance Committee (per Chairperson) and seconded:
"Recommend and move that the Town raise and appropriate the sum of \$46,000 for the purpose stated in the article."

Motion to approve Article 32 passed by show of voting cards. (10:38 PM)

ARTICLE 33: To see if the Town will vote to establish a new budget line item titled "Municipal Facilities Weatherization" for the purpose of addressing water and air infiltration at the Town Hall and Town Hall Annex and to raise and appropriate or otherwise transfer from available funds the sum of \$ for the purpose of the article; or, take any other action thereon. (Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded:
"Recommend and move that the Town establish a budget line item and raise and appropriate the sum of \$15,000 for the purpose stated in the article."

Motion to approve Article 33 passed by show of voting cards. (10:39 PM)

ARTICLE 34: To see if the Town will vote to appropriate the total sum of \$40,548.97 to a new account named "Building Repair," to fund maintenance and repair of municipal buildings as needed, and as funding therefor, to raise and appropriate or transfer from available funds the sum of \$30,000 and to close out the following accounts and transfer the sums as set forth below;

Amount	Account Number	Account Name
\$5,698.11	14-3564-0122	Town Hall Insurance Water Damage:
\$1,948.70	01-0195-6220	Town Hall Repairs
\$2,902.16	01-0195-6224	Town Hall Engineering,

or, take any other action relative thereon. (Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded:
"Recommend and move that the Town establish a budget line item, raise and appropriate the sum of \$15,000, and transfer \$10,549 from the 3 accounts referenced in the article for the purpose stated in the article."

Motion to approve Article 34 passed by show of voting cards. (10:40 PM)

ARTICLE 35: To see if the Town will vote to authorize the Board of Selectmen to appoint a Municipal Facilities Building Committee, and to appropriate the total sum of \$18,000 for the cost of architectural services necessary for the development of preliminary plans and specifications relative to possible additions,

alterations, and renovations to the Town Hall, Town Hall Annex, Library, Fire Station and Highway Barn, and to identify the potential need for demolition and replacement of any such structures or portions of structures deemed to be unsafe and/or not suitable for the Town's current needs; and, as funding therefor, to raise and appropriate or otherwise transfer from available funds the sum of \$7,876.20 and to close out account #01-0195-6223, the Master Facility Study account, and transfer from said account the sum of \$10,123.80; or, take any other action thereon.(Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded:
"Recommend and move that Town authorize the Board of Selectmen to establish a Municipal Facilities Building Committee, establish a budget line item, raise and appropriate the sum of \$50,000, and transfer \$10,124 from the account referenced in the article for the purpose stated in the article."

Motion to approve Article 35 passed by show of voting cards. (10:45 PM)

ARTICLE 36: To see if the Town will vote to raise and appropriate or otherwise transfer from available funds the sum of \$ for executing the next step of the Master Facility Plan; or, take any other action thereon. (Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded:
"Recommend and move that the Town take no action for the purpose stated in the article."

Motion to take no action on Article 36 passed by show of voting cards. (10:46 PM)

ARTICLE 37: To see if the Town will vote in accordance with the provisions of G.L. c.40, §5B to establish a special purpose stabilization fund, to be known as the "Municipal Facilities Construction and Renovation Stabilization Fund", to which monies may be appropriated for the purpose of funding new construction, additions and renovations to municipal buildings, and to raise and appropriate or transfer from available funds the sum of \$ to said fund; or, take any other action thereon. (Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded:
"Recommend and move that the Town take no action for the purpose stated in the article."

Motion to take no action on Article 37 passed by show of voting cards. (10:46 PM)

ARTICLE 38: To see if the Town will vote, as recommended by the Town Treasurer and Auditor, to accept the provisions of G.L. c.32B, §20 to establish a separate fund known as the "Other Post-Employment Benefits Liability Trust (OPEB) Fund", which would enable the town to: (a) create a dedicated fund for the payment of OPEB liabilities, which fund cannot be appropriated to any other uses; and (b) create a funding schedule for such fund; and (c) appropriate funds to reduce the unfunded actuarial liability of future retiree health benefit and other post-employment benefits, all in accordance with said statute; and further, to raise and appropriate, or otherwise transfer from available funds the sum of \$ to the OPEB Fund authorized hereunder, or, take any other action relative thereto. (Treasurer and Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the town accept the provisions of chapter 32B, section 20 of the Massachusetts General Laws to establish an "Other Post-Employment Benefits (OPEB) Trust Fund" for the purpose stated in the article."
Motion to approve Article 38 passed by show of voting cards. (10:58 PM)

ARTICLE 39 To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds the sum of \$ to the OPEB Trust Fund established in Article # 38; or, take any other action relative thereto. (Treasurer and Board of Selectmen)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town raise and appropriate the sum of \$15,000 for the purpose stated in the article."
Motion to approve Article 39 passed by show of voting cards. (10:59 PM)

ARTICLE 40: To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, the sum of \$64,950 to pay principal and/or interest due in FY16 on the Fire Truck purchase authorized by the May, 2012 Town Meeting; or, take any other action thereon. (Finance Committee)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town raise and appropriate the sum of \$64,950 to pay interest and principal due in FY2016 on the fire truck purchase authorized by the May, 2012 Town Meeting for the purpose stated in the article."
Motion to approve Article 40 passed by show of voting cards. (10:59 PM)

ARTICLE 41: To see if the Town will vote to transfer from the Capital Purchase Stabilization Fund, or otherwise fund, the sum of \$22,385 to pay the interest and principal due in FY16 on the Town Hall engineering and repairs authorized by the May, 2009 Town Meeting; or, take any other action thereon. (Finance Committee)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town Raise and appropriate the sum of \$22,385 to pay interest and principal due in FY2016 on the FY2005 debt incurred to purchase several vehicles, as stated in the article."
Motion to approve Article 41 passed by show of voting cards. (11:00 PM)

ARTICLE 42: To see if the Town will vote to transfer from Free Cash the sum of \$ to be added to the Capital Purchase Stabilization Fund; or, take any other action thereon. (Finance Committee)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town transfer the sum of \$149,651 from certified Free Cash to the Capital Purchase Stabilization Fund."
Motion to approve Article 42 passed by a show of voting cards. Called by the moderator to have met the minimum 2/3 required. (11:00 PM)

ARTICLE 43: To see if the Town will vote to transfer the sum of \$ from Free Cash and the sum of \$75,000 from the Assessor's Overlay Surplus or from any other available funds, to reduce the tax rate in FY16 or for any other purpose; or, take any other action thereon. (Finance Committee)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town transfer the sum of \$75,000 from Overlay Surplus and \$229,418 from certified Free Cash to reduce the tax rate for FY 2016."
Motion to approve Article 43 passed by show of voting cards. (11:02 PM)

ARTICLE 44: To see if the Town will vote to transfer the sum of \$ from available Funds to the Stabilization Fund to replace in full or in part the amount transferred last year from stabilization to balance the FY15 budget; or, take any other action thereon. (Finance Committee)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town transfer the sum of \$173,314 from Certified Free Cash to the Stabilization Fund."

Motion to approve Article 44 passed by a show of voting cards. Called by the moderator to have met the minimum 2/3 required. (11:02 PM)

Motion to adjourn the 2015 Annual Town Meeting was accepted by the Moderator and seconded. Motion passed with unanimous approval at 11:03 PM.

The above minutes with the attached appendices is the complete and true record of the May 18, 2015 Annual Town Meeting of the Town of Brimfield.

**Robert P Sullivan
Town Clerk
Brimfield, Massachusetts**