

Town of Brookline

Special Town Meeting

October 5, 2021

Town of Brookline 2021 Special Town Meeting
October 5 and 7, 2021

Night 1: October 5, 2021

- Pledge of Allegiance conducted.
- Call to order: 7:00PM.
- Acknowledgement of the presence of a quorum by Moderator Poverman.
- Meeting called to order by Moderator Kate Poverman.
- Acknowledgement of the properly noticed warrant.
- Star Spangled Banner sung by James Slayton.
- Procedural announcements by the Moderator.
- Voting procedures explained by the Moderator
 - Voting period will be 45 seconds long. All non-procedural votes will be recorded, unless noted otherwise. Recorded votes will be available for review the next day.
- **VOTED:** To hold the special Town meeting on October 5, 2021 virtually by the request of the Town Moderator in a memo to the Select Board dated September 10, 2021.
 - **Approved**
 - Disclosure of potential for a perceived Conflict of Interest: Raul Fernandez (SB/AL)
 - Point of Order: James Franco (P1)
 - Point of Order: Bonnie Bastien (P5)
 - Point of Order: Scott Ananian (P10)

ARTICLE 1

Appropriation for the Gerald Alston Settlement

Submitted by: Select Board

Motioned and duly seconded

Presented by: Raul Fernandez

Speakers: Raul Fernandez (SB/AL), Gil Hoy (P13), Michael Toffel (P8), Paul Warren (P1/AC), James Franco (P1), David Gacioch (P13), Anita Johnson (P8), Kimberley Richardson (P2), Lee Selwyn (P13), Jonathan Margolis (P7), Lauren Goldberg (Special Counsel), Mark Levy (P7), Vena Priestly (P4), Jonathan Golden (P11), Michael Sandman (P3), Alisa Jonas (P16), Heather Hamilton (SB/AL), Melissa Vogt (P4), Ari Kristan (Special Counsel), Mel Kleckner (Town Administrator), John Doggett (P13), Arthur Segel (P14), Chi Chi Wu (P7), Neil Gordon (P1), Richard Nangle (P15), Donelle O'Neal (P4), Carolyn Goodwin (P8), John VanScoyoc (SB/AL), Miriam Aschkenasy (SB/AL).

MOTION to terminate debate

Approved: Aye: 177

No: 44

Abstained: 10

Votes on Amendments

- **VOTED:** Hoy Amendment 1
Failed: Aye: 17 No: 209 Abstained: 9
- **VOTED:** Hoy Amendment 2
Failed: Aye: 25 No: 204 Abstained: 8
- **VOTED:** Hoy Amendment 3
Failed: Aye: 62 No: 157 Abstained: 15
- **VOTED:** Toffel/Segel Amendment 4A
Failed: Aye: 44 No: 184 Abstained: 7
- **VOTED:** Toffel/Segel Amendment 4B
Failed: Aye: 68 No: 157 Abstained: 10

Speakers: Paul Warren (P1), Carolyn Goodwin (P8), Jane Gilman (P3), Jeff Rudolph (P6), Raul Fernandez (SB/AL), Ari Kristan (Special Counsel), Melissa Goff (Deputy Town Administrator), Paula Friedman (P14), Lauren Bernard (P8)

VOTED: 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, the Treasurer, with the approval of the Select Board is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1) 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.

Approved: Aye: 189 No: 37 Abstained: 11

10:13PM: **MOTION** to Adjourn to October 7, 2021 at 7:00PM, duly seconded

Approved

Night 2: October 7, 2021

- Call to order: 7:00PM.
- Acknowledgement of the presence of a quorum by Moderator Poverman.
- Meeting called to order by Moderator Kate Poverman.

ARTICLE 2

Appropriation for Driscoll School Ground-Source Heat Pumps

Submitted by: David Gacioch, TMM-13, Andy Fischer, TMM-13

Motioned and duly seconded

Presented by: David Gacioch

Speakers: David Gacioch (P13), Eileen Berger (P15), Melissa Goff (Deputy Town Administrator), Carol Levin (AC), Harry Friedman (P12), Heather Hamilton (SB/AL), John VanScoyoc (SB/AL), Marissa Vogt (P4), Jesse Gray (P10), Lisa Cunningham (P15), Mark Levy (P7), Dan Bennett (Building Commissioner), Tommy Vitolo (State Representative/AL), Mariah Nobrega (P4), Carolyn Thall (P15).

Point of Order: Scott Gladstone (P16)

MOTION to terminate debate

Failed: Aye: 116 No: 82 Abstained: 11

Point of Order: Nathan Shpritz (P16)

Speakers: Scott Englander (P6), Lee Selwyn (P13), Valerie Frias (School Committee), Scott Ananian (P10), Andrew Fischer (P13), Kelly Hardebeck (P7), Jen Carlson (Public), Dominic Puniello (Public), Sassan Zelkha (P14).

MOTION to terminate debate

Approved: Aye: 179 No: 31 Abstained: 7

VOTED: To appropriate, \$4,900,000, to be expended under the direction of the Building Commission, with any necessary contracts over \$100,000 to be approved by the Select Board and the School Committee, to provide a fossil-fuel-free Ground Source Heat Pump system for the new Driscoll School, and to meet the appropriation authorize the Treasurer, with approval of the Select Board, to borrow \$4,900,000 under General Laws, Chapter 44, Section 7(1). Any premium received 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 Chapter 44, Section 20 of the

General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, provided that this appropriation shall be conditioned upon the town's request of the Department of Revenue to include the Town's additional borrowing authorization of \$4,900,000 for the Driscoll School project as debt excluded from the provisions of Prop 2 1/2.

Approved: Aye: 197 No: 17 Abstained: 4

8:25 PM: **MOTION** to Dissolve Special Town Meeting
Approved

[Meeting is dissolved October 7, 2021 at 8:26pm]