

ARTICLE 1

HOY MOTION 1 MARKED AGAINST THE SELECT BOARD MOTION

Motion 1

MOVED: That the Town appropriates \$~~11,000,000~~2,500,000 to pay costs of a settlement in the matter of Gerald Alston v. the Town of Brookline, et al, United States District Court No. 1:15-cv-13987-GAO, pertaining to Gerald Alston's employment as a Brookline Firefighter and claims he asserted against the Town and Town officials, including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Town Administrator, and that to meet this appropriation, the Treasurer, with the approval of the Select Board is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(3) or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town 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 the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. The authorization of the Town Treasurer with the approval of the Select Board to borrow by the issuance of bonds or notes the sum of \$2,500,000 will become effective when Mr. Alston and the Town of Brookline ("the Parties") have executed a settlement agreement and release of all claims for that amount agreed to by the Parties.

TOFFEL/SEGEL MARKED AGAINST HOY MOTION 1

MOVED: That the Town appropriates \$2,500,000 to pay costs of a settlement in the matter of Gerald Alston v. the Town of Brookline, et al, United States District Court No. 1:15-cv-13987-GAO, pertaining to Gerald Alston's employment as a Brookline Firefighter and claims he asserted against the Town and Town officials, including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Town Administrator, and that to meet this appropriation, appropriate \$2,500,000 from the Liability Fund. ~~the Treasurer, with the approval of the Select Board is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(3) or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town 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 the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.~~ This appropriation is conditioned upon Mr. Alston and the Town of Brookline ("the Parties") reaching a settlement agreement and release of all claims for that amount agreed to by the Parties. The authorization of the Town Treasurer with the approval of the Select Board to borrow by the issuance of bonds or notes the sum of \$2,500,000

will become effective when Mr. Alston and the Town of Brookline ("the Parties") have executed a settlement agreement and release of all claims for that amount agreed to by the Parties.

HOY MOTION 2 MARKED AGAINST THE SELECT BOARD MOTION

MOVED: That the Town appropriates \$~~11,000,000~~4,000,000 to pay costs of a settlement in the matter of Gerald Alston v. the Town of Brookline, et al, United States District Court No. 1:15-cv-13987-GAO, pertaining to Gerald Alston's employment as a Brookline Firefighter and claims he asserted against the Town and Town officials, including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Town Administrator, and that to meet this appropriation, the Treasurer, with the approval of the Select Board is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(3) or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town 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 the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. The authorization of the Town Treasurer with the approval of the Select Board to borrow by the issuance of bonds or notes the sum of \$4,000,000 will become effective when Mr. Alston and the Town of Brookline ("the Parties") have executed a settlement agreement and release of all claims for that amount agreed to by the Parties.

TOFFEL/SEGEL MARKED AGAINST HOY MOTION 2A

MOVED: That the Town appropriates \$4,000,000 to pay costs of a settlement in the matter of Gerald Alston v. the Town of Brookline, et al, United States District Court No. 1:15-cv-13987-GAO, pertaining to Gerald Alston's employment as a Brookline Firefighter and claims he asserted against the Town and Town officials, including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Town Administrator, and that to meet this appropriation, (a) the Treasurer, with the approval of the Select Board is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(3) or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town 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 the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. appropriate \$2,500,000 from the Liability Fund and (b) appropriate \$1,500,000 from the Tax Levy. This appropriation is conditioned upon Mr. Alston and the

Town of Brookline ("the Parties") reaching a settlement agreement and release of all claims for that amount agreed to by the Parties ~~The authorization of the Town Treasurer with the approval of the Select Board to borrow by the issuance of bonds or notes the sum of \$4,000,000 will become effective when Mr. Alston and the Town of Brookline ("the Parties") have executed a settlement agreement and release of all claims for that amount agreed to by the Parties.~~

TOFFEL/SEGEL MARKED AGAINST HOY MOTION 2B

MOVED: That the Town appropriates \$4,000,000 to pay costs of a settlement in the matter of Gerald Alston v. the Town of Brookline, et al, United States District Court No. 1:15-cv-13987-GAO, pertaining to Gerald Alston's employment as a Brookline Firefighter and claims he asserted against the Town and Town officials, including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Town Administrator, and that to meet this appropriation, (a) the Treasurer, with the approval of the Select Board is authorized to borrow ~~said amount~~ \$1,500,000 under and pursuant to G.L. c. 44, §7(3) or any other enabling authority, and to issue bonds or notes of the Town therefor and (b) appropriate \$2,500,000 from the Liability Fund. Any premium received by the Town 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 the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. This appropriation is conditioned upon Mr. Alston and the Town of Brookline ("the Parties") reaching a settlement agreement and release of all claims for that amount agreed to by the Parties. ~~The authorization of the Town Treasurer with the approval of the Select Board to borrow by the issuance of bonds or notes the sum of \$4,000,000 will become effective when Mr. Alston and the Town of Brookline ("the Parties") have executed a settlement agreement and release of all claims for that amount agreed to by the Parties.~~

HOY MOTION 3 MARKED AGAINST THE SELECT BOARD MOTION

MOVED: That the Town appropriates ~~\$11,000,000~~ \$6,000,000 to pay costs of a settlement in the matter of Gerald Alston v. the Town of Brookline, et al, United States District Court No. 1:15-cv-13987-GAO, pertaining to Gerald Alston's employment as a Brookline Firefighter and claims he asserted against the Town and Town officials, including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Town Administrator, and that to meet this appropriation, the Treasurer, with the approval of the Select Board is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(3) or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town 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 the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to

be borrowed to pay such costs by a like amount. The authorization of the Town Treasurer with the approval of the Select Board to borrow by the issuance of bonds or notes the sum of \$6,000,000 will become effective when Mr. Alston and the Town of Brookline ("the Parties") have executed a settlement agreement and release of all claims for that amount agreed to by the Parties.

TOFFEL/SEGEL MARKED AGAINST HOY MOTION 3A

MOVED: That the Town appropriates \$6,000,000 to pay costs of a settlement in the matter of Gerald Alston v. the Town of Brookline, et al, United States District Court No. 1:15-cv-13987-GAO, pertaining to Gerald Alston's employment as a Brookline Firefighter and claims he asserted against the Town and Town officials, including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Town Administrator, and that to meet this appropriation, (a) the Treasurer, with the approval of the Select Board is authorized to borrow ~~said amount~~ \$1,000,000 under and pursuant to G.L. c. 44, §7(3) or any other enabling authority, and to issue bonds or notes of the Town therefor (b) appropriate \$2,500,000 from the Liability Fund, and (c) appropriate \$2,500,000 from the Tax Levy. Any premium received by the Town 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 the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. This appropriation is conditioned upon Mr. Alston and the Town of Brookline ("the Parties") reaching a settlement agreement and release of all claims for that amount agreed to by the Parties. ~~The authorization of the Town Treasurer with the approval of the Select Board to borrow by the issuance of bonds or notes the sum of \$6,000,000 will become effective when Mr. Alston and the Town of Brookline ("the Parties") have executed a settlement agreement and release of all claims for that amount agreed to by the Parties.~~

TOFFEL/SEGEL MARKED AGAINST HOY MOTION 3B

MOVED: That the Town appropriates \$6,000,000 to pay costs of a settlement in the matter of Gerald Alston v. the Town of Brookline, et al, United States District Court No. 1:15-cv-13987-GAO, pertaining to Gerald Alston's employment as a Brookline Firefighter and claims he asserted against the Town and Town officials, including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Town Administrator, and that to meet this appropriation, (a) the Treasurer, with the approval of the Select Board is authorized to borrow ~~said amount~~ \$3,500,000 under and pursuant to G.L. c. 44, §7(3) or any other enabling authority, and to issue bonds or notes of the Town therefor, ~~and (b) appropriate \$2,500,000 from the Liability Fund.~~ Any premium received by the Town 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 the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. This appropriation is conditioned upon Mr. Alston and the Town of

Brookline ("the Parties") reaching a settlement agreement and release of all claims for that amount agreed to by the Parties. ~~The authorization of the Town Treasurer with the approval of the Select Board to borrow by the issuance of bonds or notes the sum of \$6,000,000 will become effective when Mr. Alston and the Town of Brookline ("the Parties") have executed a settlement agreement and release of all claims for that amount agreed to by the Parties.~~

TOFFEL/SEGEL MARKED SELECT BOARD MOTION 4A

MOVED: That the Town appropriates \$11,000,000 to pay costs of a settlement in the matter of Gerald Alston v. the Town of Brookline, et al, United States District Court No. 1:15-cv-13987-GAO, pertaining to Gerald Alston's employment as a Brookline Firefighter and claims he asserted against the Town and Town officials, including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Town Administrator, and that to meet this appropriation, (a) the Treasurer, with the approval of the Select Board is authorized to borrow ~~said amount~~ \$6,000,000 under and pursuant to G.L. c. 44, §7(3) or any other enabling authority, and to issue bonds or notes of the Town therefor; (b) appropriate \$2,500,000 from the Liability Fund and (c) appropriate \$2,500,000 from the Tax Levy. Any premium received by the Town 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 the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

TOFFEL/SEGEL MARKED SELECT BOARD MOTION 4B

MOVED: That the Town appropriates \$11,000,000 to pay costs of a settlement in the matter of Gerald Alston v. the Town of Brookline, et al, United States District Court No. 1:15-cv-13987-GAO, pertaining to Gerald Alston's employment as a Brookline Firefighter and claims he asserted against the Town and Town officials, including the payment of all costs incidental or related thereto, said funds to be expended under the direction of the Town Administrator, and that to meet this appropriation, (a) the Treasurer, with the approval of the Select Board is authorized to borrow ~~said amount~~ \$8,500,000 under and pursuant to G.L. c. 44, §7(3) or any other enabling authority, and to issue bonds or notes of the Town therefor, and (b) appropriate \$2,500,000 from the Liability Fund. Any premium received by the Town 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 the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

