

Annual Town Meeting – May 20, 2019

Town of Brimfield

The 289th Annual Town Meeting

May 20, 2019 - Brimfield Town Hall

Minutes and Actions

Michael Miller, Moderator, called the meeting to order at 7:01 PM
134 registered voters in attendance.

Procedural Announcements:

The Moderator announced that all speakers must be recognized and will be limited to five minutes when explaining an Article 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 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 shall be considered to be “seconded” by the Board of Selectmen but may not necessarily be supported by the Board of Selectmen.
- 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. (7:08 PM)

ARTICLE 2: To see if the Town will vote pursuant to the provisions of G.L. c. 44, §53E ½, as most recently amended, to establish FY2020 spending limits as set forth below for the revolving funds listed in Section 1 of the General Bylaw entitled, “Departmental Revolving Funds”, approved under Article 2 of the June 5, 2017 Annual Town Meeting, with such limits to be

applicable from fiscal year to fiscal year until revised by Town Meeting prior to July 1 for the ensuing fiscal year:

Authorized Revolving Funds	Fiscal Year Expenditure Limit
Bike Trail Revolving Fund	\$5,000
Bins and Bags Revolving Fund	\$35,000
Cable TV Revolving Fund	\$1,500
Cemetery Revolving Fund	\$10,000
Conservation Commission	\$15,000
Dog Revolving Fund	\$2,000
HAZMAT Revolving Fund	\$10,000
Historical Revolving Fund	\$10,000
Recreation Revolving Fund	\$20,000
Senior Center Revolving Fund	\$15,000
Subdivision Control Law Revolving Fund	\$40,000
Tobacco Revolving Fund	\$500

or, take any other action thereon. (Various Boards and Departments)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend approval and move to establish the FY20 expenditure limits for the revolving funds listed in the warrant, in the amounts set forth therein".

Motion to approve Article 2 passed by show of voting cards. (7:08 PM)

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, 2019 to June 30, 2020; 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 \$176,786 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. (7:09 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, 2019 to June 30, 2020 and direct how the same shall be expended; or, take any other action thereon. (Board of Selectmen)

"Recommend and move that the Town raise and appropriate the sum of \$9,443,061 as detailed in the Finance Committee Recommendations accompanying the Warrant, for the purpose stated in the article."

Motion to approve Article 4 passed by show of voting cards. (7:19 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 FY19; 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 5 passed by show of voting cards. (7:20 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 FY19; 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. (7:22 PM)

The following Article 31 was taken out of order at the request of the Moderator and approved by a show of voting cards.

ARTICLE 31: To see if the Town will approve the Two Million Dollar (\$2,000,000) borrowing authorized by the Tantasqua Regional School District, for the purpose of paying costs of replacing doors and windows in the Tantasqua Regional Jr High School at 320 Brookfield Road, Fiskdale, Ma, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the Tantasqua Regional School District Building Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-five and sixty-three hundredths percent (55.63%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. Any premium received by the District upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to project costs in accordance with G.L. c.44, Section 20, thereby reducing the amount authorized to be borrowed for the project by a like amount; or, take any other action thereon. (Tantasqua Regional School Committee)

>Motion made by Finance Committee (per Chairperson) and seconded: "Recommend and move that the Town approve Tantasqua Regional School District borrowing authorization of \$2,000,000, for the purpose stated in the article, and approve Article 31 as printed in the warrant."

Motion to approve Article 31 passed by show of voting cards. (7:27 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 \$160,000 for FY20 and provided further, that any funds remaining in said account over \$50,000 for FY20 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 \$160,000 for FY20, and that any funds remaining in said account over \$50,000 for FY20 shall close to the general fund as stated in the article".
Motion to approve Article 7 passed by show of voting cards. (7:27 PM)

At the request of the Finance Committee, the Moderator allowed a single motion for approval to be made for Articles: 8, 9, 11, 12 and 13 (Routine Authorizations)

*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, 2019 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, §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:

Routine Authorizations - 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 2020 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 &13 passed by show of voting cards. (7:28 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 take no action for the purpose stated in the article."

Motion to take no action on Article 10 passed by show of voting cards. (7:28 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. (7:28 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 Committee)

>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. (7:29PM)

ARTICLE 16: To see if the Town will vote to raise and appropriate, borrow or otherwise fund the sum of \$7,000 to be expended by the Highway Surveyor subject to the requirements of applicable public bidding laws, for the purpose to purchase and equip a commercial lawn mower, pursuant to the Town's Capital Expenditure Plan; or, take any 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, to be expended by the Highway Surveyor, for the purpose stated in the article."

Motion to approve Article 16 passed by show of voting cards. (7:29 PM)

ARTICLE 17: To see if the Town will vote to raise and appropriate, borrow or otherwise fund the sum of \$45,000 to be expended by the Highway Surveyor subject to the requirements of applicable public bidding laws, for the purpose of purchasing and equipping a roadside mower, pursuant to the Town's Capital Expenditure Plan; or take any 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 \$45,000, to be expended by the Highway Surveyor, for the purpose stated in the article."

Motion to approve Article 17 passed by show of voting cards. (7:30 PM)

ARTICLE 18: To see if the Town will vote to raise and appropriate, borrow or otherwise fund the sum of \$ 3,000 to be expended by the Highway Surveyor subject to the requirements of applicable public bidding laws, for the purpose of preparing a Dam Safety Phase I Inspection Report for Wheeler Pond Dam, including all incidental and related expenses, pursuant to the Town's Capital Expenditure Plan; or, take any 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 \$3,000, to be expended by the Highway Surveyor, for the purpose stated in the article."

Motion to approve Article 18 passed by show of voting cards. (7:31 PM)

ARTICLE 19: To see if the Town will vote to raise and appropriate, borrow or otherwise fund the sum of \$ 6,500 to be expended by the Highway Surveyor subject to the requirements of applicable public bidding laws, for the purpose of preparing an Emergency Action Plan for Wheeler Pond Dam, as required by M.G.L. c. 21 Section 65 and 302 CMR 10.00, pursuant to the Town's Capital Expenditure Plan; or, take any 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 \$6,500, to be expended by the Highway Surveyor, for the purpose stated in the article."

Motion to approve Article 19 passed by show of voting cards. (7:32 PM)

ARTICLE 20: To see if the Town will raise and appropriate, borrow, or otherwise fund the sum of \$50,000 to be expended by the Board of Selectmen for the purpose of repairs, maintenance, renovations and weatherization of municipal buildings, (other than schools) owned by the Town of Brimfield, and including any incidental and related expenses; 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 \$50,000, to be expended by the Board of Selectmen, for the purpose stated in the article."

Motion to approve Article 20 passed by show of voting cards. (7:33 PM)

ARTICLE 21: To see if the town will vote to raise and appropriate or otherwise transfer from available funds the sum of \$18,000 for the replacement purchase of self-contained breathing apparatus; 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 \$18,000, to be expended by the Fire Chief, for the purpose stated in the article."

Motion to approve Article 21 passed by show of voting cards. (7:34 PM)

ARTICLE 22: To see if the Town will vote to accept MGL chapter 48 Sections 42, 43 and 44 as it pertains to the position of fire chief; and, consistent therewith, to rescind its acceptance of MGL Chapter 48, Section 42A; or, take any other action thereon. (Fire Chief)

>Motion made by the Fire Chief and seconded: "Recommend and move that Article 22 be approved for the purposes stated in the warrant."

Motion to approve Article 22 passed by show of voting cards. (7:35 PM)

ARTICLE 23: To see if the Town will vote to transfer \$11,000 received 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, including all incidental and related expenses; 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 \$11,000 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 the purpose stated in the article."

Motion to approve Article 23 passed by show of voting cards. (7:35 PM)

ARTICLE 24: To see if the Town will vote to amend Section 12 of the Zoning Bylaws, by deleting the text and title of Section 12: Temporary Moratorium on Recreational Marijuana Establishments, and inserting in place thereof the following:

12: Adult Use Marijuana Establishments

1. Purpose.

The purpose of this Section is to regulate the time, place and manner of Registered Marijuana Dispensaries and Adult Use Marijuana Establishments. The zoning will serve to preserve the character of the community and create a place for the public to have access to legal marijuana while mitigating community impact. This Bylaw shall provide regulations and criteria that will support the public's right to access legal marijuana, protect the public health, safety, and well-being and expand new growth for the tax base.

2. Scope.

This Section relates to Marijuana Establishments authorized by General Laws, Chapter 94G, and to Registered Marijuana Dispensaries authorized by General Laws, Chapter 94I.

3. Definitions.

The terms used herein shall be interpreted as defined in the regulations governing Adult Use of Marijuana (935 CMR 500.00) and otherwise by their plain language.

Commission: The Cannabis Control Commission established by M.G.L. c.10, s.76 with authority to implement the state marijuana laws, including, M.G.L. c.94I, and M.G.L. c.94G, and all related regulations, including 935 CMR 500.00, 935 CMR 501.00 and 935 CMR 502.00.

Craft Marijuana Cooperative: A Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth. A cooperative is licensed to cultivate, obtain, manufacture, process, package and brand marijuana or marijuana products and to transport marijuana to Marijuana Establishments, but not to consumers.

Hemp: The plant of the genus Cannabis or any part of the plant, whether growing or not, with a delta-9-tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis of any part of the plant of the genus Cannabis, or per volume or weight of cannabis or marijuana product, or the combined percent of delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus Cannabis regardless of moisture content.

Host Community Agreement: An agreement, pursuant to M.G.L. c.94G, s.3 (d), between a Marijuana Establishment and a municipality setting forth additional conditions for the operation of a Marijuana Establishment, including stipulations of responsibility between the parties.

Independent Testing Laboratory: A laboratory that is licensed by the Commission in accordance with 935 CMR 500.00

Manufacture: To compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

Marijuana Cultivation: The use of land and/or buildings for planting, tending, improving, harvesting, processing and packaging, preparing and maintaining soil and other media and promoting the growth of marijuana by a marijuana cultivator, micro-business, research facility, craft marijuana cultivator cooperative, registered marijuana dispensary or other entity licensed by the Commission for marijuana cultivation. Such use shall not constitute a "Farm or nursery" under Section 3.4.2, an Agricultural use under Section 3.16.1 or a Forestry and nursery use under Section 3.16.2, and is not agriculturally exempt from zoning.

Marijuana Cultivator: An entity licensed by the Commission to cultivate, process and package marijuana, to transfer marijuana to other Marijuana Establishments, but not directly to consumers. A Craft Marijuana Cooperative is a type of Marijuana Cultivator.

Marijuana Establishment: A Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, except a Medical Marijuana Treatment Center (Registered Marijuana Dispensary).

Marijuana Microbusiness: A Marijuana Establishment that can be either a Marijuana Cultivator or Product Manufacturer or both, licensed in accordance with the requirements of 935 CMR 500.00.

Marijuana Products: Marijuana and its products unless otherwise indicated. These include products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

Marijuana Product Manufacturer: An entity licensed to obtain, manufacture, process and package marijuana or marijuana products and to transfer these products to other Marijuana Establishments, but not directly to consumers.

Marijuana Retailer: An entity licensed to purchase and transport marijuana or marijuana product from Marijuana Establishments and to sell or otherwise transfer this product to Marijuana Establishments and to consumers. Retailers are prohibited from delivering marijuana or marijuana products to consumers and from offering marijuana or marijuana products for the purposes of onsite social consumption on the Premises of a Marijuana Establishment.

Registered Marijuana Dispensary (RMD): Also known as a Medical Marijuana Treatment Center, means a not-for-profit entity registered under 105 CMR 725.100, that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products ("MIPs"), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

Third Party Marijuana Transporter: An entity, that is licensed to purchase, obtain, and possess marijuana or marijuana product solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments, but not directly to consumers.

Premises: Any indoor or outdoor location over which a Marijuana Establishment or its agents may lawfully exert substantial supervision or control over entry or access to the property or the conduct of persons.

Process or Processing: To harvest, dry, cure, trim and separate parts of the marijuana or marijuana plant by manual or mechanical means, except it shall not include manufacturing of marijuana products as defined in 935 CMR 500.002.

Marijuana Research Facility: An entity licensed to engage in marijuana research projects by the Commission.

4. Location of Marijuana Establishments.

4.1 Marijuana Retailers and RMDs offering retail sale of Marijuana and/or Marijuana Products, shall be allowed in the Business District only by special permit from the Zoning Board of Appeals. No more than two special permits shall be issued for Marijuana Retailer uses.

4.2 All other types of Marijuana Establishment and RMD shall be allowed by special permit from the Zoning Board of Appeals in either the Business District or the Residential/Agricultural District. No more than two special permits shall be issued for Marijuana Cultivators.

4.3 No Marijuana Establishment shall be located within 1,500 feet of any public or private school.

4.4 All Marijuana Establishments and RMDs shall be fully enclosed within a building. No Marijuana Establishment shall be located within 300 feet of any other business or residence. Distance shall be measured by a straight line from the nearest point of the building in question to the nearest point of the building in which the Marijuana Establishment is or will be located.

4.5 With the exception of a licensed Marijuana Transporter, no Marijuana Establishment or RMD shall be permitted to operate from a moveable, mobile or transitory location.

4.6 Home Occupation: Marijuana Establishments and RMDs are not permitted as a Home Occupation, as defined within the Zoning Bylaw.

4.7 Use Variances: Notwithstanding any other provision of this Bylaw, no use variances shall be allowed for any Marijuana Establishment or RMD.

4.8 A special permit applicant may request that the SPGA waive the dimensional limitations of Sections 4.3 and 4.4. Such a waiver may be granted by the SPGA if it determines that the requested waiver would not be detrimental to public health, safety or welfare. The SPGA may impose any conditions, safeguards and other limitations on a waiver that it deems appropriate to protect public health, safety or welfare or to further the interests of this Bylaw.

5. Time and Manner.

5.1 Odor: No Marijuana Establishment or RMD shall allow the escape of odors or gases from the cultivation, processing, storage, or manufacturing of marijuana or marijuana products such that it can be detected beyond the boundaries of the property. Every Marijuana Establishment and RMD shall incorporate odor control technology, to the extent necessary, to ensure that emissions are contained on the property.

5.2 Signage: All signage shall comply with the requirements of 935 CMR 500, and Section 6 of this Zoning Bylaw.

5.3 Size of Marijuana Cultivators: Marijuana Cultivators and RMDs engaging in Marijuana Cultivation shall be limited to buildings of 10,000 square feet or less in gross floor area.

5.4 Visual Impact: Marijuana plants, products, and paraphernalia shall not be visible from outside the building in which the Marijuana Establishment or RMD is located, and Marijuana Establishments and RMDs shall comply with the requirements of 935 CMR 500 with respect to visibility of marijuana and marijuana products. Any artificial screening device erected to eliminate the view from the public way shall also be subject to a vegetative screen and the SPGA shall consider the surrounding landscape and view shed to determine if an artificial screen would be out of character with the neighborhood.

5.5 Nuisance: Marijuana Establishment and RMD operations shall not create nuisance conditions in parking areas, sidewalks, streets and areas surrounding the Premises and adjacent properties. "Nuisance" includes, but is not limited to, disturbances of the peace, excessive pedestrian or vehicular traffic, littering, loitering, illegal parking, loud noises, excessive citation for violations of State or local traffic laws and regulations, queuing of patrons (vehicular or pedestrian) in or other obstructions of the public or private way (sidewalks and streets).

5.6 Security: The applicant shall submit a security plan to the Police Department to demonstrate that there is limited burden on the Town public safety officials as a result of the proposed Marijuana Establishment or RMD. The security plan shall include all security measures for the site and transportation of marijuana and marijuana products to and from off-site locations to ensure the safety of employees and the public and to protect the Premises from theft or other criminal activity. A letter from the Police Department to the Planning Board acknowledging receipt and approval of such a security plan shall be submitted as part of the Special Permit application.

Safety plans should mitigate any potential harm to the employees and the public including ensuring all customers are at least 21 years of age.

6. Adult On-Site Social Consumption.

6.1 On-site consumption of marijuana and marijuana products, as either a primary or accessory use, shall be prohibited at all Marijuana Establishments unless permitted by a local ballot initiative process, as allowed by M.G.L. c.94G s.3(b). The prohibition of on-site social consumption shall include private social clubs or any other establishment which allows for social consumption of marijuana or marijuana products on the Premises, regardless of whether the product is sold to consumers on site.

7. Criteria for Issuance of Special Permit.

7.1 Host Community Agreement: No Special Permit shall be granted without first having an executed Host Community Agreement with the Town of Brimfield.

7.2 Community Outreach Meeting: No Special Permit application shall be deemed complete until a Community Outreach Meeting has been held in accordance with 935 CMR 500.

7.3 State Law: Marijuana Establishment operations shall conform at all times to M.G.L., c.94G, and regulations issued there under, or any successor statutes or regulations. RMD operations shall conform at all times to M.G.L., c.94I, and regulations issued there under, or any successor statutes or regulations.

7.4 License requirements for Marijuana Establishments:

7.4.1 The applicant shall submit proof that the application to the Commission has been deemed complete pursuant to 935 CMR 500.102. Copies of the complete application, to the extent legally allowed, shall be provided as part of the application to the SPGA, and no Special Permit application shall be deemed complete until this information is provided.

7.4.2 No Special Permit shall be granted by the SPGA without the Marijuana Establishment first having been issued a Provisional License from the Commission pursuant to 935 CMR 500.

7.4.3 No person shall operate a Marijuana Establishment without having a license in good standing from the Commission.

7.5 Energy Use: All Marijuana Cultivators and RMDs shall submit an energy use plan to the SPGA to demonstrate best practices for energy conservation. The plan shall include an electrical system overview, proposed energy demand, ventilation system and air quality, proposed water system and utility demand.

7.6 Line Queue Plan: An applicant proposing a Marijuana Retailer shall submit to the SPGA a line queue plan to ensure that the movement of pedestrian and/or vehicular traffic along the public right of ways will not be obstructed. The SPGA may also require such a plan for RMDs offering retail sale of Marijuana and/or Marijuana Products.

7.7 Traffic Impact Statement: Any Marijuana Establishment open to the general public shall submit a detailed Traffic Impact Statement to the SPGA. The SPGA may also require such a plan for RMDs offering retail sale of Marijuana and/or Marijuana Products.

7.8 Parking: The Applicant shall demonstrate adequacy of on-site parking for the proposed use. The SPGA may, in its discretion, permit off-site parking if it determines it is in the public interest to do so.

7.9 Permitting: In addition to this section, the special permit shall also be governed by the requirements of Section 11.2.2. A special permit granted under this section shall have a term limited to the duration of the applicant's control and/or use of the Premises as a Marijuana Establishment. A special permit may be transferred only with the approval of the Planning Board in the form of an amendment to the special permit.

7.10 Notice of Enforcement Order: A Marijuana Establishment or RMD shall file notice with the Board of Selectmen, Board of Health Agent, Police Chief, and the Building Commissioner within 24 hours of receipt of any summary cease and desist order, cease and desist order, quarantine order, suspension order, revocation order, order limiting sales, deficiency statement, plan of correction, notice of a hearing, notice of any other administrative process or legal action, denial of a license, denial of a renewal of a license, or final action issued by a state agency (including, but not limited to, the Commission and Massachusetts Department of Public Health).

7.11 Annual Inspection: Any operating Marijuana Establishment or RMD within the Town shall be subject to annual inspection by the Building Commissioner, the Fire Department, the Police Department, or their designee(s), to ensure compliance with this Section and with any conditions imposed by the SPGA as a condition of the Special Permit approval.

8. Severability.

If any provision of this section is found to be invalid by a court of competent jurisdiction, the remainder of this section shall not be affected but shall remain in full force; or, take any other action thereon. (Planning Board)

>Motion made by Planning (per Russell Smith) and seconded: "Recommend and move that Article 24 be approved as written in the warrant."

Motion to approve Article 24 passed by a 2/3 show of voting cards as called by the moderator. (7:45 PM)

ARTICLE 25: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 64N, Section 3, as amended, to impose a local excise sales tax on the sale or transfer of marijuana or marijuana products by a retail Marijuana Establishment operating within the town of Brimfield to anyone other than a Marijuana Establishment at the rate of 3% of the total sales price received by the retail Marijuana Establishment as consideration for the sale of marijuana or marijuana products; or, take any other action thereon. (Planning Board)

>Motion made by Planning (per Chairperson) and seconded: "Recommend and move that Article 25 be approved for the purposes stated in the warrant."

Motion to approve Article 25 passed by 2/3 show of voting cards as called by the Moderator. (7:46 PM)

ARTICLE 26: To see if the Town will vote to amend Section 3 of the Zoning Bylaws, by inserting a new paragraph in Section 3.1 prohibiting the operation of so-called "recreational" or

“adult use” marijuana establishments in the Town of Brimfield, as set forth below; or take any other action thereon. (Planning Board)

Acknowledging the continued application of the preceding paragraph, consistent with the provisions of G.L. c.94G, §3(a)(2), all types of “marijuana establishments” (sometimes referred to as “recreational” or “non-medical” marijuana establishments), as defined in G.L. c.94G, §1 to include marijuana cultivators, independent testing laboratories, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, and specifically excluding medical marijuana treatment centers, shall be prohibited within the Town of Brimfield.

>Motion made by Planning (per Chairperson) and seconded: “Recommend and move that Article 26 be approved for the purposes stated in the warrant.”

Motion to approve Article 26 failed by a counted vote, 64 Yes to 52 No. A 2/3 majority vote is required. (7:55 PM)

ARTICLE 27: To see if the Town will vote to raise and appropriate, borrow, or otherwise transfer from available funds, the total sum of \$9,000.00 to be expended by the Police Department, subject to the requirements of applicable public procurement laws, for the purchase of Motorola, or the equivalent, hand held radios for use by the police department; or, take any other action thereon. (Police Department)

>Motion made by Finance Committee (per Chairperson) and seconded: “Recommend and move that the Town raise and appropriate the sum of \$9,000, to be expended by the Chief of Police, for the purpose stated in the article.”

Motion to approve Article 27 passed by show of voting cards. (7:56 PM)

ARTICLE 28: To see if the Town will vote to raise and appropriate, borrow, or vote to transfer the sum of \$44,000.00 from the Capital Purchase Stabilization Fund, to be expended by the Board of Selectmen, subject to the requirements of applicable public bidding laws, for the purchase and equipping of one Ford Interceptor, Dodge Durango, Chevy Tahoe or any other 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 \$44,000, to be expended by the Chief of Police, for the purpose stated in the article.”

Motion to approve Article 28 passed by show of voting cards. (7:56 PM)

ARTICLE 29: To see if the Town will vote to create a commission on disability of not less than five nor more than nine members, to be appointed by the Board of Selectmen in accordance with the provisions of G.L. c.40, §8J, with a majority of commission members to be people with disabilities, one member of which may be a member of the immediate family of a person with a disability, appointed for three year rotating terms, with initial appointments so arranged that the term of one-third of the members expires each year; said Commission on Disability (COD) shall promote the inclusion and integration of persons with disabilities in

activities, services and employment opportunities or the community, and may also, take any of the action permitted under said section 8J, including:

- Advise and assist municipal officials in ensuring compliance with federal and state disability laws
- Recommend the allocation of funds from Handicapped Parking fines for the benefit of person with disabilities
- Provide research, information, advocacy and technical assistance to individuals, businesses and organizations in disability related matters
- Coordinate the activities of other local groups organized to meet the needs of persons with disabilities;

or, take any other action thereon. (Board of Selectmen and Council of Aging)

>Motion made on behalf of the Board of Selectmen and Council of Aging and seconded: “Recommend and move that Article 29 be approved for the purposes stated in the warrant.”

Motion to approve Article 29 passed by show of voting cards. (7:56 PM)

ARTICLE 30: To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds the sum of \$3,400 to the Cemetery Commission for the purpose of the surveying and placement of permanent lot location markers, including all incidental and related expenses; or, take any other action thereon. (Cemetery Commission)

>Motion made by Finance Committee (per Chairperson) and seconded: “Recommend and move that the Town raise and appropriate the sum of \$3,400, to be expended by the Cemetery Commission, for the purpose stated in the article.”

Motion to approve Article 30 passed by show of voting cards. (7:56 PM)

[See above: Article 31 was taken out of order after Article 6]

ARTICLE 32: To see if the Town will vote to amend Section 7A of the Zoning Bylaws, by inserting “and Residential/Agricultural Districts” in the heading thereof and by adding the following introductory paragraph before Section 1.0 thereof:

Large-Scale Ground Mounted Solar Photovoltaic installations may be permitted only upon the issuance of a special permit by the Special Permit Granting Authority (SPGA) is the Zoning Board of Appeals) and upon issuance of Site Plan Approval by the Planning Board, under such conditions as each Board may require.

And further to amend section 3.1 Lot Requirement by replacing the number “5” with the number “15”, and by inserting the words “and Residential/Agricultural District” and the end of the section; or, take any other action thereon. (Planning Board)

>Motion made by Planning (per Chairperson) and seconded: “Recommend and move that Article 32 be approved for the purposes stated in the warrant.”

Motion to approve Article 32 failed by a counted vote: 55 Yes, 41 No. A 2/3 majority vote is required. (8:15 PM)

ARTICLE 33: To see if the Town will vote for the following article amending the Zoning Bylaw; or, to take any other action in thereto:

*Proposed changes to the current section are shown **bold and underlined***

Business District --The Business District is shown on the Zoning Map and is located along US Route 20 at a depth of 500 feet from the established side lines of US Route 20, as laid out by the Commonwealth of MA, with the exceptions of the portion on the Northerly side of US Route 20 from Crystal Brook to Sherman Brook, and, with the exception of the portion along US Route 20 between Wales Road (US Route 19 South) and Holland Road, north of Haynes Hill Road, to a depth of 750 feet from the established side lines of US Route 20 and with the exception of Large-Scale Ground-Mounted Solar Photovoltaic Installation (as allowed under the terms and definitions of Section 7A of these by-laws) to extend to a depth of 2,500 feet from established sidelines of US 20, for the parcel known and designated as Map 11-A-9 as laid out by the Commonwealth of MA. **And an additional exception, adding specific parcel to the Business District exclusively for the construction of Large-Scale Ground-Mounted Solar Photovoltaic Installations (as allowed under the terms and definitions of Section 7A of these Zoning Bylaws) on the following parcel on Holland Road: 17-D-6 as shown on the Assessors Maps for the Town of Brimfield.** (By Petition)

>Motion made by Council of Aging (per Chairperson) and seconded: "Recommend approval and move that Article be approved as written."

Motion to approve Article 33 passed by a 2/3 show of voting cards as called by the moderator. (8:33 PM)

ARTICLE 34: To see if the Town will vote for the following article amending the Zoning Bylaw; or, to take any other action in thereto:

*Proposed changes to the current section are shown **bold and underlined***

Business District--The Business District is shown on the Zoning Map and is located along US Route 20 at a depth of 500 feet from the established side lines of US Route 20, as laid out by the Commonwealth of MA, with the exceptions of the portion on the Northerly side of US Route 20 from Crystal Brook to Sherman Brook, and, with the exception of the portion along US Route 20 between Wales Road (US Route 19 South) and Holland Road, north of Haynes Hill Road, to a depth of 750 feet from the established side lines of US Route 20 and with the exception of Large-Scale Ground-Mounted Solar Photovoltaic Installation (as allowed under the terms and definitions of Section 7A of these by-laws) to extend to a depth of 2,500 feet from established sidelines of US 20, for the parcel known and designated as Map 11-A-9 as laid out by the Commonwealth of MA. **And an additional exception, adding specific parcels to the Business District exclusively for**

the construction of Large-Scale Ground-Mounted Solar Photovoltaic Installations (as allowed under the terms and definitions of Section 7A of these Zoning Bylaws) on the following parcels on Holland Road: 17-C-2, and 17-C-2.1 as shown on the Assessors Maps for the Town of Brimfield. (By Petition)

>Motion made Susan Hilker and seconded: "Recommend approval and move that Article be approved as written."

Motion to approve Article 34 passed by a vote counted by the moderator, 76 Yes, 14 No. A 2/3 majority vote is required. (8:40 PM)

ARTICLE 35: To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 64L, Section 2(a) authorizing the imposition of a local excise in the statutory amount of .75% on the sale of restaurant meals originating within 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 accept G.L. c.64L, Section 2(a) and approve a Local Excise Tax on meals as stated in the article."

Motion to approve Article 35 passed by a vote counted by the moderator, 45 Yes, 37 No. (8:43 PM)

ARTICLE 36: To see if the Town will vote to delete Section 4.0 and 5.0 of the Town Bylaws, which provisions address the existence and duties of the "Dog Officer", by inserting the following new bylaw as a new Chapter 7, and by making the referenced bylaw amendments.

PURPOSE: This Bylaw, adopted consistent with Massachusetts General Laws Chapter 40, §21 and Chapter 140 §§ 136A through 174E, as most recently amended, shall establish animal welfare standards in the Town of Brimfield, including the regulation of domesticated animals, the licensing of dogs, and the establishment of fines for violation of this bylaw.

SECTION 1 - DEFINITIONS

For purposes of this bylaw only, the following definitions shall apply:

- A. "**Animal Control Officer**" ("**ACO**") - any person(s) appointed under M.G.L. c. 140, Section 151, who is designated by the Board of Selectmen to enforce this bylaw. Animal Control Officers are non-sworn members of the Brimfield Police Department and are responsible for investigating complaints regarding domestic animals, dogs, cats, and small wild animal issues. Animal Control Officers shall also be nominated under M.G.L. c. 129, Section 15, as a municipal animal inspector for the Department of Animal Health.
- B. "**Dog**" - any animal of domestic canine species
- C. "**Dangerous Dog**" - any dog so designated by the Board of Selectmen or the appropriate governing body of another municipality
- D. "**Domestic Animal**" - any dog, cat, ferret, or domestic animals as defined in 321 CMR 9.02

E. **"Kennel"** - a pack or collection of five (5) or more dogs, six (6) months of age or older, which are kept on a single premises

1. **Personal Kennel** - a pack or collection of five (5) or more dogs kept on a single premises for private personal use
2. **Commercial Breeder Kennel** - an establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration
3. **Veterinary Kennel** - a veterinary hospital or clinic that boards dogs for reasons in addition to medical treatment or care; provided, however, that "veterinary kennel" shall not include a hospital or clinic used solely to house dogs that have undergone veterinary treatment or observation or will do so only for the period of time necessary to accomplish that veterinary care
4. **Domestic Charitable Corporation Kennel** - a facility operated, owned or maintained by a domestic charitable corporation registered with the Department of Agriculture or an animal welfare society or other nonprofit organization incorporated for the purpose of providing for and promoting the welfare, protection and humane treatment of animals, including a veterinary hospital or clinic operated by a licensed veterinarian, which operates consistent with such purposes while providing veterinary treatment and care
5. **Commercial Boarding or Training Kennel** - an establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal

F. **"Owner" or "Keeper"** - any person(s), firm, farm, corporation, or organization, owning, keeping, harboring, or having interest in or care, custody, or control of one (1) or more dogs or domestic animals.

G. **"Public Nuisance"**- any domestic animal or dog shall be deemed a public nuisance if:

1. such domestic animal or dog is free of restraint and permitted on public or private property other than that belonging to the owner/keeper or others' private property who has knowledge and has expressed permission to be on said private property except if such domestic animal or dog is being used in a so-called hunting/sporting event, as a "working dog", or in a competition/showing trial and is being supervised as such by a person competent to prevent the domestic animal or dog from being a threat to public safety; provided, however, that this section shall apply only while such domestic animal or dog is being used for the above mentioned events, trials, work, or training for such purposes;
2. Such domestic animal or dog shall be permitted to defecate on public or private property and the owner/keeper of the dog does not immediately clean up and remove such defecation (this provision does not apply to those riding horses on a public way);

3. that dog is allowed to bark excessively or make any other such noise in a fashion as to deny the neighbors peaceful and quiet enjoyment of their property to include noise that exceeds five (5) minutes during the quiet time of 9 PM to 7 AM or constant noise more than a half (1h) hour during any span of time, as to disturb the neighbor. Proof of such disturbance is the complete onus of the complainant.

H. **"Unprovoked"** - Means that the domestic animal or dog was not hit, kicked or struck by the person with any object or part of the person's body, nor was any part of the animal's body pulled, pinched or squeezed by a person to cause pain or discomfort to the animal, nor was the animal verbally or physically taunted, in any way, whether there be physical contact or not.

I. **Animal Shelter ("shelter")**- A facility operated, owned, or maintained by an Animal Rescue Organization that exists for the purposes of receiving, maintaining, caring for, transporting, or transferring ownership of a domestic animal, but not a foster home.

SECTION 2 - REGISTRATION AND LICENSE OF DOGS

2.1. The owner/keeper of one (1) to four (4) dogs more than six (6) months old shall annually complete an application for a dog license for each dog and file the same with the Town Clerk on or before March 31st of any given year. Upon presenting said application and a valid certificate of rabies vaccination (along with proof of neutering and spaying, if applicable) for the dog and the appropriate fee, the Clerk shall issue said license and tag. The applicant shall keep the tag securely affixed to the dog with a collar or harness at all times.

2.2. All initial kennel licenses, other than those for a Personal Kennel, are subject to approval by the Zoning Board of Appeals per the Zoning Bylaws of the Town of Brimfield.

2.3. All kennel licenses, both initial and annual renewals, may not be issued by the Town Clerk until the kennel has passed an inspection by the Animal Control Officer. The ACO shall determine if said premises are safe, secure, and if the animals will be kept in a sanitary area that is adequate to house the number of dogs. Upon a positive finding the ACO shall notify the Town Clerk to issue a license. Once issued, the applicant shall keep all tags securely affixed to each dog with a collar or harness at all times.

2.4. Personal Kennel - an application form for a kennel license for five (5) to ten (10) dogs, six months of age or older, shall be submitted annually to the Town Clerk. A valid certificate of rabies vaccination with proof of neutering and spaying, if applicable, for each dog must be on file in the Town Clerk office. The inspection fee and license fee for each dog must accompany the application. A second kennel license is required for more than ten (10) dogs.

2.5. Commercial Breeder Kennel - a renewal application for the number of dogs approved in the initial application must be submitted annually to the Town Clerk along with the required fee. A license will be issued following an inspection with positive results by the ACO. Current rabies certificates for each dog are required to be on file in the Clerk's office for any dog over 6 months of age. The inspection fee and license fee for each dog must accompany the application.

2.6. Veterinary Kennel - a renewal application must be submitted annually to the Town Clerk along with the required fee. A license will be issued following an inspection with positive results by the ACO.

2.7. Domestic Charitable Corporation Kennel- a renewal application must be submitted annually to the Town Clerk. A license will be issued following an inspection with positive results by the ACO. An inspection fee will apply. Current rabies certificates must be on file in the Clerk's office for each dog. Individual tags will be provided at no cost.

2.8. Commercial Boarding or Training Kennel - a renewal application must be submitted annually to the Town Clerk along with the appropriate fee. A license will be issued following an inspection with positive results from the ACO.

2.9. If an inspection results in a negative finding, the owner will have ten (10) days to rectify the situation before additional action will be taken by the Animal Control Officer.

2.10. All License Periods shall be from April 1 in any year to March 31 the following year.

2.11. Violation and Enforcement

A. Fees. All fees relating to this bylaw shall be as determined by the Board of Selectmen. A list of all fees and fines shall be kept on file by the Board of Selectmen and be posted in a conspicuous place at the Town Clerk's office and the Public Safety Building.

B. Enforcement. Whoever violates Chapter 7 Section 2.1 shall be subject to a non-criminal disposition as follows:

1st Offense: Warning with 7-day notice to register

2nd Offense: \$25.00 non-criminal disposition

3rd and Subsequent Offenses: \$50.00 non-criminal disposition

Whoever violates Chapter 7 Sections 2.2 through 2.8 shall be subject to a non-criminal disposition as follows:

1st Offense: Warning or \$50.00 non-criminal disposition

2nd Offense: \$75.00 non-criminal disposition

3rd or Subsequent Offenses: \$100.00 non-criminal disposition

SECTION 3- LICENSING OF ANIMAL SHELTERS

3.1. All initial animal shelter licenses are subject to approval by the Zoning Board of Appeals per the Zoning Bylaws of the Town of Brimfield.

3.2. All animal shelter licenses, both initial and annual renewals, may not be issued by the Town Clerk until the shelter has passed an inspection by the Animal Control Officer. The ACO shall determine if said premises are safe, secure, and if the animals will be kept in a sanitary area that is adequate to house the number of animals. Upon a positive finding the ACO shall notify the Town Clerk to issue a license. Once issued, the applicant shall keep the license clearly and conspicuously placed so that the public can see it.

3.3. If an inspection results in a negative finding, the owner will have ten (10) days to rectify the situation before additional action will be taken by the Animal Control Officer.

3.4. All License Periods shall be from April 1 in any year to March 31 the following year.

SECTION 4- REQUIREMENT FOR RABIES VACCINATION OF DOGS AND CATS

4.1. Whoever in the Town of Brimfield is the owner or keeper of a dog or cat six months of age or older shall cause such dog or cat to be vaccinated against rabies by a licensed veterinarian using a licensed vaccine according to the manufacturer's directions and shall cause such dog or cat to be revaccinated at intervals recommended by the manufacturer.

4.2. The rabies vaccination tag, issued by the vaccinating veterinarian, shall be secured by the owner or keeper of such dog or cat to a collar or harness made of suitable material to be worn by the dog or cat; provided, however, that the owner of a cat may choose not to affix a tag to his cat, but shall have the tag available for inspection by authorized persons. If a tag is lost, the owner or keeper shall obtain a replacement tag from the vaccinating veterinarian.

4.3 Violation and Enforcement

Whoever violates Chapter 7 Section 5 shall be punishable by a non-criminal disposition of \$25.00 for each offense. Each day of a violation is considered a separate offense.

SECTION 5 - PROHIBITION OF PERMITTING A DOMESTIC ANIMAL OR DOG TO BECOME A PUBLIC NUISANCE

5.1. No owner/keeper of any domestic animal or dog in the Town of Brimfield, whether licensed or unlicensed, shall allow their domestic animal or dog to become a public nuisance as defined in Section 1.G of this Bylaw.

5.2 Violation and Enforcement

A. A domestic animal or dog found to be a public nuisance as defined in section 1.G. of this Bylaw may be picked up and held by the ACO for safe keeping until the owner/keeper can be located and such owner/keeper may be fined at the discretion of the ACO or any police officer as listed below:

1st Offense: Written Warning or \$25.00 non-criminal bylaw violation

2nd Offense: \$75.00 non-criminal bylaw violation

3rd Offense and Subsequent offense thereafter: \$100.00 non-criminal bylaw violation

B. Owner/keepers of domestic animals or dogs who receive a notice of violation of the public nuisance portion of this by-law shall be subject to a hearing before the Board of Selectmen under the provisions of Chapter 140, Section 157 of the Massachusetts General Laws.

SECTION 6 - DANGEROUS DOGS

6.1. No owner/keeper keeping a dangerous dog as defined in Section 1.C. shall fail to safeguard human beings or other domestic animals from said dog.

6.2. Upon receipt of a letter of complaint regarding a dog, the Board of Selectmen shall notify the owner/keeper of the animal of the complaint with a copy thereof, shall schedule a hearing in accordance with said statute and shall notify the owner/keeper of such hearing by regular and certified mail. A hearing can also be requested by the ACO if the ACO or the police department feels there are significant safety issues. Prior to the hearing the ACO shall investigate any claims of a dangerous dog to determine whether such a finding is warranted.

6.3. If the circumstances support such a finding, the ACO shall notify, in writing, the Chief of Police and the Board of Selectmen of such findings. Where appropriate, the ACO shall submit to the Select Board a list of recommendations as to how the owner/keeper can safely control the dog so that its behavior will not put humans or domestic animals in danger. The Board at its sole discretion may accept the recommendations of the ACO or order other appropriate remedies. Such remedies may include, but are not limited to, one or more of the following:

1. spaying or neutering the dog within a specified period of time;
2. micro-chipping the dog to ensure identification should the dog be sold or given to another person;
3. Required ongoing behavior training by a qualified trainer specializing in dogs with problem behavior;
4. use of a correctly fitted wire basket muzzle whenever outside or off the owner/keepers premises;
5. containment of the dog on the owners/keeper's property in a fashion provided, however that a radio-fence alone will not constitute restraint on an owner's property; construction of a secure enclosure of chain link, no smaller than 12 feet x 12 feet with a catchment area at the gate and having a secure top and bottom so the dog cannot escape, to restrain the dog in when it is outside the owner's house and on the owners/keeper's property;
6. chain link enclosure door must be secured with a padlock when the dog is in the enclosure;

7. display of a sign indicating that a "dangerous dog" is on the premises;

8. the dog must never be unrestrained in the town boundaries;

9. the dog hand walked by a competent adult, on an adequate leash no longer than (six) 6 feet in length;

10. require that the ACO place the dog in a secure facility, to be held at the owner's expense, until all orders to assure the dog can safely be housed in town are successfully complied with;

11. humane euthanization of the dog.

6.3. The owner/keeper of a "dangerous dog" must immediately notify the Police Department Dispatch if the dog is loose or unconfined; bites/attacks a human or domestic animal; is sold, given away, dies, or is to be moved to another address and provide the ACO with any and all information requested under the given circumstances.

6.4. Violation and Enforcement

Failure to comply with an order issued by the Board of Selectmen pursuant to Section 5.C. and M.G.L. c.140, s. 157 will result in the following:

A. the dog being picked up by the ACO and held in the designated pound, at the owner/keeper's expense, until another Board of Selectmen hearing is held to determine any additional finding(s) and additional restriction(s);

B. Failure to comply may result in fines or other penalties as listed below:

1st Offense: \$50.00 non-criminal disposition

2nd Offense: \$75.00 non-criminal disposition

3rd Offense: \$100.00 non-criminal disposition and forfeiture of animal to the Town of Brimfield.

SECTION 7- MINIMUM CARE OF ANIMALS

7.1. An owner or guardian of any animal must provide proper nourishment and access to adequate water at a drinkable temperature, quality and quantity as required by the species, breed, size and age of said animal, which will allow and foster normal growth and maintenance of body weight.

7.2. An owner or guardian of any animal must maintain a sanitary environment, which is dry and free of accumulated feces, and free of debris and garbage that may clutter the environment so as not to inhibit comfortable rest, normal posture and range of movement or pose a danger to or entangle an animal.

7.3. An owner or guardian of any animal must maintain said animal's health with minimum veterinary care, and a healthy physical condition.

7.4. Violation and Enforcement

Any person found to be in violation of Chapter 7, Section 7 of this Bylaw is subject to a non-criminal disposition listed below:

1st Offense: Written Warning with a 30-day follow-up inspection

2nd Offense: \$75.00 non-criminal disposition

3rd Offense: \$100.00 non-criminal disposition

SECTION 8 - DISPOSITION OF CONFINED DOMESTIC ANIMALS AND DOGS

8.1. Domestic animals and dogs confined under the authority of this bylaw shall be confined by the animal control officer in a place suitable for the detention and care of said animal and kept in a sanitary condition.

8.2. There shall be a base boarding fee of \$10.00 per day for any domestic animal or dog confined by the ACO together with the fee covering actual costs for food, shelter use, and ACO time spent caring for the animal per day. Said sum is to be paid to the Town of Brimfield before the animal is released from the custody of the ACO.

8.3. No dog may be released until the ACO has been provided proof that the licensing and all other provisions of Chapter 7 Section 2 have been met by the owner or keeper.

8.4. At the end of a ten-day period, any animal or dog confined by the ACO may be disposed of in the manner provided by MGL 140, Section 151A.

SECTION 9- RESTRAINT OF DOGS REQUIRED

9.1 No owner or keeper of a dog in the Town of Brimfield shall allow such dog to roam with the knowledge, and permission of such person. All dogs not on the premises of the owner or the keeper, or upon the premises of another person, with the knowledge and permission of such person, shall be restrained by a chain or leash.

9.2 Violation and Enforcement

Any person to be found in violation of Chapter 7, Section 6 shall be punishable by a non-criminal disposition fine of \$20.00. If the owner of said dog is not able to be immediately located or identified, then the dog will be confined by the ACO.

SECTION 10 - EMERGENCY TREATMENT OF DOGS AND CATS INJURED ON A PUBLIC WAY

10.1. Upon notification of any domestic animal being injured on a public way, the ACO shall immediately contact the owner, if known, and require the owner to care for said animal. Any

cost incurred by the ACO for emergency response, care, transportation, treatment, and/or disposal of an animal shall be the responsibility of the owner/keeper.

SECTION 11 – SEVERABILITY

11.1. Should any portion, section or provision of this Bylaw be found invalid for any reason, that finding shall not affect the validity and force of any other section, portion or provision of this bylaw.

SECTION 12 - PERSONS CONVICTED OF CRUELTY TO ANIMALS

12.1. Any person or persons found guilty of a violation of any provisions of Section 77, 80A, 94 or 95 of Chapter 272 of the Massachusetts General Laws, will forfeit the right to own or keep any animal within the Town of Brimfield and must immediately, upon conviction, surrender all animals in his/her possession to the Animal Control Officer.

SECTION 13 - RIGHT TO FARM

13.1. In the event of a dispute between a persons' right to farm and the enforcement of this bylaw, the Brimfield Agricultural Commission may be used to resolve the dispute. This dispute resolution option does not supersede the right to request a hearing under state statute.

SECTION 14- ENFORCEMENT

14.1. The provisions of this By-law and/or any regulation of the Board of Selectmen adopted hereunder, may be enforced by the ACO and/or any police officer of the Town of Brimfield by any available means in the law or equity, including but not limited to enforcement by non-criminal disposition pursuant to the provisions of M.G.L. Chapter 40 s. 21 D.

>Motion made by Board of Selectmen (per Chairperson) and seconded: "Move that Article 36 be approved as proposed with changes illustrated in the handout distributed to voters at this meeting"

Full text with revisions of Article 36 as distributed with highlighting:

>Motion made by Board of Selectmen (per Chairperson) and seconded: "Move that Article 36 be approved as proposed with changes illustrated in the handout distributed to voters at this meeting"

Moderator allowed the full text of handout with the revisions of Article 36 as distributed with highlighting to be incorporated into the opening motion.

ARTICLE 36: To see if the Town will vote to delete Section 4.0 and 5.0 of the Town Bylaws, which provisions address the existence and duties of the "Dog Officer", by inserting the following new bylaw as a new Chapter 7, and by making the referenced bylaw amendments.

PURPOSE: This Bylaw, adopted consistent with Massachusetts General Laws Chapter 40, §21 and Chapter 140 §§ 136A through 174E, as most recently amended, shall establish animal welfare standards in the Town of Brimfield, including the regulation of domesticated animals, the licensing of dogs, and the establishment of fines for violation of this bylaw.

SECTION 1 - DEFINITIONS

For purposes of this bylaw only, the following definitions shall apply:

- A. **"Animal Control Officer" ("ACO")** - any person(s) appointed under M.G.L. c. 140, Section 151, who is designated by the Board of Selectmen to enforce this bylaw and M.G.L. c. 140 Sections 136A to 174E. Animal control officers shall also be nominated under M.G.L. c. 129, Section 15 for the purpose of rabies quarantines. Animal Control Officers are non-sworn members of the Brimfield Police Department.
- B. **"Dog"** - any animal of domestic canine species
- C. **"Dangerous Dog"** - any dog which is defined under M.G.L. c. 140, Section 136.
- D. **"Domestic Animal"** - any dog, cat, ferret, or domestic animals as defined in 321 CMR 9.02
- E. **"Kennel"** - a pack or collection of five (5) or more dogs, six (6) months of age or older, which are kept on a single premise
1. **Personal Kennel** - a pack or collection of five (5) or more dogs kept on a single premise for private personal use
 2. **Commercial Breeder Kennel** - an establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration
 3. **Veterinary Kennel** - a veterinary hospital or clinic that boards dogs for reasons in addition to medical treatment or care; provided, however, that "veterinary kennel" shall not include a hospital or clinic used solely to house dogs that have undergone veterinary treatment or observation or will do so only for the period of time necessary to accomplish that veterinary care
 4. **Domestic Charitable Corporation Kennel** - a facility operated, owned or maintained by a domestic charitable corporation registered with the Department of Agriculture or an animal welfare society or other nonprofit organization incorporated for the purpose of providing for and promoting the welfare, protection and humane treatment of animals, including a veterinary hospital or clinic operated by a licensed veterinarian, which operates consistent with such purposes while providing veterinary treatment and care
 5. **Commercial Boarding or Training Kennel** - an establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal
- F. **"Keeper"** - any person(s), firm, farm, corporation, or organization, owning, keeping, harboring, or having interest in or care, custody, or control of one (1) or more dogs or domestic animals.

G. **"Generally Accepted Agricultural Practice"** - as used herein shall be determined by members of the Agricultural Commission for the town on a case by case basis.

- H. **"Public Nuisance"** - any domestic animal or dog shall be deemed a public nuisance if:
1. such domestic animal or dog is free of restraint and permitted on public or private property other than that belonging to the keeper or others' private property who has knowledge and has expressed permission to be on said private property except if it is a generally accepted agricultural practice or if such domestic animal or dog is being used in a so-called hunting/sporting event, as a "working dog", or in a competition/showing trial and is being supervised as such by a person competent to prevent the domestic animal or dog from being a threat to public safety; provided, however, that this section shall apply only while such domestic animal or dog is being used for the above mentioned events, trials, work, or training for such purposes;
 2. Such dog shall be permitted to defecate on public or private property and the keeper of the dog does not immediately clean up and remove such defecation;
 3. a dog that: (a) by excessive barking or other disturbance, is a source of annoyance to a sick person residing in the vicinity, or (b) by excessive barking, causing damage or other interference, a reasonable person would find such behavior disruptive to one's quiet and peaceful enjoyment, or (c) has threatened or attacked livestock, a domestic animal or a person, but such threat or attack was not a grossly disproportionate reaction under all the circumstances.
- I. **"Unprovoked"** - Means that the domestic animal or dog was not hit, kicked or struck by the person with any object or part of the person's body, nor was any part of the animal's body pulled, pinched or squeezed by a person to cause pain or discomfort to the animal, nor was the animal verbally or physically taunted, in any way, whether there be physical contact or not.
- J. **Animal Shelter ("shelter")** - A facility operated, owned, or maintained by an Animal Rescue Organization that exists for the purposes of receiving, maintaining, caring for, transporting, or transferring ownership of a domestic animal, but not a foster home.
- ## SECTION 2 - REGISTRATION AND LICENSE OF DOGS
- 2.1. The keeper of one (1) to four (4) dogs more than six (6) months old shall annually complete an application for a dog license for each dog and file the same with the Town Clerk on or before March 31st of any given year. Upon presenting said application and a valid certificate of rabies vaccination (along with proof of neutering and spaying, if applicable) for the dog and the appropriate fee, the Clerk shall issue said license and tag. The applicant shall keep the tag securely affixed to the dog with a collar or harness at all times.
- 2.2. All initial kennel licenses, other than those for a Personal Kennel, are subject to approval as outlined in the Zoning Bylaws of the Town of Brimfield.

A. A domestic animal or dog found to be a public nuisance as defined in Section 1.H. of this Bylaw may be picked up and held by the ACO for safe keeping until the owner or keeper can be located and such owner or keeper may be fined at the discretion of the ACO or any police officer as listed below:

- 1st Offense: Written Warning or \$25.00 non-criminal bylaw violation
- 2nd Offense: \$75.00 non-criminal bylaw violation
- 3rd Offense and Subsequent offense thereafter: \$100.00 non-criminal bylaw violation

B. Keepers of domestic animals or dogs who receive a notice of violation of the public nuisance portion of this Bylaw shall be subject to a hearing before the Board of Selectmen under the provisions of M.G.L. c. 140, Section 157.

SECTION 6 - DANGEROUS DOGS

6.1. No keeper of a dangerous dog as defined in Section 1.C. shall fail to safeguard human beings or other domestic animals from said dog.

6.2. In accordance with M.G.L. c. 140, Section 157, upon receipt of a letter of complaint regarding a dog, the Board of Selectmen shall notify the keeper of the animal of the complaint with a copy thereof, shall schedule a hearing in accordance with said statute and shall notify the owner/keeper of such hearing by regular and certified mail. A hearing can also be requested by the ACO if the ACO or the police department feels there are significant safety issues. Prior to the hearing the ACO shall investigate any claims of a dangerous dog to determine whether such a finding is warranted.

6.3. In accordance with M.G.L. c. 140, Section 157, if the circumstances support such a finding, the ACO shall notify, in writing, the Chief of Police and the Board of Selectmen of such findings. Where appropriate, the ACO shall submit to the Select Board a list of recommendations as to how the owner/keeper can safely control the dog so that its behavior will not put humans or domestic animals in danger. The Board at its sole discretion may accept the recommendations of the ACO or order other appropriate remedies. Such remedies may include but are not limited to those described in M.G.L. c. 140, Section 157.

6.4. Violation and Enforcement

Failure to comply with Section 6.1 or an order issued by the Board of Selectmen pursuant to M.G.L. c. 140, Section 157 will result in the following:

A. the dog being picked up by the ACO and held in the designated pound at the keeper's expense as defined in Chapter 7 Section 8 of the General Bylaws, until another Board of Selectmen hearing is held to determine any additional finding(s) and additional restriction(s);

B. Failure to comply may result in fines or other penalties as listed below:

- 1st Offense: \$50.00 non-criminal disposition

2nd Offense: \$75.00 non-criminal disposition

3rd Offense: \$100.00 non-criminal disposition

SECTION 7- MINIMUM CARE OF ANIMALS

7.1. An owner or guardian of any animal must provide proper nourishment and access to adequate water at a drinkable temperature, quality and quantity as required by the species, breed, size and age of said animal, which will allow and foster normal growth and maintenance of body weight.

7.2. An owner or guardian of any animal must maintain a sanitary environment, which is dry and free of accumulated feces, and free of debris and garbage that may clutter the environment so as not to inhibit comfortable rest, normal posture and range of movement or pose a danger to or entangle an animal.

7.3. An owner or guardian of any animal must maintain said animal's health with minimum veterinary care, and a healthy physical condition.

7.4. It shall be the responsibility of the animal control officer, the animal inspector, barn inspector, or any other town employee to refer to the appropriate educating authority or organization suspected violations of this section.

SECTION 8- DISPOSITION OF CONFINED DOMESTIC ANIMALS AND DOGS

8.1. Domestic animals and dogs confined under the authority of this bylaw shall be confined by the animal control officer in a place suitable for the detention and care of said animal and kept in a sanitary condition.

8.2. There shall be a base boarding fee of \$10.00 per day for any domestic animal or dog confined by the ACO together with the fee covering actual costs for food, shelter use, and ACO time spent caring for the animal per day. Said sum is to be paid to the Town of Brimfield before the animal is released from the custody of the ACO.

8.3. No dog may be released until the ACO has been provided proof that the licensing and all other provisions of Chapter 7 Sections 2 and 4 of the General Bylaws have been met by the owner or keeper.

8.4. At the end of a seven-day period, the ACO shall take the appropriate action listed under MGL 140, Section 151A.

SECTION 9- RESTRAINT OF DOGS REQUIRED

9.1 No owner or keeper of a dog in the Town of Brimfield shall allow such dog to roam with the knowledge, and permission of such person. All dogs not on the premises of the owner or the keeper, or upon the premises of another person, with the knowledge and permission of such person, shall be restrained by a chain or leash.

9.2 Violation and Enforcement

Any person to be found in violation of Chapter 7, Section 9.1 shall be punishable by a non-criminal disposition fine of \$20.00. If the owner of said dog is not able to be immediately located or identified, then the dog will be confined by the ACO in accordance with Chapter 7 Section 8 of the General Bylaws.

SECTION 10 - EMERGENCY TREATMENT OF DOGS AND CATS INJURED ON A PUBLIC WAY

10.1. Upon notification of any domestic animal being injured on a public way, the ACO shall immediately contact the owner or keeper, if known, and require the owner or keeper to care for said animal. Any cost incurred by the ACO for emergency response, care, transportation, treatment, and/or disposal of an animal shall be the responsibility of the owner or keeper subject to M.G.L. c. 140, Section 151B.

SECTION 11 – SEVERABILITY

11.1. Should any portion, section or provision of this Bylaw be found invalid for any reason, that finding shall not affect the validity and force of any other section, portion or provision of this bylaw.

SECTION 13 - RIGHT TO FARM

13.1. In the event of a dispute between a resident's or property owner's right to farm and the enforcement of this bylaw, the Brimfield Agricultural Commission shall be consulted to determine generally accepted agricultural practices. Said determination shall be binding upon the ACO.

SECTION 14- ENFORCEMENT

14.1. The provisions of this By-law and/or any regulation of the Board of Selectmen adopted hereunder, may be enforced by the ACO and/or any police officer of the Town of Brimfield by any available means in the law or equity, including but not limited to enforcement by non-criminal disposition pursuant to the provisions of M.G.L. Chapter 40 s. 21D. Each day a violation exists shall constitute a separate violation; when no fine is specifically set forth, violations of this bylaw may be punishable by a fine of \$50 for the first violation, \$100 for a second violation, or \$150 for a third violation; or, take any other action thereon. (Board of Selectmen)

Motion to approve Article 36 with all changes shown above passed by a vote counted by the moderator, 47 Yes, 28 No. (9:01 PM)

Motion to approve Article 36 passed by a vote counted by the moderator, 47 Yes, 28 No. (9:01 PM)

ARTICLE 37: To see if the Town will vote for the following article amending the General Bylaws; or, to take any other action in thereto:

2.3.4 Vendor Permitting

2.3.4.1 Cost of Vendor Permit: To see if the Town will vote to amend General Bylaws 2.3.4.1 or take any action there on to read *"The cost of each vendor permit shall be determined annually by the Selectmen in accordance with the law of the Commonwealth of Massachusetts"*

2.3.4.2 Distribution of Permits and Payment to Town: To see if the Town will vote to amend General Bylaws 2.3.4.2 or take any action there on to read *"Vendor permits may be distributed by owners/operators or by the Town. The total cost of permits issued by the owner/operator shall be remitted to the Town within 10 days after the last day of each flea market. The owner/operator shall be responsible for payment for any vendor permits it issues."*

2.3.4.3 Records of Vendor Permits Issued: To see if the Town will vote to amend General Bylaws 2.3.4.3 or take any action there on to *"eliminate a Massachusetts sales tax identification number"*

2.3.6 Emergency Services: To see if the Town will vote to amend General Bylaws 2.3.6 or take any action there on to read *"Police, fire, and ambulance services incidental to the operation of flea markets may be required at the discretion of the Board of Selectmen and will be under the direction of the respective department heads or service providers. Costs of these services will be borne by the funds collected under Section 2.3.4.1"*

2.3.10.2 Calendar Dates To see if the Town will vote to amend General Bylaws 2.3.4.1 or take any action there on to delete *"except when religious holidays dictate otherwise."*

2.3.11 Emergency Service Fees: To see if the Town will vote to amend General Bylaws 2.3.4.1 or take any action there on to eliminate sections 2.3.11.1, 2.3.11.2, 2.3.11.3, 2.3.11.4 (By Petition) >Motion made by Suzanne Collins and seconded: *"Recommend approval and move that Article be approved as amended."*

Motion to approve Article 37 passed by show of voting cards. (9:04 PM)

ARTICLE 38: To see if the Town will vote to accept the provisions of G.L. c.44, §53F ½ for purposes of creating an Enterprise Fund for the Ambulance Department to be effective for Fiscal Year 2020, and, further, to raise and appropriate, or otherwise transfer from available funds, a sum of money for the operations of the Ambulance Enterprise 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 38 passed by show of voting cards. (9:05 PM)

[The following statement by the Finance Committee was brought to the attention of the meeting to explain the Finance Committee's recommendation to take no action.]

Annual Town Meeting – May 20, 2019

Below is a draft of motion considered [by the Finance Committee] but deferred to a special Town Meeting after July 1, conditional on signed 3 town written agreement for ambulance service:

Ambulance Enterprise Fund – Recommend and move that the Town vote to accept the provisions of G.L. c.44, §53F ½ for the purpose of creating an ambulance services enterprise fund, and, further, appropriate the total sum of \$585,770 for operation of the Ambulance Enterprise Fund for FY2020, as follows:

*\$58,240 to be for salaries,
\$382,658 to be for wages & benefits,
\$91,703 to be for expenses,
\$32,582 to be kept in a reserve account for ambulance service emergencies, and
\$20,587 to be appropriated in the General Fund but charged to the Ambulance Enterprise for funding,*

such funds to be raised as follows:

*\$255,000 from Ambulance Receipts, and
the following amounts from the fee imposed according to the terms of an intermunicipal agreement between the Town and Holland and Wales:
\$144,360 transferred from the Brinfield ambulance account #0231-5180,
\$99,240 from the Town of Holland, and
\$73,520 from the Town of Wales.*

And, in connection herewith to rescind the appropriation made under Article 4, Line 77, for FY20 ambulance services; such vote to take effect on July 1, 2019; provided, however, that the vote taken hereunder shall be deemed null and void if the Town does not enter into an intermunicipal agreement with the towns of Holland and Wales before midnight on June 30, 2019.

ARTICLE 39: To see if the Town will vote to raise and appropriate, or otherwise transfer from available funds a sum of money to pay principal and interest due in Fiscal Year 2020 on funds borrowed for the Facilities Building Project, Article #22 voted at the May 21, 2018 Annual 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 \$160,000 to pay debt excluded interest and principal, and \$340,000 to pay non-debt excluded interest and principal due in FY2020 on funds borrowed for the Facilities Building Project, Article #22 voted at the May 21, 2018 Annual Town Meeting for the purpose stated in the article
Motion to approve Article 39 passed by show of voting cards. (9:09 PM)

Annual Town Meeting – May 20, 2019

ARTICLE 40: To see if the Town will vote to raise and appropriate the sum of \$ and 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 raise and appropriate the sum of \$387,887 to the Capital Purchase Stabilization Fund."
Motion to approve Article 40 passed by show of voting cards. (9:09 PM)

ARTICLE 41: To see if the Town will vote to transfer \$ from Free Cash and \$ from the Assessor's Overlay Surplus or from any other available funds, to reduce the tax rate in FY20 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 \$245,000 from certified Free Cash to reduce the tax rate for FY 2020."
Motion to approve Article 41 passed by show of voting cards. (9:10 PM)

ARTICLE 42: To see if the Town will vote to transfer the sum of \$ from available funds to the 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 take no action for the purpose stated in the article."
Motion to take no action on Article 42 passed by show of voting cards. (9:11) PM

Motion from the floor to adjourn the meeting was made, seconded and passed at 9:12 PM