

**TOWN OF NORTH BROOKFIELD
SPECIAL TOWN MEETING WARRANT
DECEMBER 8, 2023**

SEAL, WORCESTER, SS.

TO ANY CONSTABLE OF THE TOWN OF NORTH BROOKFIELD

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and Town affairs, to meet at the North Brookfield Elementary School Auditorium, in said North Brookfield, on Friday, the 8th day of December, 2023 at 7:00 PM, to act upon the following articles, namely:

ARTICLE 1

To see if the Town will vote to transfer the sum of \$30,895.94 from Free Cash to Opioid Stabilization Account or to take any action relative thereto.

Explanation: This money was deposited in the general fund in FY 23 because we had not had an Opioid Stabilization Account set up at the time and must be transferred into the stabilization account. Per MGL we are required to hold this Opioid Settlement money in a Stabilization Account.

ARTICLE 2

To see if the Town will transfer the sum of \$300,000.00 from Free Cash to the Group Insurance or take any action relative thereto.

Explanation: This amount was originally cut from Group Insurance to help balance the FY 24 budget and it was agreed that it would be one of the first items transferred from Free Cash.

ARTICLE 3

To see if the Town will vote to transfer the sum of \$216,654.06 from Free Cash to General Stabilization or take any action relative thereto.

Explanation: This article is to transfer the balance of Free Cash back to General Stabilization. We needed to “borrow” \$292,862.89 from General Stabilization to balance the FY 24 budget. With this transfer we are still \$76,208.83 short of paying back the entire amount we borrowed.

ARTICLE 4

To see if the Town will vote to transfer from Playground: Supplies to Playground: Prior Year Expense the amount of \$31.17 to pay a prior year bill or take any action relative thereto.

ARTICLE 5

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to amend special legislation as set forth below, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendment which shall be within the scope of the general public objectives of this petition.

AN ACT RELATIVE TO PROVIDING FOR RECALL ELECTIONS IN THE TOWN OF NORTH BROOKFIELD

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1. Chapter 352 of the acts of 2002, providing for recall elections in the town of North Brookfield, is hereby amended by inserting the following section:

SECTION 2A. The reasons for which a recall may be initiated pursuant to this act shall include, but not be limited to:

- i. Lack of fitness, which shall mean insobriety while performing official functions, involuntary commitment to a mental health facility or being placed under guardianship or conservatorship by a probate court;
- ii. Corruption, which shall mean a conviction of a felony involving moral turpitude, conviction of bribery or extortion;
- iii. Neglect of duties, which shall mean repeated absences from meetings without just cause; provided, however, that just cause shall include, but not be limited to, illness or regular vacation periods; and
- iv. Misfeasance, which shall mean the performance of an official act in an unlawful manner or a willful violation of the conflict-of-interest law, open meeting law or other ethical violation.

2. This act shall take effect upon its passage.

Or take any action relative thereto.

Explanation: Recall petitions (if successful) allow voters to vote to remove an elected officer prior to the expiration of that officer's term. This article updates our recall procedures by defining the allegations that need to be enumerated in the affidavit and petition, including lack of fitness, corruption, neglect or misfeasance, while not necessarily limiting grounds to those listed.

ARTICLE 6

To see if the Town will vote to amend the North Brookfield Town By-Laws, Chapter II, Section 1, to read: *The Annual Town Election shall be held on the first Monday of May of each year. The polls shall be opened at 7:00 o'clock in the morning and shall be closed at 8:00 o'clock in the evening, for the purpose of election of town officers and for voting upon such others matters as may be voted on for the official ballot. The Annual Town Meeting for the consideration of all other business shall be held on the second Friday of June at 7:00 o'clock in the evening.* Or take any action relative thereto.

Currently:

Section 1. The Annual Town Meeting shall be held on the first Monday of May of each year. The polls shall be opened at 7 o'clock in the morning and shall be closed at 8 o'clock in the evening, for the purpose of election of town officers and for voting upon such other matters as may be voted on for the official ballot. The annual adjourned meeting for the consideration of all other business shall be held on the Friday following at 7:30 o'clock in the evening.

Explanation: Town Counsel has noted that referring to the Annual Town Election as part of the Annual Town Meeting is an antiquated practice. This will clarify distinction between the Election and the Meeting, and allow more time for the Annual Town Meeting to take place, rather than having it the first Friday in May, when the final budget numbers are not ready.

ARTICLE 7

To see if the town will vote to transfer the sum of \$7,183.65 from Water: Retained Earnings to: Water Unpaid Bills to pay a prior year bill or take any action relative thereto.

ARTICLE 8

To see if the Town will vote to rescind a sum of money from that vote of Article 4, Motion 3, of the June 16, 2023 Adjourned Annual Town Meeting that appropriated \$7,191,963.60 to North Brookfield Schools, or take any action relative thereto.

Explanation: Due to an increase in our school assessments, it is necessary to reduce the budget in order to balance.

ARTICLE 9

To see if the Town will vote to transfer a sum of money from available funds to Library: Building Maintenance Account to repair the HVAC system, or take any action relative thereto.

Explanation: The library's dual temperature circulating pump has failed. It normally provides both heating water and chill water for the HVAC system. This pump has been working around the clock for the past 16 years. Our backup pump, also 16 years old, is now the primary pump. The requested amount covers the replacement of the failed pump, two mini-pumps, and a cracked drain pan.

ARTICLE 10

To see if the Town will vote to authorize and empower the Board of Selectmen, in accordance with the provisions of G.L. c 41, Section 23A, to appoint a town administrator for a term of one or three years and to remove him/her at its discretion or take any action relative thereto.

Explanation: According Town Counsel the above language is taken from G.L. c. 41, Section 23A, and will allow the Board of Selectmen to appoint a town administrator. For over 15 years studies done in North Brookfield have indicated the need for a town administrator. With the help of the Town Administrator Search Committee, The Board of Selectmen will outline specific job duties, and expectations, as well as a removal process, within an employee contract.

ARTICLE 11

To see if the Town will vote to transfer the sum of \$1,827.00 from Fire Department: Weekend Salary Account (001.220.5131.000) to Fire Department: Vehicle Repair Account (001.220.5262.000), or take any action relative thereto.

Explanation: Fire Chief indicated that this money is needed for vehicle repair and vehicle inspections.

And you are hereby directed to serve this Warrant by posting attested copies thereof in the Library, Post Office, Police Department, and upon the Town House in said Town.

Hereof fail not, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of said meeting as aforesaid.

Given under our hands this 21st day of November 2023.

Jason M Petraitis

John H Tripp

Elizabeth Brooke Canada,

Selectmen of North Brookfield

A true copy, Attest:

I have on this day posted attested copies thereof in at least two public places as directed by Town By-Laws.

Date Time Constable