

TOWN OF BROOKLINE



MINUTES SPECIAL TOWN MEETING APRIL 9, 2019

MINUTES OF THE SPECIAL TOWN MEETING

APRIL 9, 2019

Pursuant to the Warrant of the Board Selectmen, served according to law upon the inhabitants of the Town of Brookline by a Constable of said Town and pursuant to Section 2.1.5 (Notice of Meetings) of the General By-laws of the Town of Brookline, and written notices sent by the Board of Selectmen, at least fourteen days before the meeting to the Town Meeting Members qualified to act in Town Meetings in Brookline under the provisions of Chapter 43A of the General Laws of the Commonwealth, as amended, and accepted by the Town of Brookline on March 10, 1942, the Town Meeting Members, so qualified, met at the Roberts-Dubbs Auditorium at Brookline High School in said Town on Tuesday, April 9, 2019 at 7:00 P.M.

Lists of the duly qualified Town Meeting Members were used at the entrances to the meeting place and were in the charge of Checkers, who were appointed by and sworn to the faithful performance of their duties by the Town Clerk. These lists contained the names of two-hundred forty-seven (247) Town Meeting Members qualified to vote in Town Meetings in Brookline.

No Town Meeting Members were allowed within the rails until they signed the check-in lists.

At one minute past seven o'clock, the Checkers reported that one hundred and thirty-five (135) signatures of Town Meeting Members had been checked, or more than one-half of all qualified Town Meeting Members, and the Town Clerk reported to the Moderator that a quorum was present.

The meeting was called to order by the Moderator Edward N. Gadsby, Jr. – TMM #AL and he acknowledged the proper posting of the Warrant.

The first verse of the Star Spangled banner, led by James M. Slayton - TMM #7, was sung by the audience.

The Moderator made several announcements concerning seating, and the operation of the electronic recording devices. The Moderator then conducted a mock vote to test the devices.

FIRST ARTICLE

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.

Charles Swartz – TMM #9, for the Advisory Committee, stated that the mCommittee by a vote of 25 in Favor, 1 Opposed and 1 Abstention, recommended Favorable Action under Article One.

Bernard W. Greene – TMM #AL, for the Select Board, noted that this Town Meeting would be the last Town Meeting for Neil Wishinsky as a member of the Select Board. He asked Town Meeting to recognize his many contributions to the Town. Select Board Member Greene, stated that the Select Board, by a vote of 4-0, recommended Favorable Action under Article One.

Jonathan Margolis – TMM #7, questioned whether Town Meeting was about to vote on a three year contract that would expire in about two and a half months. The Moderator advised Mr. Margolis that he was correct.

Upon motion of Charles Swartz – TMM #9 and seconded by Bernard W. Greene – TMM #AL, it was by a COUNTED VOTE OF 188 IN FAVOR AND 1 OPPOSED

VOTED: To approve and fund by an appropriation, provided for in the FY2017, (Item #20), FY2018, (Item #20) and FY2019 (Item #20) budgets, for the cost items in the following collective bargaining agreement that commences on July 1, 2016- and expires on June 30, 2019:

Brookline Police Union

all as set forth in the MOAs, dated January 11, 2019, which are incorporated herein by reference.

The Moderator stated that Article Two and Article Three of this Special Town Meeting, in addition to Article One of the Special Town Meeting, called for April 9, 2019 at 7:30 PM, will be debated together.

Neil Wishinsky – TMM #AL, for a Unanimous Select Board, recommended Favorable Action on the Advisory Committee's motion under Article Three and No

Action under Article Two of the Special Town Meeting and Article One of the Special Town Meeting within the Special Town Meeting.

Sean M. Lynn-Jones, TMM - #1, for the Advisory Committee, also asked Town Meeting to again recognize Neil Wishinsky's service to the Town of Brookline. Advisory Committee Chairman Lynn-Jones, for the Advisory Committee, recommended Favorable Action on the Advisory Committee's motion under Article Three and No Action under Article Two of the Special Town Meeting and Article One of the Special Town Meeting within the Special Town Meeting.

At 7:37 PM, by a Majority Vote, the Special Town Meeting, called for 7:00PM, was adjourned and the Moderator Edward N. Gadsby, Jr. – TMM #AL called the Special Town Meeting called for 7:30 PM to order and acknowledged the proper posting of the Warrant.

At 7:39 PM, by a Majority Vote, the Special Town Meeting, called for 7:30 PM was adjourned and the Moderator called the Special Town Meeting, called for 7:00PM, back to order.

John Harris - TMM #9 and co-petitioner of Article Three thanks numerous individuals and groups that led to the compromise resolution offered under Article Three and recommended Favorable Action on the Advisory Committee's recommendation under Article Three.

Jonathan J. Margolis – TMM #7 recommended No Action under Article Two.

Pamela S. Lodish – TMM #14, speaking on behalf of the Fisher Hill Neighborhood Association, recommended Favorable Action under Article Three.

Regina M. Frawley – TMM #16, urged Town Meeting to be prepared for the amount of growth that is about to happen in Brookline over the next several years.

Mark E. Levy – TMM #7 stated that while he does not believe the Advisory Committee's resolution addresses all his concerns, he nevertheless urges Favorable Action under Article Three.

Claire Stampfer – TMM #5 and a member of the Advisory Committee, urged Favorable Action under Article Three and No Action on the other two motions.

John Bassett – TMM #6 asked Town Meeting to recognize long serving Town Meeting Member, Advisory Committee Chair and Select Board Member Betsy DeWitt's service to the Town of Brookline.

Richard Nangle – TMM #15 – urges Favorable Action for the Advisory Committee's motion under Article Three.

John VanScoyoc – TMM #13 and an Advisory Committee Member, wanted to thank Regina M. Frawley for her efforts to call this Special Town Meeting and the leadership of Neil Wishinsky in guiding the Town with Newbury College. Mr. VanScoyoc urged Favorable Action under Article Three.

A motion to call the question was made and duly seconded. The Moderator read aloud the remaining speakers that were scheduled to speak.

Upon motion made and duly seconded, it was, by a Two Thirds Vote

VOTED: To terminate debate.

SECOND ARTICLE

Submitted by: Select Board

To see if the Town will vote to authorize the Select Board to acquire on terms and conditions that are in the best interest of the Town, by purchase, gift, eminent domain or otherwise, in fee simple, all or some of the parcels of land comprising the real property of Newbury College located at 110, 117, 124 and 150 Fisher Avenue, 124 and 125 Holland Avenue, and 146 Hyslop Road, Brookline, Massachusetts, as substantially shown on the plan attached hereto entitled “Plan of Newbury College” a copy of which is on file in the Office of the Town Clerk, including all buildings and structures thereon and all privileges and appurtenances thereto belonging, as well as all trees and shrubs thereon, consisting of up to approximately 342,943 square feet, for general municipal and/or educational purposes, and for all purposes and uses accessory thereto, and that to meet such expenditure, appropriate a sum of money to be expended at the direction of the Selectmen to pay the costs of acquiring said property, and for the payment of all costs incidental and related thereto, and to determine whether such amount shall be raised by taxation, transfer from available funds, borrowing or otherwise; and to authorize the Select Board to apply for, accept and expend any grants from any source whatsoever that may be available to pay for any portion of said real property, or to take any other action relative thereto.

Land Description:

Seven parcels of land with the buildings thereon known as and numbered 110, 117, 124 and 150 Fisher Avenue; 124 and 125 Holland Avenue; and 146 Hyslop Road, Brookline, Massachusetts situated in Brookline, Norfolk County, Massachusetts, as substantially shown on the site plan entitled “Plan of Newbury College”.



Fisher Avenue	Parcel ID
#110	256-01-01
#117	250-01-02
#124	256-24-00
#150	250-01-02
Holland Road	
#124	250-03-05
#125	249-13-00
Hyslop Road	
#146	256-20-00

Plan of Newbury College

Scale: 1" = 100'

Date: January 22, 2019

Upon motion made and duly seconded, it was by a MAJORITY

VOTED: That NO ACTION be taken under Article Two.

THIRD ARTICLE

Submitted by: Select Board

To see if the Town will adopt the following Resolution:

Resolution Calling for the Town of Brookline to Pursue the Acquisition of the Newbury College Campus for Municipal and Other Purposes, Including the Siting of an Elementary School.

WHEREAS, within hours after the close of the December 13th 2018 Special Town Meeting, Newbury College, situated in the center of the Town, announced it was closing its doors and selling its nearly 10-acre campus; and

WHEREAS, there is broad town-wide interest among residents in the Town for the acquisition of the Newbury College campus; and

WHEREAS, the Town is engaged in a process to develop additional elementary school capacity; and

WHEREAS, the acquisition of the Newbury Campus provides the Town of Brookline with flexibility, including opportunities for many municipal needs; and

THEREFORE, BE IT RESOLVED that Brookline Town Meeting calls on the Select Board to pursue the acquisition of the Newbury College campus with diligence, good faith and with all deliberate speed.

Or act on anything relative thereto.

There was a request that an Electronic Recorded Vote be taken under Article Three. Thirty-five Town Meeting Members stood in support of that request.

Upon motion made and duly seconded, it was by an ELECTRONIC RECORDED VOTE OF 199 IN FAVOR, 0 OPPOSED AND 2 ABSTENTIONS,

VOTED: That the Town adopt the following resolution:

RESOLUTION CALLING FOR THE ACQUISITION OF THE NEWBURY
COLLEGE CAMPUS BY THE TOWN OF BROOKLINE

WHEREAS, Newbury College, situated in the Town of Brookline, announced on December 14, 2018, that it was closing its doors and was looking into selling its approximate 7.8-acre campus; and

WHEREAS, the potential sale of the Newbury College campus provides a unique opportunity for the Town to acquire property that may be used to help meet a variety of current and future municipal and school needs, including open space, affordable housing and educational facilities, among other uses; and

WHEREAS, the Select Board has been pursuing the possible purchase of the Newbury College campus and has been assessing the cost and benefits of such acquisition;

NOW, THEREFORE, BE IT RESOLVED, that Brookline Town Meeting believes it to be in the best interest of the Town that the Town acquire the Newbury College campus; and

BE IT FURTHER RESOLVED, that Brookline Town Meeting calls on the Select Board to work as quickly as is prudent and practicable with other Town boards and departments to:

1. Continue to pursue the purchase of the Newbury College campus, including consideration of the use of eminent domain authority; and
2. Consider appropriate financing strategies to effect the acquisition.

At 8:11 PM, upon motion made and duly seconded, it was by a MAJORITY

VOTED: To dissolve the Special Town Meeting called for April 9, 2019
at 7:00 PM.

At the close of the meeting the checkers reported that the names of Two Hundred and Twenty-Eight One (228) Town Meeting Members had been checked as present at this meeting.

At 8:12 PM the Moderator called to order the Special Town Meeting called for April 9, 2019 at 7:30 PM.

Upon motion of Regina M. Frawley – TMM #16 and duly seconded, the following was DEFEATED

MOVED: To see if the Town will raise, appropriate or transfer a sum of money to fund the costs adequate to appropriate some or all of Newbury College property or properties to situate an elementary school.

At 8:13 PM, upon motion made and duly seconded, it was by a MAJORITY

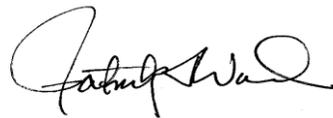
VOTED: To dissolve the Special Town Meeting called for April 9, 2019 at 7:30 PM.

At the close of the meeting the checkers reported that the names of Two Hundred and Twenty-Eight One (228) Town Meeting Members had been checked as present at this meeting.

DISSOLVED:

A T T E S T:

Patrick J. Ward

A handwritten signature in black ink, appearing to read "Patrick J. Ward", written in a cursive style.

Town Clerk

SPECIAL TOWN MEETING, APRIL 9, 2019 (7:00)

				Article 3 - Main Motion
First Name	Last Name	Keypad	5	
C.	P01 Cavell	1	Yes	
S.	P01 Daley	2	Yes	
E.	P01 Ercolino	3	Yes	
J.	P01 Franco	4	Yes	
N.	P01 Gordon	5	Yes	
H.	P01 Herman	6	Yes	
C.	P01 Hillman	7		
A.	P01 Ishak	8	Yes	
S.	P01 Lynn-Jones	9	Yes	
A.	P01 Metral	10	Yes	
B.	P01 Neuefeind	11		
R	P01 Schram	12	Yes	
K.	P01 Silbaugh	13	Yes	
R.	P01 Sloane	14	Yes	
C.	P01 Terrell	15	Yes	
J.	P02 Englund	16	Yes	
B.	P02 Hellerstein	17		
J.	P02 Kidd	18	Yes	
L.	P02 Liss	19	Yes	
R.	P02 McNally	20	Yes	
B.	P02 O'Brien	21	Yes	
L.	P02 Pehlke	22	Yes	
J.	P02 Piercy	23	Yes	

First Name	Last Name	Keypad	
S.	P02 Roberts	24	Yes
L.	P02 Schachter-Ka	25	Yes
J.	P02 Shreffler	26	Yes
D.	P02 Spiegel	27	Yes
S.	P02 Spiegel	28	
C.	P02 Studdard	29	Yes
B.	P02 Wolff	30	Yes
K.	P03 Becker	31	Yes
H.	P03 Bohrs	32	Yes
Ma	P03 Dewart	33	Yes
Mu	P03 Dewart	34	Yes
B.	P03 Doughty	35	Yes
D.	P03 Doughty	36	Yes
J.	P03 Gilman	37	Yes
G.	P03 Jones	38	Yes
D.	P03 Leka	39	Yes
M.	P03 Levene	40	Yes
M.	P03 Sandman	41	Yes
K.	P03 Scanlon	42	Yes
F.	P03 Steinfield	43	Yes
R.	P03 Stone	44	Yes
M	P03 Wiecek	45	
S.	P04 Axelrod	46	Yes
S.	P04 Boehs	47	Yes
A.	P04 Christ	48	Yes

First Name	Last Name	Keypad	
M.	P04 Farlow	49	Yes
D.	P04 Fishman	50	Yes
P.	P04 Frumkin	51	Yes
N.	P04 Gerdts	52	Yes
K.	P04 Givens	53	Yes
J.	P04 Mulhane	54	Yes
M.	P04 Nobrega	55	Yes
J.	P04 Ortiz	56	
J.	P04 Shaw	57	
M.	P04 Siegel	58	Yes
V.	P04 Smith	59	Yes
R.	P04 Volk	60	Yes
R.	P05 Daves	61	Yes
B.	P05 DeWitt	62	Yes
C.	P05 Drake	63	Yes
O.	P05 Fischer Fox	64	Yes
A.	P05 Lindenboim	65	Yes
W.	P05 Machmuller	66	Yes
H.	P05 Mattison	67	Yes
D.	P05 Meiklejohn	68	Yes
F.	P05 Michaels	69	Yes
A.	P05 Naro	70	
P.	P05 O'Leary	71	Yes
A.	P05 Olins	72	Yes
W.	P05 Reyelt	73	Yes

First Name	Last Name	Keypad	
C.	P05 Stampfer	74	Yes
E.	P05 Wurster	75	Yes
C.	P06 Anderson	76	Yes
J.	P06 Bassett	77	Yes
B.	P06 Bergstein	78	
A.	P06 Conquest	79	Yes
C.	P06 Dempsey	80	Yes
S.	P06 Englander	81	Yes
B.	P06 Hochleutner	82	Yes
V.	P06 LaPlante	83	
C.	P06 Richmond	84	Yes
J.	P06 Rudolph	85	Yes
D.	P06 Saltzman	86	Yes
K.	P06 Smith	87	
R.	P06 Sneider	88	
A.	P06 Trecker	89	Yes
X.	P06 OpenSeat	90	
S.	P07 Cohen	91	Yes
C.	P07 Electris	92	Yes
S.	P07 Ellis	93	
E.	P07 Frey	94	Yes
P.	P07 Giller	95	
S.	P07 Granoff	96	Yes
M.	P07 Gray	97	Yes
K.	P07 Hardebeck	98	

First Name	Last Name	Keypad	
M.	P07 Levy	99	Yes
J.	P07 Margolis	100	Yes
D.	P07 Pantalone	101	Yes
S.	P07 Provost	102	Yes
R.	P07 Shon-Baker	103	Yes
J.	P07 Slayton	104	Yes
I.	P07 Wapinski	105	
L.	P08 Bernard	106	Yes
T.	P08 Burns	107	Yes
A.	P08 Cox	108	Yes
G.	P08 Crandell	109	
DM.	P08 Goldstein	110	Yes
J.	P08 Harris	111	Yes
A.	P08 Johnson	112	Yes
E.	P08 Loechler	113	Yes
H.	P08 Margolis	114	Yes
R.	P08 Miller	115	Yes
K.	P08 Poverman	116	Yes
B.	P08 Scotto	117	
M.	P08 Toffel	118	Yes
M.	P08 Toomey	119	Yes
D.	P08 Weitzman	120	Yes
E.	P09 Bellis-Kates	121	Yes
L.	P09 Brooks	122	Yes
R.	P09 Fernandez	123	Yes

First Name	Last Name	Keypad	
P.	P09 Harris	124	
N.	P09 Hinchey	125	
B.	P09 Jozwicki	126	Yes
J.	P09 Jozwicki	127	Yes
P.	P09 Katz	128	
R.	P09 Lepson	129	Yes
H.	P09 Rosenstein	130	Yes
M.	P09 Rosenthal	131	Yes
C.	P09 Swartz	132	Yes
D.	P09 Tyndal	133	
J.	P09 Vanderkay	134	Yes
G.	P09 White	135	Yes
M.	P10 Alperin	136	Yes
C.	P10 Ananian	137	Yes
C.	P10 Caro	138	Yes
F.	P10 Caro	139	Yes
J.	P10 Davis	140	Yes
L.	P10 Davis	141	Yes
J.	P10 Gray	142	Yes
B.	P10 Knable	143	Yes
A.	P10 Maddocks	144	Yes
J.	P10 Morris	145	Yes
T.	P10 Scholnick	146	
S.	P10 Shuman	147	
A.	P10 Spingarn	148	

First Name	Last Name	Keypad	
N.	P10 Sweitzer	149	
R.	P10 Wilson	150	Yes
C.	P11 Benedon	151	
S.	P11 Fischer	152	
S.	P11 Giora-Gorfajr	153	Yes
J.	P11 Goldsmith	154	Yes
M.	P11 Gray	155	Yes
B.	P11 Jones-Dasent	156	Yes
D.	P11 Lescohier	157	Yes
K.	P11 Lewis	158	
D.	P11 Lowe	159	Yes
R.	P11 Mautner	160	
A.	P11 McClelland	161	Yes
M.	P11 Moran	162	Yes
D.	P11 Pollak	163	Yes
B.	P11 Sheehan	164	
J.	P11 Wachter	165	Yes
S.	P12 Bruce	166	Yes
M.	P12 Burstein	167	Yes
N.	P12 Daly	168	Yes
H.	P12 Friedman	169	Yes
J.	P12 Grand	170	Yes
S.	P12 Greenfield	171	Yes
C.	P12 Hatchett	172	Yes
A.	P12 Hummel	173	Yes

First Name	Last Name	Keypad	
J.	P12 Karon	174	Yes
D.	P12 Klafter	175	Yes
M.	P12 Lowenstein	176	Yes
H.	P12 Margolis	177	Yes
J.	P12 Meyers	178	Yes
J.	P12 Milner-Barge	179	Yes
W.	P12 Slotnick	180	
M.	P13 Aschkenasy	181	
J.	P13 Baker	182	Yes
C.	P13 Benka	183	Yes
C.	P13 Chanyasulkit	184	Yes
J.	P13 Doggett	185	Yes
A.	P13 Fischer	186	Yes
J.	P13 Freeman	187	Yes
F.	P13 Hoy	188	Yes
R.	P13 Kaplan	189	
W.	P13 Lohe	190	Yes
P.	P13 Saner	191	Yes
L.	P13 Selwyn	192	Yes
B.	P13 Senecal	193	Yes
A.	P13 Tadmor	194	Yes
J.	P13 VanScoyoc	195	Yes
C.	P14 Brown	196	Yes
G.	P14 Fishman	197	
P.	P14 Friedman	198	Yes

First Name	Last Name	Keypad	
K.	P14 Goldstein	199	Yes
F.	P14 Levitan	200	Yes
R.	P14 Lipson	201	Yes
P.	P14 Lodish	202	Yes
S.	P14 Mittel	203	Yes
K.	P14 O'Connell	204	Yes
B.	P14 Rich	205	
L.	P14 Roseman	206	Yes
S.	P14 Schoffmann	207	Yes
J.	P14 Segel	208	Yes
I.	P14 Silberberg	209	Yes
S.	P14 Zelkha	210	Yes
E.	P15 Berger	211	Yes
A.	P15 Coffin	212	Yes
E.	P15 Cunningham	213	
J.	P15 Flanagan	214	Yes
B.	P15 Gutman	215	Yes
J.	P15 Hall	216	
B.	P15 Hallowell	217	Yes
J.	P15 Kahn	218	Yes
K.	P15 Knauf	219	Yes
I.	P15 Krepchin	220	Yes
R.	P15 Liao	221	Yes
R.	P15 Nangle	222	Yes
D.	P15 Pearlman	223	Yes

First Name	Last Name	Keypad	
J.	P15 Rourke	224	
C.	P15 Van Der Ziel	225	
S.	P16 Allaire	226	Yes
A.	P16 Bowman	227	Yes
S.	P16 Chiumenti	228	
R.	P16 Frawley	229	Yes
S.	P16 Gladstone	230	Yes
M.	P16 Harrington	231	Yes
J.	P16 Jette	232	Yes
A.	P16 Jonas	233	Yes
J.	P16 Leichtner	234	Yes
P.	P16 Mehta	235	
W.	P16 Pu	236	Yes
I.	P16 Scharf	237	
N.	P16 Shpritz	238	
T.	P16 Sullivan	239	
C.	P16 Thall	240	
B.	TAL Franco	241	Yes
E.	TAL Gadsby	242	Abstain
B.	TAL Greene	243	Yes
H.	TAL Hamilton	244	Yes
N.	TAL Heller	245	Yes
Hon. T	TAL Vitolo	246	Yes
P.	TAL Ward	247	Abstain

First Name	Last Name	Keypad	Article 3 - Main Motion
N.	TAL Wishinsky	248	5 Yes
Total 1 = Yes			199
Total 2 = No			0
Total 3 = Abstain			2
Total Voters			201
Total Yes + No			199
% Yes			100.00%
% No			0.00%
Pass Threshold			50.00%
Pass/Fail			Pass