WARRANT

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF BROOKLINE
ANNUAL TOWN MEETING

Norfolk, ss

To Any Constable of the Town of Brookline

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to NOTIFY and WARN the Inhabitants of the TOWN OF BROOKLINE, qualified to vote at elections to meet at the High School Auditorium in said Brookline on TUESDAY, the TWENTY-THIRD day of MAY, 2017 at 7:00 o'clock in the evening for the Annual Town Meeting at which time and place the following articles are to be acted upon and determined by the representative town meeting:

ARTICLE 1
Submitted by: Board of Selectmen

To see if the Town will establish that the number of Measurers of Wood and Bark be two, to be appointed by the Selectmen, or act on anything relative thereto.

ARTICLE 2
Submitted by: Human Resources

To see if the Town will raise and appropriate, or appropriate from available funds, a sum or sums of money to fund the cost items in collective bargaining agreements between the Town and various employee unions; fund wage and salary increases for employees not included in the collective bargaining agreements; and amend the Classification and Pay Plans of the Town; or act on anything relative thereto.

ARTICLE 3
Submitted by: Treasurer/Collector

To see if the Town will authorize the Town Treasurer, with the approval of the Selectmen, to enter into Compensating Balance Agreement(s) for FY2018 in accordance with General Laws Chapter 44, Section 53F, or act on anything relative thereto.

ARTICLE 4
Submitted by: Board of Selectmen

To see if the Town will authorize the Comptroller to close out either all or a portion of the unexpended balances in certain Special Appropriations and return said sums to the Surplus Revenue accounts, or act on anything relative thereto.

ARTICLE 5
Submitted by: Board of Selectmen

To see if the Town will, in accordance with General Laws, Chapter 44, Section 64, authorize the payment of one or more of the bills of the previous years, which may be legally unenforceable due to the insufficiency of the appropriations therefore, and appropriate from available funds, a sum or sums of money therefore, or act on anything relative thereto.

ARTICLE 6
Submitted by: Board of Assessors

To see if the Town will elect to establish an additional property tax exemption for fiscal year 2018 which shall be uniform for all exemptions, in accordance with Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and accept said Section 4, as amended, or act on anything relative thereto.

ARTICLE 7
Submitted by: Board of Selectmen

To see if the Town will:

(A) Raise and appropriate or appropriate from available funds additional funds to the various accounts in the fiscal year 2017 budget or transfer funds between said accounts;

(B) And determine whether such appropriations shall be raised by taxation, transferred from available funds, provided by borrowing or provided by any combination of the foregoing; and authorize the Board of Selectmen, except in the case of the School Department Budget, and with regard to the School Department, the School Committee, to apply for, accept and expend grants and aid from both federal and state sources and agencies for any of the purposes aforesaid.

or act on anything relative thereto.

ARTICLE 8
Submitted by: Board of Selectmen

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

Or take any other action relative thereto.

ARTICLE 9
Submitted by: Advisory Committee

To see if the Town will:

A.) Fiscal Year 2018 Budget

Appropriate the sums requested or proposed by the Selectmen or by any other officer, board or committee, or any other sum or sums, for the fiscal year 2018 budget; without limiting the foregoing, appropriate the sums necessary for all town expenses, including the snow and ice budget, debt and interest, and operating expenses; fix the salaries of all elected officers as provided for in General Laws, Chapter 41, Section 108; authorize the leasing, leasing with an option to purchase or installment purchase of equipment; appropriate to a stabilization fund as provided for in General Laws Chapter 40, Section 5B; authorize the continuation of all revolving funds in accordance with General Laws, Chapter 44, Section 53E½ and all Enterprise Funds in accordance with General Laws, Chapter 44, Section 53F½; allocate available free cash; provide for a reserve fund; and establish the requirements for transfers among appropriations, interfund transfers, transfers for the purposes of salary adjustments, filling vacant positions and budgetary reporting.

B.) Fiscal Year 2018 Special Appropriations

Appropriate sums of money for the following special purposes:

1.) Appropriate $50,000, or any other sum, to be expended under the direction of the Chief Procurement Officer for town furniture upgrades.

2.) Appropriate $50,000, or any other sum, to be expended under the direction of the Building Commissioner for the rehabilitation of Town buildings.

3.) Appropriate $120,000, or any other sum, to be expended under the direction of the Chief Information Officer and Building Commissioner, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for improvements to the Data Room at Town Hall.

4.) Appropriate $175,000, or any other sum, to be expended under the direction of the Chief Information Officer, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for the enhancement of town-wide hardware and software.

5.) Appropriate $50,000, or any other sum, to be expended under the direction of the Fire Chief for the rehabilitation of Fire Department apparatus.

6.) Appropriate $625,000, or any other sum, to be expended under the direction of the Fire Chief, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for the replacement of Fire Engine #6.

7.) Appropriate $280,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for making extraordinary repairs to Fire Stations.

8.) Appropriate $71,000, or any other sum, to be expended under the direction of the Fire Chief for the purchase and installation of Personal Protective Equipment (PPE) washers and dryers.

9.) Appropriate $646,500, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts over $100,000 to be approved by the Board of Selectmen and Library Trustees, for extraordinary repairs/improvements at the Coolidge Corner Library.

10.) Appropriate $58,659, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for traffic calming studies and improvements; provided that the Department of Public Works and Transportation Board provide status reports to the Board of Selectmen on a semi-annual basis.

11.) Appropriate $33,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for bicycle access improvements.

12.) Appropriate $161,040, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for the purchase of parking meters.

13.) Appropriate $333,663, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the modernization of the Carlton Street / Monmouth Street traffic signal.

14.) Appropriate $1,670,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for the rehabilitation of streets.

15.) Appropriate $312,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for the rehabilitation of sidewalks.

16.) Appropriate $240,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for the Municipal Service Center site improvements.

17.) Appropriate $40,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, for the structural evaluation of the Davis Path Footbridge.

18.) Appropriate $300,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any contracts over $100,000 to be approved by the Board of Selectmen, for stormwater improvements.

19.) Appropriate $300,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any contracts over $100,000 to be approved by the Board of Selectmen, for improvements to the water system.

20.) Appropriate $70,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, for the design of the renovation of Murphy Playground.

21.) Appropriate $305,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for the renovation of playground equipment, fields, and fencing.

22.) Appropriate $150,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for the rehabilitation of Town and School grounds.

23.) Appropriate $230,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over $100,000 to be

approved by the Board of Selectmen and the Tree Planting Committee, for the removal and replacement of trees.

24.) Appropriate $90,000, or any other sum, to be expended under the direction of the Chief Procurement Officer for school furniture upgrades.

25.) Appropriate $75,000, or any other sum, to be expended under the direction of the Building Commissioner for ADA renovations to Town and School facilities.

26.) Appropriate $475,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts over $100,000 to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for improvements to elevators in Town and School facilities.

27.) Appropriate $75,000, or any other sum, to be expended under the direction of the Building Commissioner, for energy conservation projects in Town and School facilities.

28.) Appropriate $125,000, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for upgrades to energy management systems in Town and School facilities.

29.) Appropriate $215,000, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts over $100,000 to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for improvements to life safety systems and building security in Town and School facilities.

30.) Appropriate $100,000 or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for minor renovations / upgrades to school buildings.

31.) Appropriate $400,000 or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for HVAC system improvements at the Driscoll School.

32.) Appropriate $995,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts over $100,000 to be approved by the Board of Selectmen and the School Committee, for the expansion of classroom capacity in various schools.

33.) Appropriate $1,500,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts over $100,000 to be approved by the Board of Selectmen and the School Committee, for the schematic design services to construct a 9th School to be located at 490 Heath Street.

34.) Appropriate $1,500,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts over $100,000 to be approved by the Board of Selectmen and the School Committee, for the schematic design related to the remodeling, renovating, reconstruction or making extraordinary repairs to the High School.

35.) Appropriate $2,200,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over $100,000 to be approved by the Board of Selectmen, for the renovation of Brookline Reservoir Park.

C.) Funding

And determine whether such appropriations shall be raised by taxation, transferred from available funds, borrowed or provided by any combination of the foregoing, and authorize the leasing, leasing with an option to purchase, or the installment purchase of any equipment or any capital items; and authorize the Board of Selectmen, except in the case of the School Department Budget, and with regard to the School Department, the School Committee, to apply for, accept and expend grants, gifts, reimbursements, and aid from both federal, state, and other sources and agencies for any of the purposes noted in this Article, or act on anything relative thereto.

ARTICLE 10
Submitted by: Board of Selectmen

To see if the Town will vote to amend Article 2.1, Section 2.1.5 (B) of the Town's General By-Laws as follows:
(**bold language** is new; ~~strike-out language~~ is deletion)

SECTION 2.1.5 NOTICE OF MEETINGS

(B) Distribution. The Board of Selectmen shall cause a copy of the articles in the warrant for each Town Meeting to be ~~published in a newspaper of general circulation within the Town,~~ posted on the Town website, and to be delivered in hand, or mailed, either separately or as a part of the Combined Reports, to the Moderator and to the representative Town Meeting members, and shall cause the posting of copies of the same in ten public places in the Town, **and shall further cause a copy of the index of such articles to be published in a newspaper of general circulation within the Town**, at least seven (7) days before a Special Town Meeting is to convene and at least fifteen (15) days before an Annual Town Meeting is to convene. The requirements provided in this subsection (B) shall not be deemed to be a part of the legal notification of such meeting or the legal service of such warrant and the failure to comply with the provisions of this subsection (B) shall not serve to invalidate the proceedings of any Town Meeting.

Or take any other action relative thereto.

ARTICLE 11
Submitted by: Neil Gordon, TMM1

To see if the Town will vote to delete Section 3.1.7 of the Town's General by-laws - Campaigns for Office, and create a new Section 4.9 of the Town's By-laws, amended as follows:

(language to be deleted from Section 3.1.7 appearing in ~~strikethrough~~, and new language appearing in **bold underline**):

~~SECTION 3.1.7~~ **ARTICLE 4.9** **ELECTION** CAMPAIGNS ~~FOR OFFICE~~

(A) Definitions

(1) As used herein, the term "person" shall refer to any natural person, firm, corporation, partnership, union, association, organization, political committee or campaign, governmental entity, trust, educational institution, financial institution, or any other entity, however constituted.

(2) As used herein, the term "Chapter 55" shall refer to Chapter 55 of the Massachusetts General Laws and those regulations promulgated pursuant thereto, as the same may be amended from time to time.

(3) As used herein, the terms **"ballot question committee,"** "candidate," "candidate's committee," "contribution," and "expenditure" shall have the same meanings ascribed to said terms in Chapter 55, unless the context in which such term is used indicates otherwise.

(4) As used herein, the term "State Campaign Finance Report" shall refer to a report required to be filed by a **ballot question committee,** candidate or candidate's committee under Chapter 55.

(5) Should any ambiguity arise regarding any term not expressly defined herein, that term shall be construed consistently with the manner in which it is used in Chapter 55, unless the context in which it is used herein indicates otherwise.

(B) Campaign Finance Reports
On or before the fifteenth day preceding the Annual Town Election **and in the case of a ballot question committee any Town election for which an applicable ballot question appears on the ballot**, ~~and at the time of filing of any State Campaign Finance Report~~, each **ballot question committee and each** candidate for the office of Selectman**, School Committee, Library Trustee, Housing Authority, Moderator, Town Clerk and**

Constable shall file with the Town Clerk a Town Campaign Finance Report on a form prescribed by and made available to candidates by the Town Clerk. The reporting periods for the Town Campaign Finance Report shall be**gin (i) in the case of ballot question committees and candidates that have not previously filed a Massachusetts Campaign Finance Report as of the date of their first receipt, expenditure or "in-kind" contribution and end 25 days preceding the Annual Town Election and in the case of a ballot question committee any election for which an applicable ballot question appears on the ballot.** ~~as indicated in the following table.~~ [TABLE DELETED]

The Town Campaign Finance Report shall be substantially in the same format and require the same information as that required by **(i) Schedule A – Receipts, (ii) Schedule B – Expenditures, (iii) Schedule C – "In-kind" Contributions, and (iv) Schedule D – Liabilities of** the State Campaign Finance Report. ~~It shall also require the following information:~~

~~(1) the full name, listed alphabetically, of each person whose contribution or aggregate contributions within the reporting period equal an amount or value greater than $50 but less than $200, together with the aggregate amount of each such person's contributions and the occupation and the name of the employer or employers of each such person; provided, however, that no candidate shall be required to include such occupation and employer if said candidate or a candidate's committee organized on his or her behalf has been unable to obtain such information after requesting it when soliciting a contribution.~~

~~(2)the total number of contributors of $50 or less.~~

(C) Publication of Campaign Finance Reports

Each campaign finance report filed with the Town Clerk pursuant to Chapter 55 and this By-Law shall be posted by the Town Clerk on the Town website within two business days of its filing. Any failure to file such a report on a timely basis shall likewise be posted by the Town Clerk on the Town website within one business day of the date by which it should have been filed.

(D) Provision of Information to Candidates by Town Clerk

The Town Clerk shall provide each **ballot question committee and each** candidate for the office of Selectman**, School Committee, Library Trustee, Housing Authority, Moderator, Town Clerk and Constable** with a copy or written summary of the requirements and restrictions pertaining to **such** campaigns ~~for the office of Selectman~~ prescribed by Chapter 55 and this By-Law. Said copy or written summary shall state that the requirements, restrictions, and other provisions of this By-Law are additional to those of Chapter 55. It shall be provided by the Town Clerk to incumbents and known challengers within thirty days of the effective date of this Article and, thereafter, within fourteen days of the filing of a statement of organization by a **ballot question committee or a** candidate's committee organized on behalf of new candidates pursuant to Chapter 55.

(E) Interpretation

(1) The requirements, restrictions, and other provisions set forth in this By-Law are intended to be in addition to all requirements, restrictions, and other provisions set forth in Chapter 55 and other applicable provisions of the

constitutions, laws, and regulations of the United States and of the Commonwealth.

(2) The provisions of this By-Law are intended to be interpreted in such a way as to make them conformable to the constitutions and laws of the United States and of the Commonwealth and enforceable to the maximum extent permitted by law.

(F) Severability

Each provision of this By-Law shall be construed as separate to the extent that if any section, sentence, clause, or phrase is held to be invalid for any reason, the remainder of the By-Law shall continue in full force and effect.

(**G**~~E~~) Committee on Campaigns

(1) There shall be a Committee on Campaigns consisting of **not less than five nor more than** seven members: the Town Clerk or his designee; an appointee of the Board of Selectmen who may be a member of the Board; and **not less than three nor more than** five Brookline residents appointed by the Moderator for three-year staggered terms. No holder of or candidate for the office of Selectman**, School Committee, Library Trustee, Housing Authority, Moderator, Town Clerk or Constable** shall be eligible for appointment by the Moderator to the committee. Should any individual vacate his office as committee member, the applicable appointing authority shall appoint another individual to fill his or her unexpired term.

(2) The responsibilities of said committee shall include the following:

(a) analyzing information provided on campaign finance reports filed by candidates for Town office pursuant to Chapter 55 and this By-Law;

(b) publicly reporting such information and the results of such analysis;
(c) considering and recommending to Town Meeting measures that may be taken by the Town to improve upon this ByLaw and ensure its effective implementation, and to establish a system of electronic reporting and accessible electronic posting of campaign finance information;

(d) considering additional measures that may be taken by the Town to improve the process by which Town officials are elected; (e) examining the feasibility and potential parameters of a system of public financing with respect to campaigns for Town office.

(3) Additional activities that may be undertaken by the Committee include, but are not limited to, the following: receiving public comment and conducting public forums concerning the process by which Town officials are elected; providing vehicles for publicizing, and working with local media to publicize, information concerning elections and candidates for Town office; and examining the

relationship between campaign finance and appointments to Town boards and commissions.

Or take any other action relative thereto.

ARTICLE 12
Submitted by: Brookline Commission on Disability

To see if the Town will vote to create a new Article 3.23 in the Town's General By-laws, as follows:

Article 3.23: BROOKLINE COMMISSION ON DISABILITY

SECTION 3.23.1: ESTABLISHMENT AND PURPOSE

The purpose of this Article is to establish the Brookline Commission on Disability (the "Commission") under the Town of Brookline's General By-laws, and to establish principles and procedures for the governance of the Commission. The purpose of the Commission is to coordinate and/or carry out programs in coordination with programs of the Massachusetts Office on Disability in order to bring about full and equal participation in all aspects of life in the Town of Brookline for people with disabilities. The Commission shall be located within the Office of Diversity, Inclusion and Community Relations. The Town's ADA Coordinator, a staff position located within the Office of Diversity, Inclusion and Community Relations, shall be an *ex officio* member of the Commission, attend Commission meetings and serve as the primary conduit of communication with the Town of Brookline's Chief Diversity Officer.

SECTION 3.23.2: DEFINITIONS

Person with a disability shall mean, as defined under Title II of the Americans with Disabilities Act of 1990 (28 CFR Part 35), a person who has a physical or mental impairment that substantially limits a "major life activity"; has a record of such an impairment; or is regarded as having such an impairment.

People with disabilities shall for the purpose of this by-law mean the plural of "person with a disability".

SECTION 3.23.3: POWERS AND DUTIES

The Commission on Disability as established under G.L. c. 40, §8J, shall perform and discharge all of the powers and duties set forth in §8J. These powers and duties include:

(1) Research local problems of people with disabilities;
(2) Advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities;
(3) Coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts office on disability;

(4) Review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of said city or town as they affect people with disabilities;
(5) Provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability;
(6) Coordinate activities of other local groups organized for similar purposes.

In addition to the aforementioned powers and duties, the Commission shall also:

(1) Work in cooperation with the departments and agencies of the Town of Brookline to bring about maximum participation of people with disabilities;
(2) Initiate, monitor, and promote legislation at the city, state and federal level which advances the equal status of people with disabilities and ensure that appropriate regulations are adopted and enforced pursuant to such legislation;
(3) Encourage public awareness of disability issues;
(4) Provide information, referral, guidance and advice to individuals, businesses, organizations and public agencies in all matters pertaining to disability;
(5) File an annual report which shall be printed in the Town's annual report, listing current members and summarizing Commission accomplishments;
(6) Receive gifts of property, both real and personal, in the name of the Town subject to the approval of the Board of Selectmen; such gifts to be managed and controlled by the Commission for the purposes in this By-law;
(7) Take such action as the Commission considers appropriate to ensure the purposes of this By-law are met;
(8) Recruit and recommend prospective Commission members for appointment by the Board of Selectmen when needed. At least one month prior to making such recommendations, the Commission shall solicit nominations that reflect the diversity of disabled community, to the greatest extent possible.

SECTION 3.23.4: MEMBERSHIP

The Commission shall consist of seven to nine volunteer members appointed by the Board of Selectmen. The majority of members shall consist of people with disabilities. One member shall be a member of the immediate family of a person with a disability. One member shall be either an elected or appointed official of the Town. All members shall serve three-year terms. Terms shall be staggered to preserve continuity. Resignations shall be made by notifying the Board of Selectmen and Town Clerk in writing. If any member is absent from three or more regularly scheduled meetings in any one calendar year, a recommendation shall be made by the chairperson to the Board of Selectmen that such member be removed from the Commission, unless any or all absences are excused for good cause by the chairperson. Good cause shall include, but not be limited to: illness, a death in the family, severe weather, and professional responsibilities. The Board of Selectmen shall fill any vacancy for the remainder of the unexpired term in the same manner as an original appointment. Any members of said Commission may, after a public hearing if so requested, be removed for cause by the Board of Selectmen. No member shall undertake to speak or act on behalf of the Commission without the approval of the Commission. All members, with the exception of the Town's ADA Coordinator, shall have full voting rights.

SECTION 3.23.5: OFFICERS

Officers of the Commission shall include a chairperson, deputy chairperson, secretary and treasurer. Officers shall be elected annually by a majority vote of the Commission. One member may hold more than one office. The chairperson shall: develop meeting agendas in coordination with the other officers and staff; preside over all meetings; appoint subcommittees as needed; and authorize expenditures as needed. The deputy chairperson shall: perform all the functions of the chairperson in the chairperson's absence. The secretary shall: create and maintain minutes of all meetings; maintain copies of correspondence; post notice of all meetings in compliance with the Open Meeting law; and send notice of meetings and minutes of the prior meeting to members at least fourteen (14) days prior to the meeting. In absence of a secretary, the ADA Coordinator or other Commission members shall undertake these duties. The treasurer shall: keep records of any financial matters pertaining to the Commission; develop a budget in coordination with the Commission as needed; and prepare a financial statement for inclusion in the annual report, as needed.

SECTION 3.23.6: MEETINGS

Regular meetings of the Commission shall be held at least ten (10) times a year. A quorum for an 8 or 9 member Commission shall consist of five (5) members; a 7 member Commission quorum shall consist of four (4) members. Meeting minutes shall be reviewed and approved in a timely manner. Special meetings may be called by the chairperson or by any three (3) members. Votes on all matters concerning the Commission shall be made by a majority of those members present. Notice of meetings shall be sent to members at least fourteen (14) days prior to the meeting. Meetings shall be conducted under Robert's Rules of Order.

SECTION 3.23.7: AMENDMENTS TO COMMISSION PROCEDURES

Commission procedures may be amended at any duly constituted meeting of the Commission by a two-thirds vote of the appointed members of the commission provided written notice of the proposed amendment has been distributed to each member at least fourteen (14) days prior to the meeting.

Or act on anything relative thereto.

ARTICLE 13
Submitted by: Tobacco Control Committee, contact Nancy Daly

Warrant Article to Limit the Issuance of New Tobacco Sales Permits

To see if the Town will vote to amend Article 8.23, Section 8.23.5 a. of the Town's General By-Laws as follows: (new language in **bold print**)

SECTION 8.23.5 SALE AND DISTRIBUTION OF TOBACCO PRODUCTS

a. Permit – No Entity otherwise permitted to sell tobacco products shall sell such products within the Town of Brookline without a valid tobacco sales permit issued by the Director of Public Health. Permits must be posted in a manner conspicuous to the public.

Tobacco sales permits shall be renewed annually by June 1st, at a fee set forth in the Department's Schedule of Fees and Charges. **Effective September 1, 2017, the Director of Public Health shall not issue any tobacco sales permits to first-time permit applicants with new businesses. Holders of tobacco sales permits on the effective date of this section may continue to use such permits. All such holders must apply for renewal of their permits within thirty (30) days of the renewal date. Failure to apply for renewal within thirty (30) days will deem them ineligible for a permit. However, applicants who purchase a business that is the holder of a tobacco sales permit on the effective date of this section may apply, within sixty (60) days of such purchase, for a tobacco sales permit such as that held by the seller of the business, only if the buyer intends to sell tobacco products and will be operating a substantially similar business in the same location, and subject to rules and requirements of the Health Department. Subsequent sales of such businesses will render them ineligible for future tobacco sales permits.**

Or take any other action relative thereto.

ARTICLE 14

Submitted by: Department of Planning and Community Development

To see if the Town will add to the Zoning By-Law in Section 2.18, "R" Definitions, a #3 for "Recreational Marijuana Establishment" as follows, and change the current #3 to #4 :

3. **RECREATIONAL MARIJUANA ESTABLISHMENT_—** a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of marijuana-related business as is subject to regulation under Chapter 94G of the Massachusetts General Laws.

To further see if the Town will amend Sec. 4.07, Table of Use Regulations, by adding a new use, Use #20C:

Principal Uses	Residence					Business			Ind.
	S	SC	T	F	M	L	G	O	I
20C.Recreational Marijuana Establishment *** It is the intent of the Department of Planning and Community Development to submit to Town Meeting an amendment to this use category at or before the Fall 2018 Town Meeting in order to regulate this use in accordance with State regulations. The restrictions on use contained herein are**	No	No	No	No	No	No	No	No	No

Principal Uses	Residence					Business			Ind.
	S	SC	T	F	M	L	G	O	I
effective only until such amendments to this use are approved by the Attorney General or until April 15, 2019, whichever is earlier. Temporarily restricting this use will allow the Town to review the State-promulgated regulations governing these facilities and allow the Town to enact zoning provisions, consistent with State law and regulations, setting forth the allowed locations, dimensional, parking and other requirements applicable to Recreational Marijuana Establishments. Chapter 351 of the Acts of 2016 establishes March 15, 2018 as the deadline for the State to generate regulations.									

Or act on anything relative thereto.

ARTICLE 15

Submitted by: Department of Planning and Community Development

To see if the Town will amend the Brookline Zoning By-Law related to Signs, Illumination, & Regulated Façade Alterations, by:

Amending Section 7.08 of the Zoning By-Law as follows: (new language in bold):

§7.08 – DESIGN REVIEW PROCEDURES

All permanent signs permitted in §7.02, 7.03 and 7.04, except signs permitted in paragraph 7.02(a) shall be subject to the following design review process:

a. *The applicant shall submit to the Planning* ***and Community Development*** *Department an application form, plans of the proposed sign, facade alterations, if any, and photographs showing the existing building or site, and such other material as may be required by the* ***Assistant Director for Regulatory Planning or Designee,*** *Building Commissioner or Planning Board.*

b. *Within 10 working days, the* ***Assistant Director for Regulatory Planning or designee*** *~~Planning~~ ~~Department~~ shall* ***either administratively approve the application following guidelines adopted by the Planning Board*** *or shall refer the application, ~~its~~ recommendations and accompanying material**s** to the Planning Board* ***for review****.*

c. *After its receipt of the application and all required material**s**, the Planning Board shall review the application at its next public meeting for which legal notice can be given. At least seven days before such meeting, the Planning Board shall mail or deliver a notice of the meeting, with a description of such application or a copy thereof, to each elected Town Meeting Member for the precinct in which the property is located, and to those Town Meeting Members of a precinct which is within 200 feet of such property as to which such application has been made. The notice requirements of this section shall be deemed satisfied if such notices are mailed and/or emailed to those individuals whose names appear as Town Meeting Members in the records of the Town Clerk at the addresses as they appear in such records. The Planning Board shall submit its recommendations in writing to the applicant and the Building Commissioner. The recommendations shall be based on the provisions of this Section of the Zoning By-law, the community and Environmental Impact and Design Standards in §5.09 and such design guidelines as the Planning Board may adopt.*

d. *Upon receipt of the Planning Board's report or the lapse of thirty days from ~~his~~ referral to the Board without such report, the Building Commissioner may issue a permit for a sign which conforms to the Planning Board's recommendations, if any, the regulations in the Zoning By-law, and such other technical requirements as are within the Building Commissioner's jurisdiction.*
e. *If the applicant or other aggrieved party does not agree with the recommendations of the Planning Board or other requirements imposed by the Building Commissioner, he may appeal to the Board of Appeals within 30 days through the special permit procedure in Article IX.*

Or act on anything relative thereto.

ARTICLE 16
Submitted by: Board of Selectmen

To see if the Town will authorize and empower the Board of Selectmen to lease for a term not to exceed twenty (20) years rooftop space on the Runkle School building for the purpose of hosting a rooftop solar photovoltaic installation (solar panels and appurtenant equipment), subject to any authorizations, approvals and reviews, on such terms and conditions determined by the Board of Selectmen to be in the best interest of the Town.

Or act on anything relative thereto.

ARTICLE 17
Submitted by: Commissioner of Public Works

To see if the Town will vote to accept a grant of easement from Chestnut Hill Investments LLC, a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, or one of its successors or assigns, over a portion of land located at 1180 Boylston Street, Brookline, Massachusetts and shown as 360 SF Pedestrian Easement on a plan entitled "Plan to Accompany an Easement for Pedestrian Passage Through Land of 1180 Boylston Street, Brookline, Mass." dated February 22, 2017 prepared by Peter M. Ditto, P.L.S. for the purposes of providing safe and continuous pedestrian access along Hammond Street necessitated by the planned construction of an adjacent non-exclusive loading zone on Hammond Street, as will be further described in the Easement Agreement that will be on such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town. Said easement is situated in Norfolk County and contains approximately 360 square feet as shown on said plan. Said Plan and Easement Agreement to be recorded at the Norfolk Registry of Deeds upon acceptance by the Town.

Said Easement Area is described as follows:

Beginning at a point 5.18 feet S37-30-19E from a stone bound (SB) on Hammond Street at the southeasterly corner of the intersection of Hammond Street and Boylston Street, thence

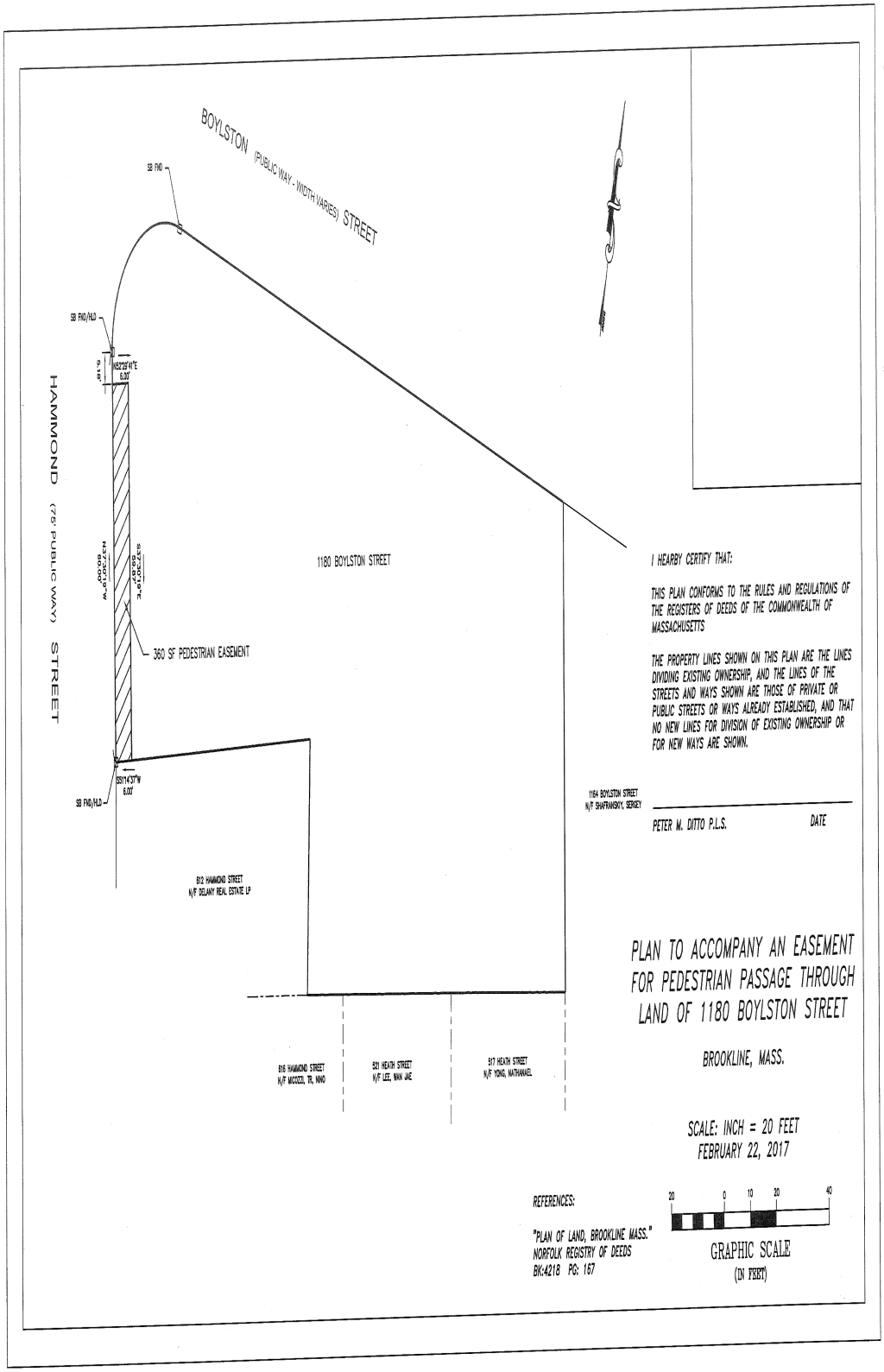
Running six and 00/100 feet (6.00′) N52-29-41E, thence

Running fifty nine and 87/100 feet (59.87′) S37-30-19E to land N/F Delany Real Estate, thence

Running six and 00/100 feet (6.00') to Hammond Street, thence

Running sixty and 00/100 (60.00′) N37-30-19W to the point of beginning.

Said parcel being shown as parcel labeled "360 SF Pedestrian Easement" on a plan by Peter M. Ditto, P.E., dated February 22, 2017.



Or act on anything relative thereto.

ARTICLE 18
Submitted by: Transportation Board

To see if the Town will accept the provisions of General Laws Chapter 90, Section 17C which states:

17C "(a) Notwithstanding section 17 or any other general or special law to the contrary, the city council, the transportation commissioner of the city of Boston, the board of selectmen, park commissioners, a traffic commission or traffic director of a city of town that accepts this section in the manner provided in section 4 of chapter 4 may, in the interests of public safety and without further authority, establish a speed limit of 25 miles per hour on any roadway inside a thickly settled or business district in the city or town on any way that is not a state highway."

Or act on anything relative thereto.

ARTICLE 19
Submitted by: Transportation Board

To see if the Town will accept the provisions of General Laws Chapter 90, Section 18B which states:

18B "(a) Notwithstanding section 18 or any other general or special law to the contrary, the city council, the transportation commissioner of the city of Boston, the board of selectmen, park commissioners, a traffic commission or traffic director of a city or town that accepts this section in the manner provided in section 4 of chapter 4 may, in the interests of public safety and without further authority, establish designated safety zones on, at or near any way in the city or town which is not a state highway, and with the approval of the department if the same is a state highway. Such safety zones shall be posted as having a speed limit of 20 miles per hour."

Or act on anything relative thereto.

ARTICLE 20
Submitted by: John Harris and Richard Rosen

To see if the Town will vote to adopt the following resolution:

WHEREAS, the Paris Agreement is now in force under the United Nations Framework Convention on Climate Change (UNFCCC);

WHEREAS, the United States of America is an official Party to the Paris Agreement as of 2016;

WHEREAS, the Town of Brookline is a town in the State of Massachusetts, which is a state within the United States of America;

WHEREAS, climate change has already imposed economic and ecological hardships on various people across the world and it poses ever-increasing hardships on the peoples of the world in the future, including death and the loss of their livelihood;

WHEREAS, the Paris Agreement recognizes "the need for an effective and progressive response to the urgent threat of climate change on the basis of the best available scientific knowledge";

WHEREAS, the Paris Agreement recognizes "the importance of education, training, public awareness, public participation, public access to information and cooperation at all levels on the matters addressed in this Agreement";

WHEREAS, the UNFCC has established a **NON-STATE ACTOR ZONE** for Climate Action which provides a process that cities and communities can use as "a platform for the exchange of experiences and sharing of best practices on mitigation [prevention] and adaptation in a holistic and integrated manner";

WHEREAS, as of today, at least 2508 cities, towns, and communities worldwide have registered their support for the Paris Agreement on the Non-State Zone platform. This includes American cities as diverse as Anchorage, Baltimore, Berkeley, Cleveland, Dallas, Las Vegas, Pittsburgh, Sacramento and Savannah; and locally Boston, Cambridge, Medford and Somerville.

WHEREAS, it should be the moral and political obligation of the Town of Brookline to develop and file its intended mitigation and adaptation plans on the Non-State Zone platform;

WHEREAS, as a town of diverse and well-educated and informed citizens, Brookline should play a leading role relative to other cities and towns within Massachusetts, the U.S., and the world in both mitigating and adapting to climate change.

WHEREAS, the Paris Agreement requires that all parties should pursue efforts to help keep the global increase in average temperature due to human-caused climate change to 2.0 degrees Celsius (3.6 degrees Fahrenheit) at a maximum below pre-industrial levels, and to 1.5 degrees Celsius if possible;

BE IT RESOLVED THAT the Town of Brookline:

1. Commits to upholding and adhering to the Paris Agreement of 2015.
2. Agrees to file its commitments for implementing the Paris Agreement on the Non-State Zone platform, as other U.S. cities and towns have done, as those commitments evolve.
3. Agrees to develop a revised town plan during 2018 to mitigate and adapt to human-caused climate change that will take a leading role above and beyond those plans of the State of Massachusetts and the "nationally determined contribution" of the U.S. government, in order to help insure that those state and federal plans are achieved faster and more thoroughly due to Brookline's actions.
4. Commits to educating the citizens of Brookline about the dangers that climate change pose in both the short and long-run to the world, in general, and to Brookline in particular. This enhanced education will, presumably, facilitate and accelerate both the voluntary and mandatory actions that the citizens of Brookline will take to help slow the rate of climate change.

Or act on anything relative thereto.

ARTICLE 21
Submitted by: Werner Lohe, Alan Christ, and Kathleen Scanlon

A RESOLUTION REGARDING A NET ZERO ENERGY NINTH ELEMENTARY SCHOOL AND THE EXPANSION OF BROOKLINE HIGH SCHOOL

To see if the Town will vote to adopt the following resolution:

Whereas our town, the nation, and the world are increasingly aware of the need to address climate change and of the importance of better protection of the environment in general, and

Whereas Net Zero Energy LEED Platinum schools create an environment that supports student learning and health through improvements in daylighting, indoor air quality, thermal comfort, acoustics, and classroom design, all of which have an impact on a child's ability to learn and a teacher's ability to teach, while saving energy, resources, and money, and

Whereas Net Zero Energy LEED Platinum schools increase energy efficiency, thereby reducing greenhouse gas emissions, cost less to operate, utilize durable materials, reduce water and energy use, and provide other benefits; while providing an educational experience that transcends the classroom by creating opportunities for curriculum innovation and hands-on, project-based learning in which the building itself becomes an interactive teaching tool, and

Whereas decisions made now about the design of the Ninth Elementary School at Baldwin and the expansion of Brookline High School will determine each school's environmental footprint, particularly greenhouse gas emissions, for decades to come, and

Whereas the technical ability to create energy-efficient, high performing buildings has increased significantly by incorporating systems thinking into design processes, and

Whereas construction of new schools in Massachusetts and around the nation during the past five years has shown the feasibility and desirability of Net Zero Energy schools, that is, schools in which the amount of energy used on an annual basis is equal to the amount of renewable energy created on the site, and

Whereas an international standard known as LEED (Leadership in Energy and Environmental Design) allows for a building's environmental and energy performance to be accurately measured and provides a benchmark to assist in designing a Net Zero Energy building,

Whereas the most accurate measure of energy efficiency for a building is EUI (Energy Use Intensity), calculated by dividing total energy consumed annually by the gross floor area of the building,

Now therefore be it Resolved that in order for the Ninth Elementary School at Baldwin to be a Net Zero Energy school, it shall be designed to obtain LEED v4 certification at the Platinum rating level, and in addition, specifically, to achieve 16 of the possible 16 points available in the Optimize Energy Performance category and to achieve an EUI of 25 kBTU/sq.ft.,

And, be it further Resolved that while overall net zero energy consumption is unlikely to be achieved for Brookline High School and even the degree to which the as-of-yet-undefined, expanded portion of the school can approach Net Zero Energy is currently uncertain, nevertheless, Net Zero Energy principles shall be applied, to the extent feasible, during all design phases of Brookline High School,

or act upon anything relative thereto.

ARTICLE 22
Submitted by: Stephen Vogel, Abigail Ortiz, and Anne Greenwald

To see if the Town will vote to adopt the following Resolution:

RESOLUTION TO SUPPORT THE TOWN OF BROOKLINE TO PARTICIPATE IN THE GOVERNMENT ALLIANCE ON RACE AND EQUITY (GARE)

WHEREAS, the Town of Brookline, Massachusetts (the Town) has a proclaimed public policy to improve diversity, inclusion, and community relations within its territory; and
WHEREAS, the Town has in its General By-laws many parts of the framework for achieving racial justice; and

WHEREAS, those are found in the goals of diversity and inclusion in the Town's General By-laws pertaining to the Office of Diversity, Inclusion and Community Relations (ODICR) and the Commission for Diversity, Inclusion and Community Relations (CDICR), including in the powers, duties, responsibilities, and authorizations given to CDICR and ODICR, along with the requirement that that all departments and agencies of the Town cooperate, share information and have a dialogue with CDICR and ODICR on relevant matters; and

WHEREAS, those powers, duties, responsibilities, and authorizations and requirements are found in Articles 3.14, 3.15, 5.5, and 10.2 of the Town's General By-laws, as most recently amended, along with the Equal Employment Opportunity policy promulgated by the Human Relations Department, and approved by CDICR September 21, 2016, approved by the Human Resources Board December 13, 2016, and by The Board of Selectmen February 7, 2017; and

WHEREAS, the Town is committed to work for racial equity in the Town's employment practices, business practices, allocation and handling of its services, and in its treatment of all people within its environs; and

WHEREAS, The Government Alliance on Race and Equity (GARE) is a national network of local governments working to achieve racial equity and advance opportunity for all. GARE works with government jurisdictions to assess the impact of public policies and procedures on racial equity and opportunity. The GARE approach is data driven and includes community engagement, setting and evaluating progress toward measurable goals and consultation with all levels of government employees, community members, and decision-makers; and

WHEREAS, in keeping with the above, through the work of the ODICR, the Town of Brookline has become a core member of the Government Alliance on Race and Equity (GARE), a joint project of the Center for Social Inclusion (CSI) and the Haas Institute for a Fair and Inclusive Society, which is itself a non-profit organization that catalyzes community, government and other institutions to dismantle structural racial inequity and create equitable outcomes for all; and

WHEREAS, we believe the Town's goals and policies promoting racial justice will be augmented by maintaining the core membership benefits offered by GARE, and will be enhanced by contracts with the GARE-related Center for Social Inclusion (CSI) to give trainings to designated Town employees and relevant Town Departments, on topics deemed fit by ODICR and CDICR.

NOW THEREFORE, BE IT HEREBY RESOLVED, THAT TOWN MEETING URGES:

1. The Board of Selectmen and the Town Administrator, in conjunction with the ODICR, to support and facilitate participation by Town departments in the GARE implementation process. This includes but is not limited to using racial equity tools in a data driven process to integrate explicit consideration of racial equity into creating and evaluating Town policies, procedures, and department budgeting.

2. The Board of Selectmen, the Town Administrator, the School Committee and the Superintendent of Schools to work with the ODICR to identify one or more departments (in addition to the ODICR itself) that will fully engage in GARE's implementation process during fiscal year 2017-2018.

3. The Town to allocate financial support and other resources to support successful implementation of the GARE implementation process, including enrollment of department administrators and leaders in trainings provided by GARE, and that future budgets consider the funding requirements of this resolution.

4. That the Board of Selectmen and the Town Administrator, in conjunction with the ODICR, actively work to develop trust and accountability by seeking input and participation from the community in the GARE implementation process, prioritizing voices of residents of color, and that the Town Administrator report on GARE progress in the CDICR monthly meeting and in a comprehensive annual report to the Board of Selectman and Town Meeting.

5. BE IT FURTHER RESOLVED: That the provisions of this resolution take effect immediately.

Or act on anything relative thereto.

ARTICLE 23
Submitted by: Lily Bermel

Gas Tax Resolution

To see if the Town will adopt the following Resolution:

Whereas, *the ability to move around on foot, bike, or with mass transit is an important value to citizens of Brookline;*

Whereas, *the infrastructure that enables pedestrians, bicyclists, and mass transit users can be made safer, more accessible, and more comfortable;*

Whereas, *Brookline is currently committed to the upgrades necessary to improve safety and comfort for pedestrians, bicyclists, and mass transit users but is constrained by available revenue and other important budgetary considerations;*

Whereas, *according to The League of American Bicyclists, Massachusetts has seen more than a one hundred percent growth in the share of those who commute by bike and it is important to accommodate these growing numbers by installing safer biking infrastructure;*

Whereas, *bike lanes in Brookline are expensive, costing up to fifty thousand dollars, and such projects have been funded with the Brookline Capital Improvements program;*

Whereas, *Brookline Town Meeting's willingness to administer local-option taxes has been demonstrated by its swift implementation of local-option taxes both on meals and room occupancy in the past decade;*

Whereas, *the passage of S.1551 "An Act Relevant to Regional Transportation Ballot Initiatives" would give Brookline the ability to create a new local-option tax to fund transportation upgrades;*

Now, therefore, be it hereby Resolved, *that*

1. Town Meeting explicitly supports *An Act Relevant To Regional Transportation Ballot Initiatives*, which will permit cities and towns to implement a local-option gasoline tax to support transportation. A message of Brookline's support will be sent to the State House sponsors of the Bill, to Brookline's representatives in the Massachusetts House and Senate, and to relevant committee chairs, and

2. That upon passage of *An Act Relevant To Regional Transportation Ballot Initiatives*, Town Meeting supports the implementation of a local-option gasoline tax of $0.03 per gallon, on all gasoline sold by vendors in Brookline, in order to support additional pedestrian, bicycle, and mass transportation infrastructure so that Brookline may become more pedestrian, bicycle, and mass transportation friendly. Funding from the gas tax will be used to supplement, not supplant, funding on current local pedestrian, bicycle, and mass transport infrastructure.

Or act on anything relative thereto.

ARTICLE 24

Reports of Town Officers and Committees

AND YOU ARE DIRECTED TO SERVE THIS WARRANT IN ACCORDANCE WITH THE BY-LAWS OF THE TOWN OF BROOKLINE.

HEREOF FAIL NOT, and make due return of this WARRANT, with your doings thereon, to the Selectmen at least FOURTEEN DAYS before the day of said meeting.

Given under our hands and the seal of the TOWN of Brookline, Massachusetts, this 21st day of March, 2017.

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BOARD OF SELECTMEN

BY VIRTUE OF THIS WARRANT, I THIS DAY NOTIFIED AND WARNED THE INHABITANTS OF SAID TOWN TO MEET AT THE HIGH SCHOOL AUDITORIUM IN SAID TOWN ON TUESDAY, May 23, 2017 AT 7:00 P.M. BY POSTING TRUE AND ATTESTED COPIES OF THE WITHIN WARRANT IN TEN (10) PUBLIC PLACES. ALL OF THIS WAS DONE AT LEAST FOURTEEN (14) DAYS BEFORE SAID MEETING.

_____

CONSTABLE

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DATE