

**Town of Brimfield**  
**The 285<sup>th</sup> Annual Town Meeting**  
**May 16, 2016 - Brimfield Town Hall**  
**Minutes and Actions**

Michael Miller, moderator, called the meeting to order at 7:12 PM

205 registered voters in attendance.

**Procedural Announcements:**

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.

Mr Miller informed the meeting that because he is a member of the Building Committee; he may wish to temporarily step aside and give the podium to a "deputy". The moderator then moved that Mr Richard Sieweck be appointed as his alternate if the occasion arose. The motion received a second and the motion passed.

**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 by the Town Clerk.
- If an amendment to a motion is defeated it is not recorded.
- Articles placed on the Town Warrant by the Board of Selectmen may not necessarily be supported by the Board of Selectmen.

**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. (7:29 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, and move such funds be established and/or reauthorized for the purposes stated for FY 2017.*"  
**Motion to approve Article 2 passed by show of voting cards. (7:30 PM)**  
**SEE APPENDIX #1 ATTACHED**

**ARTICLE 3:** To see if the Town will vote to raise and appropriate \$208,352 for various elected town officers for the ensuing fiscal year July 1, 2016 to June 30, 2017; 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 \$212,544, as detailed in the Finance Committee Recommendations accompanying the Warrant, for the purpose stated in the article.*"  
**Motion to approve Article X passed by show of voting cards. (7:32 PM)**

**ARTICLE 4:** To see if the Town will vote to raise and appropriate \$8,783,155 for various departments and activities of the Town, payment of debts and defraying of expenses of the ensuing fiscal year, July 1, 2016 to June 30, 2017, 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 \$8,770,105 as detailed in the Finance Committee Recommendations accompanying the Warrant, for the purpose stated in the article.*"

As consideration of various line items in the chart of accounts for this article progressed, the moderator (Mr Miller) requested that his deputy (Mr Siewick) take the podium so that Mr Miller could make a motion concerning and engage in discussion of item #47 [acct 0171-5114] at which time Mr Siewick took the podium.  
Motion to amend item 47 [acct 0171-5114] made by Mr Miller and seconded: "Move that line item #47 [acct 0171-5114, Conservation Agent] be \$8356.00 calculated at \$16.07 per hour.

Motion to amend was seconded from the floor.

**Motion to amend Article 4, item #47 passed by a show of voting cards. (8:07 PM)**

After the vote on the above amendment, Mr Siewick stepped down from the podium and Mr Miller resumed his position as moderator.

**Motion to approve Article 4, revised to a total of amount \$8,770,105 passed by show of voting cards. (8:09 PM)**

**ARTICLE 5:** To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, a sum of \$149,375 to pay unpaid bills or overdrawn accounts for FY16; 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 from Free Cash the sum of \$149,375 to account 0320-5321, Regional School Assessment for the purpose stated in the article.*"

**Motion to approve Article 5 passed by show of voting cards. (8:10 PM)**

**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 FY16; 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 6 passed by show of voting cards. (8:11 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 excess of \$150,000 for FY17 and provided further, that any funds remaining in said account over \$50,000 for FY17 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 for FY17, and that any funds remaining in said account over \$50,000 for FY17 shall close to the general fund as stated in the article."

**Motion to approve Article 7 passed by show of voting cards. (8:19 PM)**

**Moderator ruled that Articles 8, 9, 11, 12, and 13 would 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 projects 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, 2016 in accordance with the provisions of M.G.L. c. 44, § 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 M.G.L. c. 44, § 57; 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 2017 and move such authorizations be re-established for the purposes stated in their respective articles:  
**Article 8:** Accept Chapter 90 Road Funds (\$250,000 or any other amount made available)

**Article 9:** Highway Surveyor Enter into Customary Contracts

**Article 11:** Treasurer Borrow in Anticipation of Highway Expenditure Reimbursement

**Article 12:** Treasurer Borrow in Anticipation of Revenues, Grants and Reimbursements

**Article 13:** Selectmen Enter into Insurance and Services Contracts"

**Motion to approve Articles 8, 9, 11, 12 and 13 passed by show of voting cards. (8:25 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. (8:27 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. (8:29 PM)**

**ARTICLE 15:** To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, the sum of \$500 to be added to the Conservation Fund as authorized by M.G.L. c. 40, § 8C; or, take any other action thereon. (Conservation Commission)

> Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town raise and appropriate the sum of \$500 for the purpose stated in the article."

**Motion to approve Article 15 passed by show of voting cards. (8:30 PM)**

**ARTICLE 16:** To see if the Town will vote to strike the Preamble to the Tantasqua Regional School District Agreement reading:

"This Agreement is made as of January 15, 1952 although accepted by the several Towns herein named and approved by the Emergency Finance Board of the Commonwealth of Massachusetts and the Department of Education on the other dates respectively.

The Towns of said Commonwealth which are parties to this Agreement, in alphabetical order are: the Town of Brimfield, the Town of Brookfield, the Town of Holland, the Town of Sturbridge, and the Town of Wales, hereinafter referred to as the "Participating Towns".

All of the Participating Towns having created a Regional School District Planning Board and said Board having considered the advisability of establishing a Regional School District under Chapter 71, Sections 14 through 16 I, inclusive of the General Laws as amended, this Agreement respecting a Regional School District is submitted for consideration and acceptance to the Towns of Brimfield, Brookfield, Holland, Sturbridge, and Wales."

and insert:

"Whereas the Towns of Brimfield, Brookfield, Holland, Sturbridge and Wales (hereinafter referred to as "the member towns") for good and substantial reasons have created a regional school district consistent with the terms of Chapter 71 of the General Laws of Massachusetts, as amended, the member towns, in consideration of the mutual promises contained herein, agree as follows:"

; or, take any action thereon. (Tantasqua Regional School District)

> Motion made by Finance Committee (per Chairperson) and seconded: "*Recommend and move that the town pass over this article.*"

**Motion to pass over [take no action] Article 16 passed by show of voting cards. (8:31 PM)**

**ARTICLE 17:** To see if the Town will vote to insert the following new sections I and II into the Tantasqua Regional School District Agreement and renumber the remaining sections:

"Section I – Type of District

The regional school district (hereinafter referred to as "the District") shall provide educational programs for public school students who reside in the member towns and who are attending grades 7 through and including grade 12. The Regional School Committee (hereinafter referred to as "the Committee"), as established consistent with

Section III below, is authorized in its discretion to establish and maintain other educational programs, including but not limited to vocational-technical educational programs consistent with Chapter 74 of the General Laws of Massachusetts, and is authorized in its discretion to join or to form educational collaborative consistent with Chapter 40, Section 4E of the General Laws of Massachusetts.

Section II – Configuration and Location of Schools

The grade configuration and the location of the schools of the District shall be established by the Committee, although said location will be within the member towns. The school buildings may either be owned by the District or leased under terms and conditions that will be expressed in lease agreements." or, take any action in relation thereon. (Tantasqua Regional School District)

> Motion made by Finance Committee (per Chairperson) and seconded: "*Recommend and move that the Town pass over this article.*"

**Motion to pass over [take no action] Article 17 passed by show of voting cards. (8:32 PM)**

Mr Miller, the moderator, requested that his deputy, Mr Siewick, take the podium so that Mr Miller could fully engage in the discussion and vote on Article 18. Mr Miller stated that he is a member of the Building Committee.

**ARTICLE 18:** To see if the Town will vote to raise and appropriate, borrow, or otherwise transfer from available funds, a sum of money to be expended by the Building Committee, subject to the requirements of applicable public procurement laws, for the design, permitting, construction and equipping of new Town buildings and repairs, renovations and equipping of existing Town-owned buildings, including but not limited to Town Hall, Town Annex, Library, Highway Department facility, the Fire/Police Station, and Senior Center, and all costs necessary or incidental thereto; and to authorize the Building Committee to enter into any agreements and take any action necessary to effectuate the purpose of this article; and that to meet said appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow the full amount of such appropriation under General Laws Chapter 44 or any other general or special law or other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of the Town of a Proposition 2 ½, so-called, debt exclusion question in accordance with the provisions of M.G.L. c. 59, § 21C(k); or, take any other action thereon. (Municipal Facilities Building Committee)

> Motion made by Finance Committee (per Chairperson) and seconded: "*Recommend and move that the Town borrow the sum of \$12,700,000 to proceed with completion of all phases and costs necessary and associated with the final project plan as approved by the Brimfield Building Committee, contingent on voter approval of debt exclusion question in*"

accordance with the provisions of G.L. c. 59, §21C(k), and approve Article 18 as stated in the warrant."

**Motion to approve Article 18 passed by a show of voting cards, minimum 2/3 required. Yes 159, No 13 (9:55 PM)**

After the vote on Article 18, Mr Siewick stepped down from the podium and Mr Miller resumed his position as moderator.

**ARTICLE 19:** 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 take no action for the purpose stated in the article."

**Motion to take no action on Article 19 passed by show of voting cards. (10:00 PM)**

**ARTICLE 20:** To see if the Town will vote to raise and appropriate, borrow, or otherwise fund, an additional sum of \$102,000 to be expended by the Highway Surveyor subject to the requirements of applicable public bidding laws to purchase new gas and diesel fuel tanks for the Brimfield Highway Garage, and to remove existing tanks, pursuant to the Town's Capital Expenditure Plan, including all related and incidental expenses; 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 \$102,000, to be expended by the Highway Surveyor, for the purpose stated in the article."

**Motion to approve Article 20 passed by show of voting cards. (10:01 PM)**

**ARTICLE 21:** To see if the Town will vote to raise and appropriate, borrow, or otherwise fund, the sum of \$11,250.00 to be expended by the Highway Surveyor subject to the requirements of applicable public bidding laws, for the purchase and equipping of (3) three closed loop sander controls to be used by the Brimfield Highway Department, 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 \$11,250, to be expended by the Highway Surveyor, for the purpose stated in the article."

**Motion to approve Article 21 passed by show of voting cards. (10:02 PM)**

**ARTICLE 22:** To see if the Town will vote to raise and appropriate, borrow, or otherwise fund, the sum of \$42,000 to be expended by the Highway Surveyor subject to the requirements of applicable public bidding laws, for the purchase and equipping of a (new) ¾ ton pick-up truck with plow for use of the Brimfield Highway Department,

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 transfer from the Capital Purchase Stabilization fund the sum of \$42,000, to be expended by the Highway Surveyor, for the purpose stated in the article."

**Motion to approve Article 22 passed by a unanimous [minimum 2/3 required] show of voting cards. (10:03 PM)**

**ARTICLE 23:** To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds or borrow a sum of money, \$310,000 for the purchase and equipping of a new Tanker Fire Apparatus; and, to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum pursuant to M.G.L. c. 44, § 7, or any other enabling authority and issue bonds and notes; or, take any other action thereon. (Board of Selectmen and Fire Chief)

> Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town raise and appropriate the sum of \$310,000 for the purpose stated in the article."

**Motion to approve Article 23 passed by show of voting cards. (10:03 PM)**

**ARTICLE 24:** To see if the Town will vote to raise and appropriate, or otherwise fund the sum of \$55,000 to be expended by the Board of Selectmen, for the purchase and equipping of a new handicap accessible transit van to replace the current van, for use by the Brimfield Council on Aging to transport senior and disabled members of community to and from hospitals, doctors, shopping and the Brimfield Senior Center; or, take any other action relative thereon. (COA Director)

> Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town raise and appropriate the sum of \$55,000 for the purpose stated in the article."

**Motion to approve Article 24 passed by show of voting cards. (10:03 PM)**

**ARTICLE 25:** To see if the Town will raise and appropriate, borrow, or vote to transfer the sum of \$30,000.00 from the Capital Purchase Stabilization Fund, to be expended by the Chief of Police, subject to the requirements of applicable public bidding laws, for the purchase and equipping of one new or used Ford, Dodge, Chevy, or other brand of 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 transfer from the Capital Purchase Stabilization fund the sum of \$30,000, to be expended by the Chief of Police, for the purpose stated in the article."

**Motion to approve Article 25 passed by the minimum 2/3 vote by show of voting cards. (10:04 PM)**

**ARTICLE 26:** To see if the Town will vote to raise and appropriate, or otherwise fund the sum of \$ \_\_\_\_\_ to acquire online permitting/licensing technology, and related software, known as "software as a service" (SaaS), allowing unlimited users, for the Building Department, Board of Health and Selectmen's Office along with any other Departments issuing permits and licenses, and further, to pay for the SaaS-related annual hosting cost; or, take any other action thereon. (Building & Zoning Officer)

> Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town raise and appropriate the sum of \$10,000 for the purpose stated in the article."

**Motion to approve Article 26 passed by show of voting cards. (10:05 PM)**

**ARTICLE 27:** To see if the Town will vote to amend Section 6.11.2 of the Personnel Policy, covering Sick Leave of Town Employees, by striking the phrase "Thirty (30) days" and replacing it with the phrase "Eighty (80) days"; or, take any other action thereon. (Board of Assessors & Board of Health)

> Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town approve amending section 6.11.2 of the Personnel Policy, changing "Thirty (30) days" to Eighty (80) days" as stated in the article."

**Motion to approve Article 26 passed by show of voting cards. (10:07 PM)**

**ARTICLE 28:** To see if the Town will vote to raise and appropriate, or otherwise fund the sum of \$15,100 to purchase and implement a new phone system for all Town buildings, including any related or incidental costs; 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 28 passed by show of voting cards. (10:07 PM)**

**ARTICLE 29:** To see if the Town will vote to raise and appropriate, or otherwise fund the sum of \$2,000 to be provided as a grant to the Tri Town Domestic Violence Task Force for Domestic Violence for RAD trainings, functions, brochures, books, speakers and programs geared for pre- K through grade 12 education about domestic violence; or, take any other action thereon. (Tri Town Domestic Violence Task Force)

> Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town raise and appropriate the sum of \$2,000 for the purpose stated in the article."

**Motion to approve Article 29 passed by show of voting cards. (10:08 PM)**

**ARTICLE 30:** To see if the Town will vote to accept M.G.L. c. 44, § 53F¾, which establishes a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2017, which begins on July 1, 2016; and to transfer to

said fund the sum of \$ \_\_\_\_\_ from funds previously reserved for such purposes; or, take any other action thereon.

(Cable Advisory Committee and 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 28 passed by show of voting cards. (10:08 PM)**

**ARTICLE 31:** To see if the Town will vote to amend the Zoning Bylaws, Section 3: District Use Regulations, by inserting in Section 3.4, Agricultural-Residential Districts – Permitted Uses, a new subsection, 3.4.8, as set forth below in bold text; or, take any other action thereon. (Planning Board)

**3.4 Agricultural-Residential Districts - Permitted Uses:**

**3.4.1 All uses permitted in a Residential District**

**3.4.2 Farm or nursery, including the display and sales of natural products raised in the town and the raising of stock except as limited by Section 3.5 below**

**3.4.3 Accessory uses**

**3.4.4 The raising of hogs, pigs, or fur-bearing animals provided such activity is carried on at least 500 feet from any property line**

**3.4.5 Parking of vehicles relative to flea markets as defined in General Bylaws, Chapter 5 (adopted February 1998)**

**3.4.6 The outdoor rental of space to merchants for the purpose of buying, selling, or bartering merchandise on the premises, to the same extent permitted in the business district, in that area of the Agricultural-Residential District bounded as follows: southerly by Route 20; easterly by the Warren Road; westerly by Crystal Brook; and northerly by a line parallel to Route 20 at a depth not to exceed 500 feet which extends easterly from the northerly limit of the Business District at Crystal Brook to the Warren Road. (adopted October 1984)**

**3.4.7 The outdoor rental of space to merchants for the purpose of buying, selling or bartering merchandise on the premises, relative to flea market, to the same extent permitted in the Business District in that area of the Agricultural-Residential District which is abutting the Route 20 Business District at a depth not to exceed 1000 feet from US Route 20 State Highway Bounds. (adopted February 1998)**

**3.4.8 Large-Scale Ground-Mounted Solar Photovoltaic Installations**

> Motion made by Planning Board (per Mr Killian) and seconded: "Recommend approval and move that the article go forward as written."

**Motion to approve Article 31 failed by a show of voting cards. (10:48)**

**ARTICLE 32:** To see if the Town will vote to amend the Zoning Bylaws, Section 7A, by deleting from the title thereof the words denoted with strike through text as follows:

Large-Scale Ground-Mounted Solar Photovoltaic Installations ~~In the Business District~~

and further, amending Section 3.0 of said Section 7A, entitled, "General Siting Standards", by inserting in Section 31 the following bold text;

**3.1 Lot Requirements**

Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be permitted on lots larger than 5 acres in the Business District **and lots of 10 acres or more in the residential/agriculture zone.**

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

> Motion made by Planning Board (per Mr Killian) and seconded: "*Motion to pass over Article 32.*"

**Motion to pass over Article 32 passed by a show of voting cards. (10:48)**

**ARTICLE 33:** To see if the Town will vote to transfer the care, custody and control of a certain parcel of land in Brimfield, Hampden County, Massachusetts, more particularly described as:

Assessors Map 1 A Lot 1 Quaboag River; 0.23 acres, as shown on a Plan recorded with the Hampden County Registry of Deeds in Book of Plans \_\_\_, Page \_\_\_,

from the Board of Selectmen for general municipal purposes to the care, custody and control of the Conservation Commission for open space purposes under the provisions of M.G.L. c. 40, § 8C for open space purposes, including but not limited to the conservation of natural resources and for the protection of the Quaboag River watershed and wildlife corridor of said Town, and further to dedicate and designate the above-described property for such open space purposes subject to the provisions of Article 97 of the Amendments to the Massachusetts Constitution; or, take any other action thereon. (Conservation Commission and Open Space Committee)

> Motion to table Article 33 made by Susan Hilker and seconded.

**Motion to table Article 33 passed by a show of voting cards. (10:49 PM)**

**ARTICLE 34:** To see if the Town will vote to transfer the care, custody and control of certain parcels of land in Brimfield, Hampden County, Massachusetts, more particularly described as:

1. Assessors Map 7 A Lot 9.1 rear Steerage Rock; 26 acres, as shown on a Plan recorded with the Hampden County Registry of Deeds in Book of Plans 4252, Page 380
2. Assessors Map 14 A Lot 33 rear Sturbridge Road; 19 acres, as shown on a Plan recorded with the Hampden County Registry of Deeds in Book of Plans \_\_\_, Page \_\_\_
3. Assessors Map 6 B Lot 4.1 Cubles Drive; 0.68 acres, as shown on a Plan recorded with the Hampden County Registry of Deeds in Book of 6880, Page 448

from the Board of Selectmen for general municipal purposes to the care, custody and control of the Conservation Commission for open space purposes under the provisions of M.G.L. c. 40, § 8C for open space purposes, including but not limited to the conservation of natural resources and for the protection of the East Brook watershed and wildlife corridor of said Town, and further to dedicate and designate the above-described property for such open space purposes subject to the provisions of Article 97 of the Amendments to the Massachusetts Constitution; or take any other action thereon. (Conservation Commission and Open Space Committee)

**Per direction from the moderator after consultation with Town Counsel and agreement with the sponsors of Article 34, parcel 2 (Assessors Map 14 A Lot 33) is removed from Article 34. Also, any reference to "Plans" or "Book of Plans" is removed from the remainder of Article 34. The Article shall now read as follows:**

**ARTICLE 34:** To see if the Town will vote to transfer the care, custody and control of certain parcels of land in Brimfield, Hampden County, Massachusetts, more particularly described as:

1. Assessors Map 7 A Lot 9.1 rear Steerage Rock; 26 acres, as recorded with the Hampden County Registry of Deeds in Book 4252, Page 380
2. Assessors Map 6 B Lot 4.1 Cubles Drive; 0.68 acres, as recorded with the Hampden County Registry of Deeds in Book 6880, Page 448

from the Board of Selectmen for general municipal purposes to the care, custody and control of the Conservation Commission for open space purposes under the provisions of M.G.L. c. 40, § 8C for open space purposes, including but not limited to the conservation of natural resources and for the protection of the East Brook watershed and wildlife corridor of said Town, and further to dedicate and designate the above-described property for such open space purposes subject to the provisions of Article 97 of the Amendments



restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution, known as the Home Rule Amendment. This Bylaw encourages the pursuit of agriculture, promotes agriculture based economic opportunities, and protects farmlands within the Town of Brimfield by allowing agricultural uses and related activities to function with minimal conflict with abutters and the Town. This Bylaw shall apply to all jurisdictional areas within the Town.

## 2 Definitions

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

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

The word, "farming", shall be further defined to encompass activities including, but not limited to, the following:

- operation and transportation of slow-moving farm equipment over roads within the Town;
- control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- application of manure, fertilizers and pesticides;
- conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;

- maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- on-farm relocation of earth and the clearing of ground for farming operations
- construction and use of farm structures and facilities for
  - the storage of animal wastes, farm equipment, pesticides, fertilizers, agricultural products
  - the sale of agricultural products
  - the use of farm labor, as permitted by local and state building codes and regulations; and
  - including construction and maintenance of fences.

## 3 Right To Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Brimfield. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this Bylaw are intended to apply exclusively to those agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Right to Farm Bylaw shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law. This Bylaw shall not supersede local, state, or federal laws or regulations.

## 4 Disclosure Notification

Not later than 21 days after the purchase and sale contract is entered into, or prior to the sale or exchange of real property if no purchase and sale agreement exists, for the purchase or exchange of real property, or prior to the acquisition of a leasehold interest or other possessory interest in real property, located in the Town of Brimfield, the landowner shall present the buyer or occupant with a disclosure notification on a form prepared by the Town which states the following: "It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for such property under certain circumstances."



**6 Severability Clause**

If any part of this Bylaw is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this Bylaw. The Town of Brimfield hereby declares the provisions of this Bylaw to be severable; or, take any other action thereon. (Agricultural Committee)

>Motion made by the Agricultural Committee (per Maria Thomson, chairperson): "Move that Article 37 be approved with the deletion of the term 'commercial' in section 3, line #8."

**Motion to approve Article 37, as revised in the opening motion, passed by a show of voting cards. (11:42 PM)**

**ARTICLE 38:** To add the following to bylaws to create the position of Town Administrator.

The Town Administrator is responsible for handling the day-to-day administrative affairs of the Town and for implementing the policies set forth by the Board of Selectmen. The mission of the Town Administrator's office is to implement the policies and work to achieve the goals of the Board of Selectmen. Appointment and qualifications. The Board of Selectmen may appoint a Town Administrator for a one to three year term in accordance with MGL c. 41, § 23A. The Town Administrator shall be appointed on the basis of executive and administrative qualifications and shall be especially fitted by education, training and previous experience in public administration to perform the duties of the office. The Board of Selectmen and the Town Administrator may enter into an employment contract pursuant to MGL c. 41, § 108N

Duties and responsibilities. The Town Administrator, under the direction and supervision of the Board of Selectmen, shall be responsible for handling the day-to-day administrative affairs of the Town and for implementing the policies set forth by the Board of Selectmen. The Town Administrator shall act for the Board of Selectmen in any matter that it may assign to the Town Administrator. With the approval of the Board of Selectmen, the Town Administrator may perform other duties as may be requested by any other Town officer, board, committee or commission. The Administrator shall be responsible for coordinating and implementing general office operating and personnel policies that shall apply to all elected and nonelected employees as may be agreed upon by the Board of Selectmen and other boards. Act as the procurement officer for goods and services for the town.

The Town Administrator shall:

- Attend all regular and special meetings of the Board of Selectmen, unless excused at his/her request.
- Attend all sessions of the Town Meeting and answer questions and provide information as requested.

- Inform the Selectmen of the need for long-range goals and general & personnel policies to guide the performance of Town departments at the direction of the Board of Selectmen, and present drafts of said goals and policies for their consideration.
- Review and make recommendations on the preparation of the Annual operating and capital items for departments under the authority of the Board of Selectmen, and submit budgets to them for approval.
- Partner with the Town Treasurer, Tax Collector, Town Accountant and Finance Committee in analyzing the town's financial status in order to develop short and long term financial planning including, debt service, capital projects and associated bonding.
- Be responsible for assembling Town Meeting articles and Town Warrants in concert with Town Counsel, and for compilation of the Town report.
- Diligently pursue opportunities to obtain Federal and State financial grants and will recommend the necessary measures needed to the Board of Selectmen to obtain the potentially most promising grants.
- Perform any other duties as required by By-Law votes of the Town Meeting, or votes of the Board of Selectmen.

Compensation. The Town Administrator shall receive such compensation for all services performed as the Board of Selectmen shall determine; or, take any other action thereon. (By Petition)

> 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 38 passed by a show of voting cards. (11:42 PM)**

**ARTICLE 39:** To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, the sum of \$9,692.03 for the purpose of reimbursing Travelers Casualty and Surety Company ("Travelers") for amounts received by the Town in excess of its claim on a public official bond issued by Travelers on behalf of the former Town Treasurer; 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 \$9,693 for the purpose stated in the article."

**Motion to approve Article 39 passed by a show of voting cards. (11:43 PM)**

**ARTICLE 40:** To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds, the sum of \$63,300 to pay principal and/or interest due in FY17 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 \$63,300 to pay interest and principal due in FY2017 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 a show of voting cards. (11:44 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 FY17 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 take no action for the purpose stated in the article."*

**Motion to take no action Article 41 passed by a show of voting cards. (11:44PM)**

**ARTICLE 42:** To see if the Town will vote to transfer from Free Cash the sum of \$153,393 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 \$153,393 from certified Free Cash to the Capital Purchase Stabilization Fund."*

**Motion to approve Article 42 passed by a 2/3 show of voting cards. (11:45 PM)**

**ARTICLE 43:** To see if the Town will vote to transfer \$536,607 from Free Cash and \$75,000 from the Assessor's Overlay Surplus or from any other available funds, to reduce the tax rate in FY17 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 \$39,000 from Overlay Surplus and \$387,023 from certified Free Cash to reduce the tax rate for FY 2017."*

**Motion to approve Article 43 passed by a show of voting cards. (11:45 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 FY16 budget; or, take any other action thereon. (Finance Committee)

> 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 Article 44 passed by a show of voting cards. (11:46PM)**

**ARTICLE 45:** To see if the Town will vote to transfer the amount of \$ \_\_\_\_\_ from the Municipal Waterway Fund (#14-3560), and \$ 10,000 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 and lily pads 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 \$0 from the Municipal Waterway Improvement Fund and \$10,000 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 45 passed by a show of voting cards. (11:46 PM)**

**ARTICLE 46:** To see if the Town will vote to raise and appropriate, borrow, or otherwise fund, a sum of money to be expended by the Conservation Commission, in accordance with the authority granted to it under Massachusetts General Laws, Chapter 40, Section 8C, for the acquisition, by and on behalf of the Town of Brimfield, of those certain parcels of land on Sturbridge Road in the Town, with the buildings thereon, known as the SPRINGFIELD BOYS CLUB, consisting of 100 acres, more or less, and described more particularly below, for conservation and passive recreation purposes, said land to be held in the care, custody, management and control of the Conservation Commission thereafter, and to authorize the Treasurer with the approval of the Selectmen to borrow said sum under the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8C, and/or any other enabling authority; and further to authorize the Conservation Commission or its designees, on behalf of the Town, to apply for, accept and expend such other funds which may be provided to pay for all or a portion of the costs of acquiring these properties, including but not limited to grants and/or reimbursement from the Commonwealth of Massachusetts under the Local Acquisitions for Natural Diversity (LAND) grant program (Massachusetts General Laws Chapter 132A, Section 11), which grants and/or funds shall be used to repay all or a portion of the borrowed funds, provided, however, that said acquisition is conditional upon the Town of Brimfield receiving a LAND grant in the amount of \$400,000 ; and to authorize the Board of Selectmen and/or the Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Brimfield to effect said acquisition or purchase; or, take any other action thereon. (Conservation Agent)

**Parcel 1:**

A certain parcel of land consisting of 82 acres on Sturbridge Road, Brimfield , Hampden County, Massachusetts shown, and being more particularly bounded and described in a deed from \_\_\_\_\_ to Springfield Boys' Club dated June 10, 1920 and recorded in the said Registry of Deeds in Book 1055, Pages 580.

Said parcel is also referred to on the Brimfield Town Assessor's Plan as Map 14 A 11.

**Parcel 2:**

A certain parcel of land consisting of 4.590 acres on Sturbridge Road, Brimfield , Hampden County, Massachusetts shown, and being more particularly bounded and described in a deed from \_\_\_\_\_ to Springfield Boys' Club dated June 10, 1920 and recorded in the said Registry of Deeds in Book 1055, Pages 580.

Said parcel is also referred to on the Brimfield Town Assessor's Plan as Map 17 D 12.

**Parcel 3:**

The remainder of a certain parcel of land consisting of 0.364 acres on Sturbridge Road, Brimfield, Hampden County, Massachusetts shown on a Plan of Land entitled "Plan of Land in Brimfield, Massachusetts, dated May 20, 1996, surveyed for Meyer Schoenberg and Sidney M. Cooley and prepared by Heritage Surveys, Inc., College Highway, Southampton, Massachusetts" and recorded in the Hampden County Registry of Deeds at Book of Plans 301, Pages 37 and 38, being more particularly bounded and described in a deed from Sidney M. Cooley and Meyer Schoenberg to Springfield Boys' Club, Inc. dated December 12, 1996 and recorded in the Hampden County Registry of Deeds in Book 09710, Page 056

Said parcel is also referred to on the Brimfield Town Assessor's Plan as Lot 14 D 3.

**Parcel 4:**

A certain parcel of land consisting of 0.436 acres on Sturbridge Road, Brimfield, Hampden County, being more particularly bounded and described in a deed from \_\_\_\_\_ to Springfield Boys' Club, Inc. dated November 20, 1980 and recorded in the Hampden County Registry of Deeds in Book 5031, Page 167.

Said parcel is also referred to on the Brimfield Town Assessor's Plan as Map 14 A 21.1.

**Parcel 5:**

A certain parcel of land consisting of 14.00 acres on Sturbridge Road, Brimfield, Hampden County, and being more particularly bounded and described in a deed from Carolyn Adams & Shirley Hicks to Springfield Boys' Club dated November 18, 1985 and recorded in the said Registry of Deeds in Book 5945, Pages 338.

Said parcel is also referred to on the Brimfield Town Assessor's Plan as Map 14 A 34.

> 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 46 passed by show of voting cards. (11:47 PM)

**ARTICLE 47:** To see if the Town will vote to raise and appropriate, borrow, or otherwise fund, a sum of money to be expended by the Conservation Commission, in accordance with the authority granted to it under Massachusetts General Laws, Chapter 40, Section 8C, for the acquisition by gift and negotiated purchases, by and on behalf of the Town of Brimfield, of those certain parcels of land on Sturbridge Road in the Town, with the buildings thereon, including the SPRINGFIELD BOYS CLUB, consisting of 100 acres, more or less, and other abutting properties, for conservation and passive recreation purposes (Massachusetts General Laws Chapter 40, Section 8C), and active recreation under program (Massachusetts General Laws Chapter 45, Section 14) said land

to be held in the care, custody, management and control of the Conservation Commission thereafter, and to authorize the Treasurer with the approval of the Selectmen to borrow said sum under the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8C, and/or any other enabling authority; and further to authorize the Conservation Commission or its designees, on behalf of the Town, to apply for, accept and expend such other funds which may be provided to pay for all or a portion of the costs of acquiring these properties, including but not limited to grants and/or reimbursement from the Commonwealth of Massachusetts under the Landscape Partnership grant program (Massachusetts General Laws Chapter 286, Section 2; Massachusetts General Laws Chapter 312, Section 2A, Massachusetts General Laws Chapter 236, Section 2), which grants and/or funds shall be used to repay all or a portion of the borrowed funds, provided, however, that said acquisition is conditional upon the Town of Brimfield receiving Landscape Partnership grant in the amount not to exceed \$2,000,000 ; and to authorize the Board of Selectmen and/or the Conservation Commission to enter into all agreements and execute any and all instruments including the conveyance of a perpetual conservation restriction in accordance with M.G.L. Chapter 184 as required by Section 12(a) of Chapter 44B or Chapter 293 Section 10 of the Acts of 1998 as amended, as may be necessary on behalf of the Town of Brimfield to effect said acquisition or purchase; or, take any other action thereon.(Conservation Agent)

> Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town appropriate the sum of \$2,000,000 to be expended by the Conservation Commission [as revised and detailed in the handout, and to include the five(5) parcels listed in the Article as described below], in accordance with the authority granted to it under Massachusetts General Laws, Chapter 40, Section 8C, for the acquisition by gift and negotiated purchase, by and on behalf of the Town of Brimfield, of those certain parcels of land on Sturbridge Road in the Town, with the buildings thereon, known as the SPRINGFIELD BOYS CLUB, consisting of 100 acres, more or less, and described more particularly below, and other abutting properties, for conservation and passive recreation purposes (Massachusetts General Laws, Chapter 40, Section 8C) and for active recreational purposes (Massachusetts General Laws, Chapter 45, Section 14), said land to be held in the care, custody, management and control of the Conservation Commission thereafter, and to meet this appropriation to authorize the Treasurer with the approval of the Selectmen to borrow said sum under the provisions of Massachusetts General Laws Chapter 44, Sections 7 and 8C, and/or any other enabling authority; and further to authorize the Conservation Commission or its designees, on behalf of the Town, to apply for, accept and expend such other funds, and to accept such donations of land or interests in land, which may be provided to pay for all or a portion of the costs of acquiring these properties, including but not limited to grants and/or reimbursement from the Commonwealth of Massachusetts under the Landscape Partnership Program, provided that such grants and/or funds shall be used to repay all of the borrowed funds, and that no expenditure of the sum appropriated hereunder shall be made until the Town shall have received grants and/or donations of funds equal to the amount to be expended; and to authorize the Board of Selectmen and/or the Conservation Commission to enter

*into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Brimfield to carry out the purposes of this vote."*

**Parcel 1:**

A certain parcel of land consisting of 82 acres on Sturbridge Road, Brimfield, Hampden County, Massachusetts shown, and being more particularly bounded and described in a deed to the Springfield Boys' Club dated June 10, 1920 and recorded with the Hampden County Registry of Deeds in Book 1055, Pages 580.

Said parcel is also referred to on the Brimfield Town Assessor's Plan as Map 14 A 11.

**Parcel 2:**

A certain parcel of land consisting of 4.590 acres on Sturbridge Road, Brimfield, Hampden County, Massachusetts shown, and being more particularly bounded and described in a deed to the Springfield Boys' Club dated June 10, 1920 and recorded with the Hampden County Registry of Deeds in Book 1055, Pages 580.

Said parcel is also referred to on the Brimfield Town Assessor's Plan as Map 17 D 12.

**Parcel 3:**

The remainder of a certain parcel of land consisting of 0.364 acres on Sturbridge Road, Brimfield, Hampden County, Massachusetts shown on a Plan of Land entitled "Plan of Land in Brimfield, Massachusetts, dated May 20, 1996, surveyed for Meyer Schoenberg and Sidney M. Cooley and prepared by Heritage Surveys, Inc., College Highway, Southampton, Massachusetts" and recorded with the Hampden County Registry of Deeds in Book of Plans 301, Pages 37 and 38, being more particularly bounded and described in a deed from Sidney M. Cooley and Meyer Schoenberg to Springfield Boys' Club, Inc. dated December 12, 1996 and recorded with the Hampden County Registry of Deeds in Book 09710, Page 056.

Said parcel is also referred to on the Brimfield Town Assessor's Plan as Lot 14 D 3.

**Parcel 4:**

A certain parcel of land consisting of 0.436 acres on Sturbridge Road, Brimfield, Hampden County, being more particularly bounded and described in a deed to the Springfield Boys' Club, Inc. dated November 20, 1980 and recorded with the Hampden County Registry of Deeds in Book 5031, Page 167.

Said parcel is also referred to on the Brimfield Town Assessor's Plan as Map 14 A 21.1.

**Parcel 5:**

A certain parcel of land consisting of 14.00 acres on Sturbridge Road, Brimfield, Hampden County, and being more particularly bounded and described in a deed from Carolyn Adams & Shirley Hicks to the Springfield Boys' Club dated November 18, 1985 and recorded with the Hampden County Registry of Deeds in Book 5945, Pages 338.

Said parcel is also referred to on the Brimfield Town Assessor's Plan as Map 14 A 34.

**Motion to approve Article 47, as revised by the opening motion, passed by the minimum 2/3 show of voting cards. (11:49 PM)**

**Motion to adjourn the 2016 Annual Town Meeting was accepted by the Moderator and seconded. Motion passed with unanimous approval at 11:49 PM.**