

TOWN OF BROOKLINE



MINUTES OPENING SESSION SPECIAL TOWN MEETING NOVEMBER 19, 2013

MINUTES OF THE SPECIAL TOWN MEETING NOVEMBER 19, 2013

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, November 19, 2013 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-five (245) 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 five minutes past seven o'clock, the Checkers reported that one hundred twenty-five (125) 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 (Sandy) Gadsby – 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, speakers and the order of the Warrant. He announced that Article 6 and Article 7 would be taken up together. The Moderator also announced to Town Meeting that First Light will be held on Thursday, November 21, 2013 and that the Martin Luther King Celebration will be held at the Coolidge Corner Theater on Monday, January 20, 2014. The Moderator also noted that the Brookline Food Pantry will collect food again tomorrow evening before the start of Town Meeting.

Moderator Edward (Sandy) Gadsby – TMM #AL then reviewed the operation of the electronic hand-held voting devices. The Moderator conducted a test vote to familiarize and demonstrate for Town Meeting Members how to use the devices before proceeding on to the first order of business.

FIRST ARTICLE

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 previous fiscal years, which may be legally unenforceable due to the insufficiency of the appropriations therefor, and appropriate from available funds, a sum or sums of money therefor.

or act on anything relative thereto.

Upon motion made by Harry K. Bohrs – TMM #3 and seconded by Betsy DeWitt – TMM #AL, it was UNANIMOUSLY

VOTED: That NO ACTION be taken under Article 1.

xxx

SECOND 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.

Speaking in support of the main motion offered under Article 2 were Director of Human Resources Sandra DeBow; Betsy DeWitt – TMM #AL, for the Board of Selectmen; and Nancy S. Heller – TMM #8, for the Advisory Committee.

Upon motion made by Betsy DeWitt – TMM #AL and seconded by Nancy S. Heller – TMM #8, it was UNANIMOUSLY

VOTED: To approve and fund by an appropriation, provided for in the FY2013 (Item #20) and FY2014 (Item #20) budgets, for the cost items in the following collective bargaining agreement that commences on July 1, 2012 and expires on June 30, 2015:

School Traffic Supervisors, AFSCME Council 93, Local 1358

all as set forth in the report of Sandra DeBow, Director of Human Resources, dated October 29, 2013, which report is incorporated herein by reference. (See Addendum #1 for HR Report)

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THIRD ARTICLE

Submitted by: Board of Selectmen

To see if the Town will:

- A) Appropriate additional funds to the various accounts in the fiscal year 2014 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.

Speaking in support of the main motion offered under Article 3 were Benjamin Franco, for the Advisory Committee and Betsy DeWitt – TMM #AL, for the Board of Selectmen.

Upon motion made by Harry K. Bohrs – TMM #3 and seconded by Betsy DeWitt – TMM #AL, it was UNANIMOUSLY

VOTED: That the Town:

1. Amend the FY2014 budget as shown below and in the attached Amended Tables I and II (See Addendum #2 for Tables I and II):

ITEM #	ORIGINAL BUDGET	PROPOSED CHANGE	AMENDED BUDGET
9. Police Department	\$15,131,074	+\$62,000	\$15,193,074
10. Fire Department	\$13,024,946	-\$ 5,000	\$13,019,946
11. Building Department	\$ 7,011,359	-\$ 1,000	\$ 7,010,359
12. Department of Public Works	\$13,812,488	-\$24,000	\$13,788,488

xxx

FOURTH ARTICLE

Submitted by: Thomas John Vitolo

To see if the Town will amend the General By-laws, Article 8.23, Tobacco Control as follows (language to be deleted appears as a strike-out and new language is underlined):

ARTICLE 8.23 TOBACCO CONTROL

SECTION 8.23.1 PURPOSE

In order to protect the health, safety and welfare of the inhabitants of the Town of Brookline, including but not limited to its younger population, by restricting the sale ~~of and public exposure to~~ of tobacco products known to be related to various and serious health conditions such as cancer, this by-law shall limit and restrict the sale of and public exposure to Tobacco Products within the Town of Brookline.

SECTION 8.23.2 DEFINITIONS

- a. Tobacco - Cigarettes, cigars, snuff or tobacco in any of its forms.
- b. Smoking - Lighting of, or having in one's possession any lighted cigarette, cigar, pipe or other tobacco product.
- c. Tobacco Vending Machine - A mechanical or electrical device which dispenses tobacco products by self service, with or without assistance by a clerk or operator.

d. Minor - A person under nineteen years of age.

e. Employee - A person who performs work or services for wages or other consideration.

f. Employer - A person, partnership, association, corporation, trust or other organized group, including the Town of Brookline and any department or agency thereof, which utilizes the services of ~~three~~one (31) or more employees.

g. Workplace - Any enclosed area of a structure in the Town of Brookline, at which ~~three~~one or more employees perform services for an employer.

~~h. Food Service Establishment - An establishment having one or more seats at which food is served to the public.~~

~~i. Function Room - A separate, enclosed room used exclusively for private functions within a food service establishment.~~

~~j. Bar/Lounge - An area within a food service establishment which is devoted primarily to serving alcoholic beverages for consumption by guests on the premises, and in which the consumption of food is only incidental to the consumption of such beverages.~~

kh. Health Care Institution - An individual, partnership, association, corporation or trust or any person or group of persons that provides health care services and employs health care providers licensed, or subject to licensing, by the Massachusetts Department of Health under M.G.L. c. 112. Health care institution includes hospitals, clinics, health centers, pharmacies, drug stores and doctors' and dentists' offices.

li. Entity - any single individual, group of individuals, corporation, partnership, institution, employer, association, firm or any other legal entity whether public or private.

mj. Educational Institution - any public or private college, normal school, professional school, scientific or technical institution, university or other institution furnishing a program of higher education.

nk. Retail Establishment - any store that sells goods or articles of personal services to the public.

I. Membership Association – a not-for-profit entity that has been established and operates, for a charitable, philanthropic, civic, social, benevolent, educational, religious, athletic, recreation or similar purpose, and is comprised of members who collectively belong to:

(1) a society, organization or association of a fraternal nature that operates under the lodge system, and having one (1) or more affiliated chapters or branches incorporated in any state; or

(2) a corporation organized under M.G.L. c. 180; or

(3) an established religious place of worship or instruction in the commonwealth whose real or personal property is exempt from taxation; or

(4) a veterans' organization incorporated or chartered by the Congress of the United States, or otherwise, having one (1) or more affiliated chapters or branches incorporated in any state.

Except for a religious place of worship or instruction, an entity shall not be a membership for the purposes of this definition, unless individual membership is required for all members of the association for a period of not less than 90 days.

SECTION 8.23.3 REGULATED CONDUCT

a. Food Service Establishments

~~(1) All food service establishments shall be 100% non-smoking except as otherwise specifically permitted under this by-law.~~

~~(2) Waiver of non-smoking provision for bars and lounges – The owner or operator of a food service establishment containing a bar/lounge may apply for a waiver of the non-smoking provision of Section 8.23.2(1) with respect to the bar/lounge. The application shall state when the waiver shall terminate, provided, always, that such termination shall not be later than January 1, 2000. Application shall be made in writing to the Director of Public Health (Director), stating the reasons and justification for the request. Following no less than two weeks public notice, the Director shall conduct a public hearing on the request, at which the owner or operator shall present the request and the basis for the request. After the hearing the Director may grant the requested waiver, provided:~~

~~a. the owner or operator has owned or operated the establishment continuously since November 15, 1994;~~

~~b. on November 15, 1994, the establishment contained a bar/lounge according to the records of the Town;~~

~~c. the number of the seats in the bar/lounge do not exceed 25% of the establishment's total seating capacity;~~

~~d. the bar/lounge occupies a separate, enclosed room;~~

~~e. the bar/lounge is equipped with a separate ventilation system that provides an air circulation rate of at least 60 cubic feet per minute per person and exhausts air at a rate of at least 110% of supply to produce a negative air environment; and~~

~~f. the configuration of the establishment is not such as to require dining patrons to pass through any portion of the bar/lounge when entering or exiting the establishment.~~

~~(3.) The Director of Public Health may adopt regulations providing for the implementation of Section 8.23.2(2) of this by-law.~~

~~b. a.~~ Public Places

(1) To the extent that the following are not covered by applicable State laws or regulations, no person shall smoke in any rooms or interior areas in which the public is permitted. This includes, but is not limited to, any food service establishment, health care facility, classroom, lecture hall, museum, motion picture theater, school, day care facility, reception area, waiting room, restroom or lavatory, retail store, bank (including ATMs), hair salons or barber shops and meetings of government agencies open to the public. Premises occupied by a membership association are not considered Public Places for the purposes of Section 8.23.3(a), but are subject to Section 8.23.3(b).

(2) Taxi/Livery services licensed by the Town of Brookline shall be provided in smoke-free Vehielesvehicles. ~~in accordance with the following schedule:~~

~~a. As of 3/1/94, 25% of all vehicles~~

~~b. As of 1/1/95, 100% of all vehicles~~

The restriction of smoking in taxi/livery vehicles applies to drivers as well as

passengers. ~~Non-smoking v~~ehicles shall be posted in such a manner that their smoke-free status can be readily determined from the outside of the vehicle.

(3) Licensed Inns, Hotels, Motels and Lodging Houses in the Town of Brookline must provide smoke-free common areas. Licensed Inns, Hotels and Motels in the Town of Brookline must designate at least 90% of individual dwelling units or rooms as non-smoking, ~~in accordance with the following schedule:~~

- ~~a. As of 3/1/94, 25% of individual dwelling units or rooms;~~
- ~~b. As of 1/1/95, 50% of dwelling units or rooms;~~
- ~~c. As of 1/1/96, 90% of dwelling units or rooms.~~

~~e. b.~~ Workplaces

~~(1.) Every employer shall establish, post and implement a workplace smoking policy and shall, upon request, furnish a written copy of such smoking policy to any employee or to the Director of Public Health. A workplace smoking policy shall include a grievance procedure whereby an employee may seek relief if he/she is exposed to tobacco smoke in the course of his/her work duties. Upon written request by three or more employees, an employer may, but is not required to, designate a "Smoking Area", provided that such a smoking area shall not adversely affect the health and well being of nonsmoking employees or members of the public. An employer may furnish a separate employee lounge for smoking, no larger in floor area or seating capacity than the employee lounge for non-smoking employees. All sSmoking in the workplaces shall be is prohibited ~~on or~~ before January 1, 1995.~~

~~2. Workplaces with function rooms must establish and post a workplace policy that states "Employees are not required to work at private functions in which smoking is allowed." Employees who do not want to work at such functions must so inform their employer in writing, and employers must abide by their employees stated wishes in this regard.~~

(2) Notwithstanding subsection (1), smoking may be permitted in the following places and circumstances:

- a. Private residences; except during such time when the residence is utilized as part of a business as a group childcare center, school

age child care center, school age day or overnight camp, or a facility licensed by the department of early education and care or as a health care related office or facility;

b. Premises occupied by a membership association, if the premises is owned, or under a written lease for a term of not less than 90 consecutive days, by the association during the time of the permitted activity if the premises are not located in a public building, and if the space is occupied solely by the members, invited guests of members, and the employees of the membership association. A person who is a contract employee, temporary employee, or independent contractor shall not be considered an employee of a membership association under this subsection.

c. A guest room in a hotel, motel, inn, bed and breakfast or lodging home that is designed and normally used for sleeping and living purposes, which is rented to a guest and designated as a smoking room.

~~(3-)~~ Hotels must establish and post a workplace policy that states "Employees are not required to work in rooms in which smoking is allowed." Employees who do not want to work in such rooms must so inform their employer in writing, and employers must abide by their employees' stated wishes in this regard.

~~4. Food service establishments that permitsmoking under the waiver provisions of Section 8.23.2 (2) shall establish and post a workplace policy that states: "Employees are not required to work in the bar/lounge.~~

~~5(4-)~~ Every establishment in which smoking is permitted pursuant to this ~~B~~by-law shall designate all positions that require the employee's presence in an area in which smoking is permitted to be "smoking positions." The establishment shall notify every applicant for employment in a smoking position, in writing, that the position may requires continuous exposure to secondhand smoke, which may be hazardous to the employee's health.

~~(5)6-~~ No establishment in which smoking is permitted pursuant to this ~~B~~by-~~L~~law may require any employee whose effective date of employment was on or before November 1, 1994 to accept a designated smoking position as a condition of continued employment by the employer.

~~7(6)~~: No establishment in which smoking is permitted pursuant to this ~~B~~by-law may discharge, refuse to hire, or otherwise discriminate against any employee or applicant for employment by reason of such person's unwillingness to be subjected to secondhand smoke exposure unless the employee has been hired for a designated smoking position and has been so notified in writing at the time of hiring.

~~8(7)~~: No establishment in which smoking is permitted pursuant to this ~~B~~by-law may designate more smoking positions, as a proportion of the total number of service positions, than the number of seats in proportion of the establishment in which smoking is permitted bears to the total number of seats legally permitted in the establishment.

~~9(8)~~: It is the intent of this ~~B~~by-law that a designated smoking position shall not be considered suitable work for purposes of M.G.L. ~~C~~c. 151A, and that an employee who is required to work in a smoking position shall have good cause attributable to the employer for leaving work.

~~10(9)~~: Each establishment in which smoking is permitted pursuant to this ~~B~~by-law shall post, and make available to all job applicants, a statement inviting employees and job applicants to notify the Board of Selectmen regarding any violation of the policies in this section (~~Workplaces~~8.23.3(b)).

SECTION 8.23.4 POSTING REQUIREMENTS

~~a.~~ Every person having control of a premises where smoking is prohibited by this by-law, shall conspicuously display on the premises, including the primary entrance doorways, signs reading "Smoking Prohibited By Law." Posting of the international symbol for "No Smoking" shall be deemed as compliance.

~~b. Food service establishments in which smoking is permitted under the waiver provisions of Section 8.23.2(2) shall post in a conspicuous location, at each entrance used by the general public, a notice provided by the Director of Public Health. This notice, which shall not be smaller than 80 square inches nor larger than 120 square inches in overall area, shall state that smoking is permitted in the establishment and contain a warning concerning the risks of environmental tobacco smoke.~~

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.

b. Tobacco Vending Machines - The sale of tobacco products by means of vending machines is prohibited.

c. Distribution of Tobacco Products - No person, firm, corporation, establishment or agency shall distribute tobacco products free of charge or in connection with a commercial or promotional endeavor within the Town of Brookline. Such endeavors include, but are not limited to, product "giveaways", or distribution of a tobacco product as an incentive, prize, award or bonus in a game, contest or tournament involving skill or chance.

d. Sales to Minors - No person, firm, corporation, establishment, or agency shall sell tobacco products to a minor.

e. Advertising/Promotion - From and after January 1, 1995, free standing tobacco product displays in retail locations, where a tobacco product is accessible to the public, shall be within twenty feet and the unobstructed view of a check-out or cash register location.

f. Prohibition Against the Sale of Tobacco Products by Health Care Institutions - No health care institution located in the Town of Brookline shall sell or cause to be sold tobacco products. Additionally, no retail establishment that operates or has a health care institution within it, such as a pharmacy or drug store, shall sell or cause to be sold tobacco products.

g. Prohibition Against the Sale of Tobacco Products by Educational Institutions - No educational institution located in the Town of Brookline shall sell or cause to be sold tobacco products. This includes all educational institutions as well as any retail establishments that operate on the property of an educational institution.

SECTION 8.23.6 VIOLATIONS AND PENALTIES

a. Any person who knowingly violates any provision of this by-law, or who smokes in any area in which a "Smoking Prohibited By Law" sign, or its equivalent, is conspicuously displayed, shall be punished by a fine of not more than \$50 for each offense.

b. Any person having control of any premises or place in which smoking is prohibited who allows a person to smoke or otherwise violate this bylaw, shall be punished by a fine of not more than \$100 for each offense.

c. Any entity violating any other section of this by-law shall receive a fine of three hundred dollars (\$300.00) for each offense.

d. Employees who violate any provision of Section 8.23.2(c) shall be punished by a fine of not more than \$100 per day for each day of such violation.

e. Violations of this by-law may be dealt with in a non-criminal manner as provided in PART X of the Town ~~By-L~~aws.

f. Each calendar day an entity operates in violation of any provision of this regulation shall be deemed a separate violation.

g. No provision, clause or sentence of this section of this regulation shall be interpreted as prohibiting the Brookline Health Department or a Town department or Board from suspending, or revoking any license or permit issued by and within the jurisdiction of such departments or Board for repeated violations of this ~~regulation~~by-law.

SECTION 8.23.7 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.

Or act on anything relative thereto.

Speaking in support of the main motion under Article 4 were Thomas John Vitolo – TMM #1 and the main petitioner; Nancy Heller – TMM #8, for the Advisory Committee; and Betsy DeWitt – TMM #AL, for the Board of Selectmen.

Upon motion made by Thomas John Vitolo – TMM #1 and seconded by Nancy S. Heller – TMM #8, it was UNANIMOUSLY

VOTED: That the Town adopt a revised version of its Tobacco Control By-law, Article 8.23 as follows:

ARTICLE 8.23 TOBACCO CONTROL

SECTION 8.23.1 PURPOSE

In order to protect the health, safety and welfare of the inhabitants of the Town of Brookline, including but not limited to its younger population, by restricting the sale ~~of and public exposure to~~ of tobacco products known to be related to various and serious health conditions such as cancer, this by-law shall limit and restrict the sale of and public exposure to Tobacco Products within the Town of Brookline.

SECTION 8.23.2 DEFINITIONS

- a. Tobacco - Cigarettes, cigars, snuff or tobacco in any of its forms.
- b. Smoking - Lighting of, or having in one's possession any lighted cigarette, cigar, pipe or other tobacco product.
- c. Tobacco Vending Machine - A mechanical or electrical device which dispenses tobacco products by self service, with or without assistance by a clerk or operator.
- d. Minor - A person under nineteen years of age.
- e. Employee - A person who performs work or services for wages or other consideration.
- f. Employer - A person, partnership, association, corporation, trust or other organized group, including the Town of Brookline and any department or agency thereof, which utilizes the services of ~~three-one~~ (31) or more employees.
- g. Workplace - Any enclosed area of a structure in the Town of Brookline, at which ~~three-one~~ or more employees perform services for an employer.
- h. Food Service Establishment - An establishment having one or more seats at which food is served to the public.
- ~~i. Function Room - A separate, enclosed room used exclusively for private functions within a food service establishment.~~
- ~~j. Bar/Lounge - An area within a food service establishment which is devoted primarily to serving alcoholic beverages for consumption by guests on the premises, and in which the consumption of food is only incidental to the consumption of such beverages.~~
- ki. Health Care Institution - An individual, partnership, association, corporation or trust or any person or group of persons that provides health care services and employs health care providers licensed, or subject to licensing, by the Massachusetts Department of Health under M.G.L. c. 112. Health care institution

includes hospitals, clinics, health centers, pharmacies, drug stores and doctors' and dentists' offices.

~~l~~j. Entity - any single individual, group of individuals, corporation, partnership, institution, employer, association, firm or any other legal entity whether public or private.

~~m~~k. Educational Institution - any public or private college, normal school, professional school, scientific or technical institution, university or other institution furnishing a program of higher education.

~~n~~l. Retail Establishment - any store that sells goods or articles of personal services to the public.

SECTION 8.23.3 REGULATED CONDUCT

~~a. Food Service Establishments~~

~~(1) All food service establishments shall be 100% non-smoking except as otherwise specifically permitted under this by-law.~~

~~(2) Waiver of non-smoking provision for bars and lounges. The owner or operator of a food service establishment containing a bar/lounge may apply for a waiver of the non-smoking provision of Section 8.23.2(1) with respect to the bar/lounge.~~

~~The application shall state when the waiver shall terminate, provided, always, that~~

~~such termination shall not be later than January 1, 2000. Application shall be made in writing to the Director of Public Health (Director), stating the reasons and justification for the request. Following no less than two weeks public notice, the Director shall conduct a public hearing on the request, at which the owner or operator shall present the request and the basis for the request. After the hearing the Director may grant the requested waiver, provided:~~

~~a. the owner or operator has owned or operated the establishment continuously since November 15, 1994;~~

~~b. on November 15, 1994, the establishment contained a bar/lounge according to the records of the Town;~~

~~e. the number of the seats in the bar/lounge do not exceed 25% of the establishment's total seating capacity;~~

~~d. the bar/lounge occupies a separate, enclosed room;~~

~~e. the bar/lounge is equipped with a separate ventilation system that provides an air circulation rate of at least 60 cubic feet per minute per person and exhausts air at a rate of at least 110% of supply to produce a negative air environment; and~~

~~f. the configuration of the establishment is not such as to require dining patrons to pass through any portion of the bar/lounge when entering or exiting the establishment.~~

~~(3.) The Director of Public Health may adopt regulations providing for the implementation of Section 8.23.2(2) of this by-law.~~

~~b.~~ a. Public Places

(1) To the extent that the following are not covered by applicable State laws or regulations, no person shall smoke in any rooms or interior areas in which the public is permitted. This includes, but is not limited to, any food service establishment, health care ~~facility~~institution, classroom, lecture hall, museum, motion picture theater, school, day care facility, reception area, waiting room, restroom or lavatory, retail store, bank (including ATMs), hair salons or barber shops and meetings of government agencies open to the public.

(2) Taxi/Livery services licensed by the Town of Brookline shall be provided in smoke-free ~~Vehieles~~vehicles. ~~in accordance with the following schedule:~~

~~a. As of 3/1/94, 25% of all vehicles~~

~~b. As of 1/1/95, 100% of all vehicles~~

The restriction of smoking in taxi/livery vehicles applies to drivers as well as passengers. ~~Non-smoking v~~ehicles shall be posted in such a manner that their smoke-free status can be readily determined from the outside of the vehicle.

(3) Licensed Inns, Hotels, Motels and Lodging Houses in the Town of Brookline must provide smoke-free common areas. Licensed Inns, Hotels and Motels in the

Town of Brookline must designate at least 90% of individual dwelling units or rooms as non-smoking, ~~in accordance with the following schedule:~~

- ~~a. As of 3/1/94, 25% of individual dwelling units or rooms;~~
- ~~b. As of 1/1/95, 50% of dwelling units or rooms;~~
- ~~c. As of 1/1/96, 90% of dwelling units or rooms.~~

~~e.~~ b. Workplaces

~~(1.) Every employer shall establish, post and implement a workplace smoking policy and shall, upon request, furnish a written copy of such smoking policy to any employee or to the Director of Public Health. A workplace smoking policy shall include a grievance procedure whereby an employee may seek relief if he/she is exposed to tobacco smoke in the course of his/her work duties. Upon written request by three or more employees, an employer may, but is not required to, designate a "Smoking Area", provided that such a smoking area shall not adversely affect the health and well being of nonsmoking employees or members of the public. An employer may furnish a separate employee lounge for smoking, no larger in floor area or seating capacity than the employee lounge for non-smoking employees. All sSmoking in the workplaces shall be is prohibited ~~on or~~ before January 1, 1995.~~

~~2. Workplaces with function rooms must establish and post a workplace policy that states "Employees are not required to work at private functions in which smoking is allowed." Employees who do not want to work at such functions must so inform their employer in writing, and employers must abide by their employees stated wishes in this regard.~~

(2) Notwithstanding subsection (1), smoking may be permitted in the following places and circumstances:

- a. Private residences; except during such time when the residence is utilized as part of a business as a group childcare center, school age child care center, school age day or overnight camp, or a facility licensed by the department of early education and care or as a health care related office or facility;:-
- b. A guest room in a hotel, motel, inn, bed and breakfast or lodging home that is designed and normally used for sleeping and living purposes, which is rented to a guest and designated as a smoking room.

~~(3-)~~ Hotels must establish and post a workplace policy that states "Employees are not required to work in rooms in which smoking is allowed." Employees who do not want to work in such rooms must so inform their employer in writing, and employers must abide by their employees' stated wishes in this regard.

~~4. Food service establishments that permit smoking under the waiver provisions of Section 8.23.2 (2) shall establish and post a workplace policy that states: "Employees are not required to work in the bar/lounge.~~

~~5(4-)~~ Every establishment in which smoking is permitted pursuant to this ~~B~~by-law shall designate all positions ~~that require where~~ the employee's presence in an area in which smoking is permitted to be "smoking positions." The establishment shall notify every applicant for employment in a smoking position, in writing, that the position ~~may require cause~~ continuous exposure to secondhand smoke, which may be hazardous to the employee's health.

~~(5)6-~~ No establishment in which smoking is permitted pursuant to this ~~B~~by-law may require any employee whose effective date of employment was on or ~~before~~ November 1, 1994 to accept a designated smoking position as a condition of continued employment by the employer.

~~7(6)-~~ No establishment in which smoking is permitted pursuant to this ~~B~~by-law may discharge, refuse to hire, or otherwise discriminate against any employee or applicant for employment by reason of such person's unwillingness to be subjected to secondhand smoke exposure unless the employee has been hired for a designated smoking position and has been so notified in writing at the time of hiring.

~~8(7)-~~ No establishment in which smoking is permitted pursuant to this ~~B~~by-law may designate more smoking positions, as a proportion of the total number of service positions, than the number of seats in ~~proportion of the establishment in which smoking is permitted bears to the total number of seats legally permitted in the establishment.~~

~~9(7)-~~ It is the intent of this ~~B~~by-law that a designated smoking position shall not be considered suitable work for purposes of ~~M.G.L. c.~~ 151A, and that an employee who is required to work in a smoking position shall have good cause attributable to the employer for leaving work.

~~10(8)-~~ Each establishment in which smoking is permitted pursuant to ~~this~~ ~~Bylaw~~8.23.3(b)(2)(b) shall post, and make available to all job applicants, a statement inviting employees and job applicants to notify the Board of Selectmen

regarding any violation of the policies in this section
(~~Workplaces~~8.23.3(b)).

SECTION 8.23.4 POSTING REQUIREMENTS

~~a.~~ Every person having control of a premises where smoking is prohibited by this by-law, shall conspicuously display on the premises, including the primary entrance doorways, signs reading "Smoking Prohibited By Law." Posting of the international symbol for "No Smoking" shall be deemed as compliance.

~~b. Food service establishments in which smoking is permitted under the waiver provisions of Section 8.23.2(2) shall post in a conspicuous location, at each entrance used by the general public, a notice provided by the Director of Public Health. This notice, which shall not be smaller than 80 square inches nor larger than 120 square inches in overall area, shall state that smoking is permitted in the establishment and contain a warning concerning the risks of environmental tobacco smoke.~~

SECTION 8.23.5 SALE AND DISTRIBUTION OF TOBACCO PRODUCTS

a. Permit Requirement – 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.

b. Prohibition of Tobacco Vending Machines – The sale of tobacco products by means of vending machines is prohibited.

c. Restrictions on the Distribution of Tobacco Products - No person, firm, corporation, establishment or agency shall distribute tobacco products free of charge or in connection with a commercial or promotional endeavor within the Town of Brookline. Such endeavors include, but are not limited to, product "giveaways", or distribution of a tobacco product as an incentive, prize, award or bonus in a game, contest or tournament involving skill or chance.

d. Prohibition of Sales to Minors - No person, firm, corporation, establishment, or agency shall sell tobacco products to a minor.

e. Restrictions on Advertising/ and Promotion - From and after January 1, 1995, free standing tobacco product displays in retail locations, where a tobacco product is accessible to the public, shall be within twenty feet and the unobstructed view of a check-out or cash register location.

f. Prohibition ~~Against of~~ the Sale of Tobacco Products by Health Care Institutions
- No health care institution located in the Town of Brookline shall sell or cause to be sold tobacco products. Additionally, no retail establishment that operates or has a health care institution within it, such as a pharmacy or drug store, shall sell or cause to be sold tobacco products.

g. Prohibition ~~Against of~~ the Sale of Tobacco Products by Educational Institutions
- No educational institution located in the Town of Brookline shall sell or cause to be sold tobacco products. This includes all educational institutions as well as any retail establishments that operate on the property of an educational institution.

SECTION 8.23.6 VIOLATIONS AND PENALTIES

a. Any person who knowingly violates any provision of this by-law, or who smokes in any area in which a "Smoking Prohibited By Law" sign, or its equivalent, is conspicuously displayed, shall be punished by a fine of not more than \$50 for each offense.

b. Any person having control of any premises or place in which smoking is prohibited who allows a person to smoke or otherwise violate this bylaw, shall be punished by a fine of not more than \$100 for each offense.

c. Any entity violating any other section of this by-law shall receive a fine of three hundred dollars (\$300.00) for each offense.

d. Employees who violate any provision of Section ~~8.23.2(e)~~8.23.3(b) shall be punished by a fine of not more than \$100 per day for each day of such violation.

e. Violations of this by-law may be dealt with in a non-criminal manner as provided in PART X of the Town ~~By-L~~aws.

f. Each calendar day an entity operates in violation of any provision of this regulation shall be deemed a separate violation.

g. No provision, clause or sentence of this section of this regulation shall be interpreted as prohibiting the Brookline Health Department or a Town department or Board from suspending, or revoking any license or permit issued by and within the jurisdiction of such departments or Board for repeated violations of this ~~regulation~~by-law.

SECTION 8.23.7 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.

xxx

FIFTH ARTICLE

Submitted by: Police Chief

To see if the Town will amend the General By-Laws, Article 8.30, Fingerprint-Based Criminal Record Background Checks, Section 8.30.2, as follows (new language is underlined):

Section 8.30.2 Applicant's Submission to Fingerprinting by the Brookline Police Department

Any applicant for a **Town of Brookline** license to engage in any of the following occupational activities within the Town shall submit a full set of fingerprints taken by the Brookline Police Department within ten (10) days of the date of the application for a license for the purpose of conducting a state and national criminal record background check to determine the suitability of the applicant for the license:

- Liquor Licensee;
- Manager or Alternate Manager of a Liquor Licensee;
- Registered Marijuana Dispensary (RMD) Licensee;**
- RMD Executives, Directors, and Managers;**
- Hawker and Peddler;
- Hackney Carriage (Taxi) Operator;
- Door-to-Door Solicitor;
- Second-Hand Dealer;
- Automobile Dealer; **and**
- Ice Cream Truck Vendor.

At the time of fingerprinting, the Police Department shall notify the individuals fingerprinted that the fingerprints will be used to check the individual's FBI criminal history records.

Or act on anything relative thereto.

Speaking in support of the main motion under Article 5 were Alisa G. Jonas – TMM #16, for the Advisory Committee and Betsy DeWitt – TMM #AL, for the Board of Selectmen.

Speaking in opposition to the main motion under Article 5 was Franklin D. Friedman – TMM #8.

Upon motion made by Betsy DeWitt – TMM #AL and seconded by Alisa G. Jonas – TMM #16, it was by a COUNTED VOTE OF 182 IN FAVOR AND 4 OPPOSED

VOTED: that the Town amend the General By-Laws, Article 8.30, Fingerprint-Based Criminal Record Background Checks, Section 8.30.2, as follows (new language is underlined):

Section 8.30.2 Applicant’s Submission to Fingerprinting by the Brookline Police Department

Any applicant for a **Town of Brookline** license to engage in any of the following occupational activities within the Town shall submit a full set of fingerprints taken by the Brookline Police Department within ten (10) days of the date of the application for a license for the purpose of conducting a state and national criminal record background check to determine the suitability of the applicant for the license:

Liquor Licensee;
Manager or Alternate Manager of a Liquor Licensee;
Registered Marijuana Dispensary (RMD) Licensee;
RMD Executives, Directors, and Managers;
Hawker and Peddler;
Hackney Carriage (Taxi) Operator;
Door-to-Door Solicitor;
Second-Hand Dealer;
Automobile Dealer; **and**
Ice Cream Truck Vendor.

At the time of fingerprinting, the Police Department shall notify the individuals fingerprinted that the fingerprints will be used to check the individual’s FBI criminal history records.

xxx

Moderator Edward (Sandy) Gadsby – TMM #AL announced that Article 6 and Article 7 would be debated together.

SIXTH ARTICLE

Submitted by: Board of Selectmen

To see if the Town will amend the General By-Laws by adding the following article:

**ARTICLE 8.32 REGISTERED MARIJUANA DISPENSARY (RMD)
LICENSES**

Section 8.32.1 PURPOSE

The purpose of this By-Law is to prevent and minimize any possible adverse public health and safety consequences that could result from the establishment of Registered Marijuana Dispensaries (“RMDs”) within the Town pursuant to Chapter 369 of the Acts of 2012, “An Act for the Humanitarian Medical Use of Marijuana” (the “Act”), while at the same time recognizing the purpose of the Act to make medical marijuana available to qualifying patients.

Section 8.32.2 LICENSE

No person shall operate an RMD within the Town unless licensed to do so by the Board of Selectmen (“Board”). An RMD license shall be valid for a term of one year from the first day of January.

Each day of operation without an RMD license shall constitute a separate violation.

An RMD license shall be subject to the RMD’s compliance with Massachusetts and Town laws, by-laws, regulations, and codes, including, but not limited to, 105 C.M.R. 725, the Town’s Zoning By-Law, and any Town regulations adopted pursuant to this By-Law.

Section 8.32.3 REGULATIONS

The Board may issue regulations for the implementation of this By-Law.

Section 8.32.4 APPLICATIONS FOR NEW OR RENEWED RMD LICENSES

The Board shall specify the process and forms to be used by applicants for new and renewed RMD licenses. The Board or its designee may inspect an RMD and affiliated vehicles prior to the issuance of an RMD license or renewal of a license. All areas of an RMD and all RMD records may be subject to inspection consistent with applicable law.

The Board may, to the extent permitted under applicable law (including any Town regulations promulgated hereunder), consider whether an applicant for a license is a

suitable and responsible license candidate and other aspects of the application as may be necessary to implement the purposes of this By-Law. An applicant’s non-compliance with Massachusetts and Town laws, by-laws, regulations, and codes, including, but not limited to, 105 C.M.R. 725, the Town’s Zoning By-Law, and any Town regulations adopted pursuant to this By-Law, may be cause for denial of an application for a new or renewed RMD license.

Section 8.32.5 IMPLEMENTATION

This By-Law shall not be implemented in a manner that conflicts or interferes with the Act or with 105 C.M.R. 725.

or act on anything relative thereto.

SEVENTH ARTICLE

Submitted by: Department of Planning and Community Development

To see if the Town will amend the Brookline Zoning By-Law as follows:

Amending Section 2.13.1, “M” Definitions, “Medical Marijuana Treatment Center” as follows: (new language in bold)

1. MEDICAL MARIJUANA TREATMENT CENTER – Any Medical Marijuana Treatment Center, **to be known as a Registered Marijuana Dispensary (RMD)**, as defined under state law as a Massachusetts not-for-profit entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, which is properly licensed and registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

And amending Sec. 4.07, Table of Use Regulations, Use #20B, by changing the use name from Medical Marijuana Treatment Centers, to Registered Marijuana Dispensary, and change the use columns as follows (new language in bold):

Principal Uses	Residence					Business			Ind.
	S	SC	T	F	M	L	G	O	I
20B. Registered Marijuana	No	No	No	No	No	No SP*	No SP*	No SP*	No SP*

Principal Uses	Residence					Business			Ind.
	S	SC	T	F	M	L	G	O	I
Dispensary (RMD)* * To be eligible for a special permit under Use 20 B, the requirements under Sec. 4.12, Registered Marijuana Dispensary, shall be met.									

And creating a new Sec 4.12, Registered Marijuana Dispensary (RMD with the following requirements: (new language in bold):

Sec. 4.12 - Registered Marijuana Dispensary (RMD)

1. Purpose

The intent of this section is to establish RMDs in appropriate locations and under strict safeguards to mitigate any possible adverse public health and safety consequences related to the establishment of RMDs in the Town of Brookline, in conformity with Chapter 369 of the Acts of 2012 (Question # 3 on the November 6, 2012 ballot).

If any provisions of this section shall be held to be invalid, those provisions shall be severable and the remaining sections shall be valid.

2. General Restrictions

An RMD shall:

- a. Have a valid license or permit as may be required by law, including 105 CMR 725 and the Town By-Law, and comply with all state provisions.
- b. Be located more than 500 feet from an elementary or secondary school, public or private, as measured from lot boundary to lot boundary.
- c. Not be located in a building that contains a day care center.
- d. Not have direct access from a public way to the portion of the RMD where marijuana or related products or supplies are dispensed.
- e. Have signage that conforms to the state regulations, is not internally illuminated, and is approved by the Brookline Planning Board under Article VII of the Brookline Zoning By-Law.
- f. Require that if an RMD cultivates marijuana in Brookline, it shall be in an entirely enclosed building for security purposes.
- g. Submit a detailed description of security measures for the RMD, such as lighting, fencing, gates, and alarms, etc., that comply with the requirements of 105 CMR 725, to ensure the safety of persons and protect the premises from theft.

3. Submittal Requirements prior to issuance of a Building Permit for an RMD

The following information shall be provided to the Building Department:

- a. The name and address of each owner of the RMD.
- b. Copies of any required licenses and permits relating to the operation of the RMD, or, if an application for a required license or permit is pending, a copy of the application.
- c. Evidence of the Applicant's right to use the proposed site as an RMD, such as a deed or lease.
- d. If the Applicant is a business organization, a statement disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners/trustees of such entities by listing the individuals' names and addresses.

4. Submittal Requirements prior to issuance of a Certificate of Occupancy for an RMD

The following information shall be provided to the Building Department:

- a. Proof that the Brookline Police Department has been provided with the name, phone numbers and email addresses of all management staff, and persons with access to the facility when it is closed, to enable contact if operating problems should arise.
- b. Proof that the Brookline Police Department has approved the proposed security measures and that all security measures have been installed or implemented.

5. Annual Reporting *[Delete this section if a Town By-Law requiring annual licensing of RMDs by the Selectmen is approved by Town Meeting.]*

As a condition for the continuation of the Special Permit, the owner (s) or manager (s) of each RMD permitted under this By-law shall appear before the Zoning Board of Appeals no later than January 31st of each year, to demonstrate continued compliance with state and town requirements, submit proof that the Brookline Police Department has been given updated contact information, and has found security measures adequate.

And amending Sec 6.02.5, Off-Street Parking Space Regulations by adding "20B" to the list of Retail and Office uses after "20A" in the first sentence: (new language in bold):

5. Retail and Office uses of land or structures shall include Uses 18, 20, 20A, **20B**, 21, 26, 27, 29, 31-33 inclusive, 35-39 inclusive, 41, 58, and 59 as listed in Article IV.

Or act on anything relative thereto.

Moderator Edward (Sandy) Gadsby – TMM #AL announced that the Table of Use Regulations, that is a part of the vote under Article 7 and found on page 7-17, contains an error. The Moderator instructed the Town Meeting to strike “SP*” from column L.

Speaking in support of the main motions offered under Article 6 and Article 7 were Neil A. Wishinsky – TMM #AL, for the Board of Selectmen; Sean M. Lynn-Jones – TMM #1, for the Advisory Committee; Bruce B. Cohen – TMM #12, for the Advisory Committee on Public Health; and Mark Zarillo, for the Planning Board.

Additionally, Moderator Edward (Sandy) Gadsby – TMM #AL, requested of and received from the Town Meeting, its unanimous consent to allow Executive Director Matthew Allen, for the Massachusetts Patients Alliance, also to speak in favor of the main motions offered under Article 6 and Article 7.

Julius B. Levine – TMM #9 read a letter of support for Article 6 and Article 7 from State Representative Frank I. Smizik – TMM #AL.

Speaking in opposition to the main motions offered under Article 6 and Article 7 was Raphael Greico, an eighth-grade student in the Brookline Public Schools.

Upon motion made, under Article 6, by Neil A. Wishinsky – TMM #AL and seconded by Sean M. Lynn-Jones – TMM #1, it was, by a COUNTED VOTE OF 210 IN FAVOR AND 4 OPPOSED

VOTED: that the Town amend the General By-Laws by adding the following article:

ARTICLE 8.34 REGISTERED MARIJUANA DISPENSARY (RMD) LICENSES

Section 8.34.1 PURPOSE

The purpose of this By-Law is to prevent and minimize any possible adverse public health and safety consequences that could result from the establishment of Registered Marijuana Dispensaries (“RMDs”) within the Town pursuant to Chapter 369 of the Acts of 2012, “An Act for the Humanitarian Medical Use of Marijuana” (the “Act”), while at the same time recognizing the purpose of the Act to make medical marijuana available to qualifying patients.

Section 8.34.2 LICENSE

Upon motion made, under Article 7, by Sean M. Lynn-Jones – TMM #1 and seconded by Neil A. Wishinsky – TMM #AL, it was by a MAJORITY

VOTED: To delete paragraph 5 of the main motion offered under Article 7.

XXX

Upon motion made, under Article 7, by Sean M. Lynn-Jones – TMM #1 and seconded by Neil A. Wishinsky – TMM #AL, it was by a COUNTED VOTE OF 208 IN FAVOR AND 7 OPPOSED, AS AMENDED

VOTED: that the Town amend the Brookline Zoning By-Law as follows:

Amending Section 2.13.1, “M” Definitions, “Medical Marijuana Treatment Center” as follows: (new language in bold)

1. MEDICAL MARIJUANA TREATMENT CENTER – Any Medical Marijuana Treatment Center, **to be known as a Registered Marijuana Dispensary (RMD)**, as defined under state law as a Massachusetts not-for-profit entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, which is properly licensed and registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

And amending Sec. 4.07, Table of Use Regulations, Use #20B, by changing the use name from Medical Marijuana Treatment Centers, to Registered Marijuana Dispensary, and change the use columns as follows (new language in bold):

Principal Uses	Residence					Business			Ind.
	S	SC	T	F	M	L	G	O	I
20B. Registered Marijuana Dispensary (RMD)*									
* To be eligible for a special permit under Use 20 B, the requirements under Sec. 4.12, Registered Marijuana Dispensary, shall be met.	No	No	No	No	No	NO	No SP*	No SP*	No SP*

And creating a new Sec 4.12, Registered Marijuana Dispensary (RMD with the following requirements: (new language in bold):

Sec. 4.12 - Registered Marijuana Dispensary (RMD)

1. Purpose

The intent of this section is to ~~establish~~ **allow** RMDs in appropriate locations and under strict safeguards to mitigate any possible adverse public health and safety consequences related to the establishment of RMDs in the Town of Brookline, in conformity with Chapter 369 of the Acts of 2012 (Question # 3 on the November 6, 2012 ballot).

If any provisions of this section shall be held to be invalid, those provisions shall be severable and the remaining sections shall be valid.

2. General Restrictions

An RMD shall:

- a. Have a valid license or permit as may be required by law, including 105 CMR 725 and the Town By-Law, and comply with all state provisions.
- b. Be located more than 500 feet from an elementary or secondary school, public or private, as measured from lot boundary to lot boundary.
- c. Not be located in a building that contains a day care center.
- d. Not have direct access from a public way to the portion of the RMD where marijuana or related products or supplies are dispensed.
- e. Have signage that conforms to the state regulations, is not internally illuminated, and is approved by the Brookline Planning Board under Article VII of the Brookline Zoning By-Law.
- f. Require that if an RMD cultivates marijuana in Brookline, it shall be in an entirely enclosed building for security purposes.
- g. Submit a detailed description of security measures for the RMD, such as lighting, fencing, gates, and alarms, etc., that comply with the requirements of 105 CMR 725, to ensure the safety of persons and protect the premises from theft.

3. Submittal Requirements prior to issuance of a Building Permit for an RMD

The following information shall be provided to the Building Department:

- a. The name and address of each owner of the RMD.
- b. Copies of any required licenses and permits relating to the operation of the RMD, or, if an application for a required license or permit is pending, a copy of the application.
- c. Evidence of the Applicant's right to use the proposed site as an RMD, such as a deed or lease.
- d. If the Applicant is a business organization, a statement disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners/trustees of such entities by listing the individuals' names and addresses.

4. Submittal Requirements prior to issuance of a Certificate of Occupancy for an RMD

The following information shall be provided to the Building Department:

- a. Proof that the Brookline Police Department has been provided with the name, phone numbers and email addresses of all management staff, and persons with access to the facility when it is closed, to enable contact if operating problems should arise.
- b. Proof that the Brookline Police Department has approved the proposed security measures and that all security measures have been installed or implemented.

And amending Sec 6.02.5, Off-Street Parking Space Regulations by adding “20B” to the list of Retail and Office uses after “20A” in the first sentence: (new language in bold):

5. Retail and Office uses of land or structures shall include Uses 18, 20, 20A, **20B**, 21, 26, 27, 29, 31-33 inclusive, 35-39 inclusive, 41, 58, and 59 as listed in Article IV.

xxx

EIGHTH ARTICLE

Submitted by: Department of Planning and Community Development

To see if the Town will amend the Brookline Zoning By-Law as follows:

Amending Sec. 4.07, Table of Use Regulations, Use#5, as follows: (new language in bold)

§4.07 – TABLE OF USE REGULATIONS

Principal Uses	Residence					Business			Ind.
	S	SC	T	F	M	L	G	O	I
5. Attached dwelling occupied by not more than one family in each unit between side walls, provided that no row of such units shall consist of more than two such units in T Districts or more than three such units in F Districts. *Except as permitted by Use 1A above and §5.11.	No*	No	SP Yes	SP	SP	SP	No	SP	No

And amending Table 5.01, Table of Dimensional Requirements, as follows: **(new language in bold)**

And amending Sec. 2.07, “G” Definitions, Gross Floor Area, by adding to the beginning of the second to the last sentence below, the following. **(new language in bold)**

Table 5.01 – Table of Dimensional Requirements		LOT SIZE MINIMUM (sq. ft.)	FLOOR AREA RATIO MAXIMUM	LOT WIDTH MINIMUM (feet)	HEIGHT 9 MAXIMUM (feet)	MINIMUM YARD 3, 10 (feet)			OPEN SPACE (% of gross floor area)	
DISTRICT	USE					Front 1,6	Side 2	Re ar	Landsc.	Usable
T-6	1-family detached dwelling	5,000	0.75	45	35	15	7.5	30	10%	30%
	2-family dwelling	6,000	0.75	55	35	15	10	30	10%	30%
	1-family attached dwelling	3,000	0.75	25	35	15	none 2	30	10%	30%
	Any other structure or principle use	6,000	0.75	55	35	25	20	40	30%	none
T-5	1-family detached dwelling	4,000	1.0	40	35	15	7.5	30	10%	30%
	2-family dwelling	5,000	1.0	45	35	15	10	30	10%	30%
	1-family attached dwelling	2,500	1.0	20	35	15	none 2	30	10%	30%
	Any other structure or principle use	5,000	1.0	50	35	25	20	40	30%	none
F-1.0	1-family dwelling	4,000	1.0	40	35	15	7.5	30	10%	30%
	2-family dwelling	5,000	1.0	45	35	15	10	30	10%	30%
	3-family dwelling	5,000	1.0	45	40	15	10	30	10%	30%
	1-family attached dwelling	2,500	1.0	20	35	15	none²	30	10%	30%
	Any other structure or principal use	5,000	1.0	60	40	15 25	10-11/10 20	30 40	10% 30%	30% none

(Additional regulations are contained in the text of Article 5.00) Required Lot Frontage: 25' in S and SC districts and 20' in all other districts

§2.07 – “G” DEFINITIONS

1. GROSS FLOOR AREA—The sum of the areas of all floors of all principal and accessory buildings whether or not habitable except as excluded. Gross floor area shall include enclosed porches and the horizontal area at each floor level devoted to stairwells and elevator shafts. Gross floor area shall exclude (a) portions of cellars, basements, attics, penthouses and historically and architecturally significant accessory buildings that are not habitable, provided however that space that has been decommissioned shall not be excluded from gross floor area; (b) except as required in §5.06, paragraph 4, subparagraph b(3) relating to the parking in Coolidge Corner, any floor space in accessory buildings or in the main building intended and designed for parking of motor vehicles in order to meet the parking requirements of this By-law, provided, however, that for single and two-family dwellings the floor space thereby exempted from the calculation of gross floor area shall not exceed 360 square feet per required parking space; (c) elevator penthouses and mechanical equipment enclosures located above the roof, if not habitable; (d) necessary mechanical equipment space in the basement; and (e) up to 150 square feet of area in an accessory structure such as a garden or equipment shed. Measurements shall be from the exterior faces of the walls or from the centerlines of the walls for adjoining buildings. **For one-, two- and three-family buildings** where the ceiling height measured from the finished floor to the ceiling exceeds 12 feet (including without limitation atriums, vaulted ceilings and cathedral ceilings), gross floor area shall be calculated by dividing by 12 the maximum ceiling height in such areas where the ceiling height exceeds

12 feet, and multiplying the result by the horizontal square footage in such areas where the ceiling height exceeds 12 feet. Space that has been decommissioned shall be included in the gross floor area of a building.

Or act on anything relative thereto.

Speaking in support of the main motion offered under Article 8 were Angela Hyatt – TMM #5, for the Advisory Committee, Nancy A. Daly – TMM #AL, for the Board of Selectmen and Mark Zarillo for the Planning Board.

Upon motion made by Angela Hyatt – TMM #5 and seconded by Nancy A. Daly – TMM #AL, it was by a COUNTED VOTE OF 215 IN FAVOR AND I OPPOSED

VOTED: that the Town amend the Brookline Zoning By-Law as follows:

Amending Sec. 4.07, Table of Use Regulations, Use#5, as follows: **(new language in bold)**

§4.07 – TABLE OF USE REGULATIONS

Principal Uses	Residence					Business			Ind.
	S	SC	T	F	M	L	G	O	I
5. Attached dwelling occupied by not more than one family in each unit between side walls, provided that no row of such units shall consist of more than two such units in T Districts or more than three such units in F Districts. *Except as permitted by Use 1A above and §5.11.	No*	No	SP Yes	SP	SP	SP	No	SP	No

And amending Table 5.01, Table of Dimensional Requirements, as follows: **(new language in bold)**

Table 5.01 – Table of Dimensional Requirements		LOT SIZE MINIMUM (sq. ft.)	FLOOR AREA RATIO MAXIMUM	LOT WIDTH MINIMUM (feet)	HEIGHT 9 MAXIMUM (feet)	MINIMUM YARD 3, 10 (feet)			OPEN SPACE (% of gross floor area)	
DISTRICT	USE					Front 1,6	Side 2	Re ar	Landsc.	Usable
T-6	1-family detached dwelling	5,000	0.75	45	35	15	7.5	30	10%	30%
	2-family dwelling	6,000	0.75	55	35	15	10	30	10%	30%
	1-family attached dwelling	3,000	0.75	25	35	15	none 2	30	10%	30%
	Any other structure or principle use	6,000	0.75	55	35	25	20	40	30%	none
T-5	1-family detached dwelling	4,000	1.0	40	35	15	7.5	30	10%	30%
	2-family dwelling	5,000	1.0	45	35	15	10	30	10%	30%
	1-family attached dwelling	2,500	1.0	20	35	15	none 2	30	10%	30%
	Any other structure or principle use	5,000	1.0	50	35	25	20	40	30%	none
F-1.0	1-family dwelling	4,000	1.0	40	35	15	7.5	30	10%	30%
	2-family dwelling	5,000	1.0	45	35	15	10	30	10%	30%
	3-family dwelling	5,000	1.0	45	40	15	10	30	10%	30%
	1-family attached dwelling	2,500	1.0	20	35	15	none²	30	10%	30%
	Any other structure or principal use	5,000	1.0	60	40	15 25	10-11/10 20	30 40	10% 30%	30% none

(Additional regulations are contained in the text of Article 5.00) Required Lot Frontage: 25' in S and SC districts and 20' in all other districts

And amending Sec. 2.07, “G” Definitions, Gross Floor Area, by adding to the beginning of the second to the last sentence below, the following. **(new language in bold)**

§2.07 – “G” DEFINITIONS

1. GROSS FLOOR AREA—The sum of the areas of all floors of all principal and accessory buildings whether or not habitable except as excluded. Gross floor area shall include enclosed porches and the horizontal area at each floor level devoted to stairwells and elevator shafts. Gross floor area shall exclude (a) portions of cellars, basements, attics, penthouses and historically and architecturally significant accessory buildings that are not habitable, provided however that space that has been decommissioned shall not be excluded from gross floor area; (b) except as required in §5.06, paragraph 4, subparagraph b(3) relating to the parking in Coolidge Corner, any floor space in accessory buildings or in the main building intended and designed for parking of motor vehicles in order to meet the parking requirements of this By-law, provided, however, that for single and two-family dwellings the floor space thereby exempted from the calculation of gross floor area shall not exceed 360 square feet per required parking space; (c) elevator penthouses and mechanical equipment enclosures located above the roof, if not habitable; (d) necessary mechanical equipment space in the basement; and (e) up to 150 square feet of area in an accessory structure such as a garden or equipment shed. Measurements shall be from the exterior faces of the walls or from the centerlines of the walls for adjoining buildings. **For one-, two- and three-family buildings** where the ceiling height measured from the finished floor to the ceiling exceeds 12 feet (including without limitation atriums, vaulted ceilings and cathedral ceilings), gross floor area shall be calculated

by dividing by 12 the maximum ceiling height in such areas where the ceiling height exceeds 12 feet, and multiplying the result by the horizontal square footage in such areas where the ceiling height exceeds 12 feet. Space that has been decommissioned shall be included in the gross floor area of a building.

XXX

NINTH ARTICLE

Submitted by: Department of Planning and Community Development

To see if the Town will amend Sec. 4.07, Table of Use Regulations, Use #53, in the Brookline Zoning By-Law, as follows: [new language in bold]

§4.07 – TABLE OF USE REGULATIONS

Accessory Uses	Residence					Business			Ind.
	S	SC	T	F	M	L	G	O	I
53. Residence Dwelling unit in an accessory building for not more than four persons who are full-time domestic employees or members of the family of such employees. *Allowed only in an S-40 district, on a lot not less than 40,000 s.f. with an accessory building not exceeding 1,200 s.f.	Yes SP*	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No

Or act on anything relative thereto.

Speaking in support of the main motion offered under Article 9 were Richard (Dick) Benka – TMM #AL, for the Board of Selectmen and Lee L. Selwyn – TMM #13, for the Advisory Committee.

Speaking in opposition to the main motion and recommending No Action were Nancy A. Daly – TMM #AL and Francis G. Caro – TMM #8.

Upon motion made by Richard (Dick) Benka – TMM #AL and seconded by Lee L. Selwyn – TMM #13, it was by a TWO-THIRDS VOTE

VOTED: that the Town amend Sec. 4.07, Table of Use Regulations, Use #53, in the Brookline Zoning By-Law, as follows: [new language in bold]

§4.07 – TABLE OF USE REGULATIONS

Accessory Uses	Residence					Business			Ind.
	S	SC	T	F	M	L	G	O	I
53. Residence Dwelling unit in an accessory building for not more than four persons who are full-time domestic employees or members of the family of such employees. *Allowed only in an S-40 district, on a lot not less than 40,000 s.f. with an accessory building not exceeding 1,200 s.f.	Yes SP*	Yes No							

xxx

Andrew Fischer – TMM #13 doubted the vote. Moderator Edward (Sandy) Gadsby – TMM #AL asked Town Meeting if there were seven (7) Town Meeting Members who doubted the vote. More than seven (7) Town Meeting Members doubted the vote. Accordingly, the Moderator conducted an Electronic Recorded Vote for the sole purpose of verifying his declared vote under Article 9. The results of the Electronic Recorded Vote were 144 In Favor, 49 Opposed and 11 Abstentions. The Moderator stated that his declared Two-Thirds Vote, under Article 9, stands.

TENTH ARTICLE

Submitted by: Board of Selectmen

To see if the Town will amend Sec. 6.02, Paragraph 1, Table of Off-Street Parking Space Requirements, in the Brookline Zoning By-Law, as follows: [new language in bold]

§6.02, Paragraph 1, TABLE OF OFF-STREET PARKING SPACE REQUIREMENTS

		RESIDENCE***	PUBLIC ASSEMBLY***	INSTITUTION	RETAIL & OFFICE			INDUSTRIAL	WAREHOUSE & OTHER
		(Number of Spaces per dwelling unit)	(Number of seats requiring one space)		General		Medical & Dental		
				Ground Floor	Other				
	See ** below		(Number of square feet of gross floor area requiring one space)						
ZONING DISTRICT DEFINED BY MAXIMUM FLOOR AREA RATIO	0.15 0.20 0.25 0.30 0.35 0.40	2 Studio 1.0 One Bdrm. 1.5 Two Bdrm. 2.0 Three plus 2.0	3	350	200*	400*	200*	800*	1200*
	0.50 0.75 1.00	2.0/2.3** Studio 1.0 One Bdrm. 1.5 Two Bdrm. 2.0 Three plus 2.3	4	450	200	400	200	800	1200
	1.50 1.75 2.00 2.50	2.0/2.3** Studio 1.0 One Bdrm. 1.5 Two Bdrm. 2.0 Three plus 2.3	5	550	350	600	250	800*	1200

- For the G-(DP) Special District, parking requirements shall be the same as those districts with a maximum floor area of 1.0, except as otherwise provided for in Section 5.06.4.g.

*Applicable to nonconforming uses.

**~~The greater requirement shall be provided for each dwelling unit containing more than two bedrooms and for each attached single family dwelling containing two or more bedrooms.~~ Bedrooms shall include any habitable room containing at least 100 square feet of area which could be converted to a bedroom other than a bathroom, kitchen, or living room.

***For use 8A. Limited Service Hotel in the G-1.75 (LSH) Limited Service Hotel District, the minimum number of spaces for each dwelling unit shall be 0.5 and no additional spaces shall be required for floor areas used for eating, drinking, dancing, meeting halls or similar purposes.

§6.02, paragraphs 2. through 7. contain additional requirements by type of use.

Or act on anything relative thereto.

Moderator Edward (Sandy) Gadsby – TMM #AL made a technical correction to the vote offered as the main motion under Article 10. The Moderator asked Town Meeting to replace the word “will”, in the first sentence of the main motion found on page 10-10, with the word “amend”.

Speaking in support of the main motion were Lee L. Selwyn – TMM #13, for the minority of the Advisory Committee; Kenneth M. Goldstein – TMM #AL, for the Board of Selectmen; Linda Olson Pehlke – TMM #2; Mark Zarillo, for the Planning Board; Thomas John Vitolo – TMM #1; and Werner Lohe – TMM #13.

Speaking in opposition to the main motion and recommending No Action were Leonard A. Weiss, for the majority of the Advisory Committee; Stanley L. Spiegel – TMM #2; Jonathan A. Karon – TMM #12; Jonathan H. Davis – TMM #10; and Nancy S. Heller – TMM #8.

Upon motion made and duly seconded, a Two-Thirds Vote being required, it was by a TWO-THIRDS VOTE

VOTED: To terminate debate and call the question.

Francis G. Caro – TMM #8 requested an Electronic Recorded Vote. Moderator Edward (Sandy) Gadsby – TMM #AL asked Town Meeting if there were thirty-five (35) Town Meeting Members who wanted an Electronic Recorded Vote. More than thirty-five (35) Town Meeting Members wanted an Electronic Recorded Vote.

Upon motion made by Kenneth G. Goldstein – TMM #AL and seconded by Betsy DeWitt – TMM #AL, a Two-Thirds vote required, the following motion was DEFEATED by an ELECTRONIC RECORDED VOTE OF 127 IN FAVOR, 82 OPPOSED AND 4 ABSTENTIONS (See Addendum #3 for Electronic Recorded Vote)

MOVED: that the Town amend Sec. 6.02, Paragraph 1, Table of Off-Street Parking Space Requirements, in the Brookline Zoning By-Law, as follows: [new language in bold]

§6.02, Paragraph 1, TABLE OF OFF-STREET PARKING SPACE REQUIREMENTS

	RESIDENCE ***	PUBLIC ASSEMBLY ***	INSTITUTION	RETAIL & OFFICE			INDUSTRIAL	WAREHOUSE & OTHER
	(Number of Spaces per dwelling unit)	(Number of seats requiring one space)		General		Medical & Dental		
				Ground Floor	Other			
	See ** below		(Number of square feet of gross floor area requiring one space)					

ZONING DISTRICT DEFINED BY MAXIMUM FLOOR AREA RATIO	0.15 0.20 0.25 0.30 0.35 0.40	2 Studio 1.0 One Bdrm. 1.5 Two Bdrm. 2.0 Three or More Bdrms. 2.0	3	350	200*	400*	200*	800*	1200*
	0.50 0.75 1.00	2.0/2.3** Studio 1.0 One Bdrm. 1.5 Two Bdrm. 2.0 Three or More Bdrms. 2.3	4	450	200	400	200	800	1200
	1.50 1.75 2.00 2.50	2.0/2.3** Studio 1.0 One Bdrm. 1.5 Two Bdrm. 2.0 Three or More Bdrms. 2.3	5	550	350	600	250	800*	1200

- For the G-(DP) Special District, parking requirements shall be the same as those districts with a maximum floor area of 1.0, except as otherwise provided for in Section 5.06.4.g.

*Applicable to nonconforming uses.

**~~The greater requirement shall be provided for each dwelling unit containing more than two bedrooms and for each attached single family dwelling containing two or more bedrooms.~~ Bedrooms shall include any habitable room containing at least 100 square feet of area which could be converted to a bedroom other than a bathroom, kitchen, or living room.

***For use 8A. Limited Service Hotel in the G-1.75 (LSH) Limited Service Hotel District, the minimum number of spaces for each dwelling unit shall be 0.5 and no additional spaces shall be required for floor areas used for eating, drinking, dancing, meeting halls or similar purposes.

§6.02, paragraphs 2. through 7. contain additional requirements by type of use.

XXX

ELEVENTH ARTICLE

Submitted by: Department of Planning and Community Development

To see if the Town will amend the Brookline Zoning By-Law related to Off-Street Loading as follows:

Amending Section 6.06, Off-Street Loading Regulations, by adding subsection 7 as follows (new language in bold):

7. The number of required loading bays may be reduced by special permit from the Board of Appeals where the adequacy of the reduced number of

loading bays can be demonstrated based on the proposed uses, hours of operation, delivery service requirements, and allocation of loading facilities across the various uses and buildings. The Director of Engineering/Transportation and the Director of Planning and Community Development shall make recommendations to the Planning Board and Board of Appeals regarding any request for a reduced number of loading bays.

and amending Section 6.07, Design and Layout of Off-Street Loading Facilities, by adding subsection 3 as follows (new language in bold):

3. By special permit, the Board of Appeals may permit, in lieu of the dimensional requirements of this section, the substitution of other dimensional requirements for the design and layout of off-street loading facilities, where it finds that such substitute dimensions would be adequate for the uses proposed for which the facilities are designed to serve. The Director of Engineering/Transportation and the Director of Planning and Community Development shall make recommendations to the Planning Board and Board of Appeals regarding any request for substituted dimensional requirements for loading facilities.

Or act on anything relative thereto.

Speaking in support of the main motion offered under Article 11 were Amy Hummell – TMM #12, for the Advisory Committee; Mark Zarillo, for the Planning Board; and Richard (Dick) Benka – TMM #AL, for the Board of Selectmen.

Upon motion made by Amy Hummell – TMM #12 and seconded by Richard (Dick) Benka – TMM #AL, a Two-Thirds Vote required, it was UNANIMOUSLY

VOTED: that the Town amend the Brookline Zoning By-Law related to Off-Street Loading as follows:

Amending Section 6.06, Off-Street Loading Regulations, by adding subsection 7 as follows (new language in bold):

7. The number of required loading bays may be reduced by special permit from the Board of Appeals where the adequacy of the reduced number of loading bays can be demonstrated based on the proposed uses, hours of operation, delivery service requirements, and allocation of loading facilities across the various uses and buildings. The Director of Engineering/Transportation and the Director of Planning and Community Development shall make recommendations to the Planning Board and Board of Appeals regarding any request for a reduced number of loading bays.

and amending Section 6.07, Design and Layout of Off-Street Loading Facilities, by adding subsection 3 as follows (new language in bold):

3. By special permit, the Board of Appeals may permit, in lieu of the dimensional requirements of this section, the substitution of other dimensional requirements for the design and layout of off-street loading facilities, where it finds that such substitute dimensions would be adequate for the uses proposed for which the facilities are designed to serve. The Director of Engineering/Transportation and the Director of Planning and Community Development shall make recommendations to the Planning Board and Board of Appeals regarding any request for substituted dimensional requirements for loading facilities.

XXX

TWELFTH ARTICLE

Submitted by: Board of Selectmen

To see if the Town will authorize and empower the Board of Selectmen to lease for a term of not more than thirty (30) years the property known as the Singletree Reservoir Site, shown as Parcel 04-01 in Block 437 on Page 127 of the Town's 2010 Assessors Atlas, for the purpose of hosting a ground-mounted 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.

Speaking in support of the main motion offered under Article 12 were Richard (Dick) Benka – TMM #AL, for the Board of Selectmen; Fred Levitan – TMM #14, for the Advisory Committee; and Werner Lohe – TMM #13.

Upon motion made by Richard (Dick) Benka – TMM #AL and seconded by Fred Levitan – TMM #14, it was UNANIMOUSLY

VOTED: that the Town authorize and empower the Board of Selectmen to lease for a term of not more than thirty (30) years the property known as the Singletree Reservoir Site, shown as Parcel 04-01 in Block 437 on Page 127 of the Town's

2010 Assessors Atlas, for the purpose of hosting a ground-mounted 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.

xxx

THIRTEENTH ARTICLE

Submitted by: Sandra DeBow, Director of the Human Resources Department

To see if the Town will revoke its acceptance of General Laws Chapter 149, Section 33B, “Five day week and eight hour day for cities and towns; overtime; reduction of compensation,”

or act on anything relative thereto.

Speaking in support of the main motion offered under Article 13 were Nancy Daly – TMM #AL, for the Board of Selectmen; and Christine Westphal, for the Advisory Committee.

Upon motion made by Nancy Daly – TMM #AL and seconded by Harry K. Bohrs – TMM #3, it was UNANIMOUSLY

VOTED: that the Town revoke its acceptance of General Laws Chapter 149, Section 33B, “Five day week and eight hour day for cities and towns; overtime; reduction of compensation,”

xxx

FOURTEENTH ARTICLE

Submitted by: Sundar Srinivasan

To see if Town Meeting will request the Board of Selectmen or their designee to conduct an annual review of the Town’s Pension and Retiree Healthcare liabilities in the following manner, such review to be published as an appendix to the annual Town Budget: First, by using the same methods and providing the same disclosure as US public companies. Second, by using the same methods, but calculating the cost to the Town assuming the Town does not want to assume investment risk, by setting the

investment return and discount rate assumptions to the rate available on US government bonds with a duration closest to that of the Town's liabilities,

or take any action related thereto.

Upon motion made by Harry K. Bohrs – TMM #3 and seconded by Neil A. Wishinsky – TMM #AL, it was UNANIMOUSLY

VOTED: that No Action be taken under Article 14.

xxx

FIFTEENTH ARTICLE

Submitted by: Ruthann Sneider

To see if Town Meeting will request the Board of Selectmen to require that the Building Commissioner specify in all decisions or rulings relating to condominium common areas a date by which any action required pursuant to such a decision or ruling must be taken.

Upon motion made by Carla W. Benka – TMM #13 and seconded by Richard (Dick) Benka – TMM #AL, it was by a MAJORITY

VOTED: That No Action be taken under Article 15.

xxx

At 10:53 P.M., upon motion made and duly seconded, it was by a MAJORITY:

VOTED: To adjourn the Special Town Meeting to Wednesday, November 20, 2013 at 7:00 P.M.

At the close of the Opening Session of the Special Town Meeting, the Checkers reported that the signatures of two hundred and twenty-one (221) Town Meeting Members had been recorded as having checked in.

ADJOURNED:

Patrick J. Ward

A handwritten signature in black ink, appearing to read "Patrick J. Ward". The signature is fluid and cursive, with the first name "Patrick" being more prominent and the last name "Ward" following in a similar style.

Town Clerk

**NOVEMBER 19, 2013
SPECIAL TOWN MEETING**

ADDENDUM #1

(HR REPORT THAT IS INCORPORATED INTO THE VOTE UNDER ARTICLE 2)



TOWN of BROOKLINE
Massachusetts

HUMAN RESOURCES OFFICE
333 Washington Street
Brookline, MA 02445
(617) 730-2120
www.BrooklineMA.gov

Sandra A. DeBow, Director
Human Resources Office

October 29, 2013

To: Board of Selectmen

From: Sandra DeBow, Director
Human Resources Office

Re: Article 2, Approval of Collective Bargaining Agreements, November 2013 Town Meeting,

1. School Traffic Supervisors. Local 1358, American Federation of State, County, Municipal Employees, Council 93, AFL-CIO (AFSCME)

Summary: The Town of Brookline and AFSCME, Local 1358 came to an Agreement on or about October 17, 2013 regarding the parties' collective bargaining agreement. The Agreement was approved by the Board of Selectmen on October 29, 2013 and ratified by the members of Local 1358 on October 29, 2013 by a vote of 11 (in favor) and 0 (against).

Description: The contract is a three-year agreement commencing on July 1, 2012 and expiring on June 30, 2015. Under the Agreement, AFSCME, School Traffic Supervisors agreed to a wage package of:

Effective July 1, 2012	2%
Effective July 1, 2013	2%
Effective July 1, 2014	2%

The overall cost of the three-year contract is approximately 6.2%.

Under this Agreement, the Town will be able to improve administrative efficiencies by moving all AFSCME members to a direct deposit and electronic pay advisories system. Also, new employees will now accrue their maximum vacation allotment at a slower rate than current employees and no new employee will accrue more than four calendar weeks in any year. Finally, the Town made an adjustment to the longevity pay schedule, adding a greater benefit for those with 20 or more years of service, relative to those with lesser years of service. The travel stipend, paid to certain employees who use their own vehicles to travel across town was increased to include an additional six to seven part-time employees who also use their personal vehicles.

ITEM	FY13	FY14	FY15	TOTAL
7/1/12 - 2%	11,830	11,830	11,830	35,489
7/1/13 - 2%		12,066	12,066	24,133
7/1/14 - 2%			12,308	12,308
Longevity Pay		263	263	526
Mileage Allowance		1,050	1,050	2,100
TOTAL ROLL-OUT COSTS	11,830	25,209	37,517	74,556

Each 1% =	5,915	6,033	6,274	
New Wages - \$ =	11,830	13,379	12,308	
New Wages - % =	2.0%	2.2%	2.0%	6.2%
Wages on Base - \$ =	11,830	13,379	12,308	
Wages on Base - % =	2.0%	2.2%	2.0%	6.2%

**NOVEMBER 19, 2013
SPECIAL TOWN MEETING**

ADDENDUM #2

(FINANCIAL TABLES INCORPORATED INTO THE VOTE UNDER ARTICLE #3)

FY14 AMENDED BUDGET - TABLE 1

		FY13 BUDGET	FY14 ORIGINAL BUDGET	PROPOSED AMENDMENTS	FY14 AMENDED BUDGET	\$\$ CHANGE FROM FY13	% CHANGE FROM FY13
	REVENUES						
	Property Taxes	170,137,611	175,604,001		175,604,001	5,466,389	3.2%
	Local Receipts	21,084,438	22,047,366	72,000	22,119,366	1,034,928	4.9%
	State Aid	15,131,276	16,875,381	(216,219)	16,659,162	1,527,886	10.1%
	Free Cash	5,336,413	7,655,155		7,655,155	2,318,742	43.5%
	Overlay Surplus	1,750,000	0		0	(1,750,000)	-100.0%
	Other Available Funds	10,144,344	6,846,435		6,846,435	(3,297,909)	-32.5%
	TOTAL REVENUE	223,584,082	229,028,337	(144,219)	228,884,118	5,300,037	2.4%
	EXPENDITURES						
	DEPARTMENTAL EXPENDITURES						
	1 . Selectmen	625,898	647,749		647,749	21,851	3.5%
	2 . Human Resources	507,186	510,979		510,979	3,793	0.7%
	3 . Information Technology	1,463,774	1,667,878		1,667,878	204,104	13.9%
	4 . Finance Department	2,966,751	2,848,636	0	2,848,636	(118,115)	-4.0%
	5 . Legal Services	784,384	801,094		801,094	16,709	2.1%
	6 . Advisory Committee	21,118	23,643		23,643	2,525	12.0%
	7 . Town Clerk	625,299	533,900		533,900	(91,400)	-14.6%
	8 . Planning and Community Development	619,572	652,202	0	652,202	32,630	5.3%
	9 . Police	14,877,838	15,131,074	62,000	15,193,074	315,236	2.1%
	10 . Fire	12,435,279	13,024,946	(5,000)	13,019,946	584,667	4.7%
	11 . Building	6,890,412	7,011,359	(1,000)	7,010,359	119,947	1.7%
(1)	12 . Public Works	13,506,966	13,812,488	(24,000)	13,788,488	281,522	2.1%
	<i>a. Administration</i>	794,483	807,490		807,490	13,006	1.6%
	<i>b. Engineering/Transportation</i>	1,099,701	1,206,829		1,206,829	107,128	9.7%
	<i>c. Highway</i>	4,776,451	4,850,441	(19,000)	4,831,441	54,991	1.2%
	<i>d. Sanitation</i>	2,938,452	2,944,662		2,944,662	6,210	0.2%
	<i>e. Parks and Open Space</i>	3,478,101	3,602,455	(5,000)	3,597,455	119,354	3.4%
	<i>f. Snow and Ice</i>	419,777	400,610		400,610	(19,167)	-4.6%
	13 . Library	3,683,992	3,636,885		3,636,885	(47,107)	-1.3%
	14 . Health	1,122,059	1,229,088		1,229,088	107,029	9.5%
	15 . Veterans' Services	290,996	292,074		292,074	1,078	0.4%
	16 . Council on Aging	858,351	816,036		816,036	(42,315)	-4.9%
	17 . Human Relations	104,251	0		0	(104,251)	-100.0%
	18 . Recreation	1,014,283	1,028,713		1,028,713	14,430	1.4%
(2)	19 . Personnel Services Reserve	715,000	715,000		715,000	0	0.0%
(2)	20 . Collective Bargaining - Town	1,775,000	1,900,000		1,900,000	125,000	7.0%
	<i>Subtotal Town</i>	64,888,409	66,283,741	32,000	66,315,741	1,427,332	2.2%
	21 . Schools	79,079,824	82,780,770		82,780,770	3,700,946	4.7%
	TOTAL DEPARTMENTAL EXPENDITURES	143,968,234	149,064,511	32,000	149,096,511	5,128,278	3.6%
	NON-DEPARTMENTAL EXPENDITURES						
(1)	22 . Employee Benefits	45,547,008	50,100,251	0	50,100,251	4,553,244	10.0%
(3)	<i>a. Pensions</i>	15,767,048	17,385,688		17,385,688	1,618,640	10.3%
	<i>b. Group Health</i>	23,078,372	24,618,704		24,618,704	1,540,332	6.7%
	<i>c. Health Reimbursement Account (HRA)</i>	125,000	70,000		70,000	(55,000)	-44.0%
(3)	<i>d. Retiree Group Health Trust Fund (OPEB's)</i>	2,601,928	3,514,360		3,514,360	912,431	35.1%

		FY13 BUDGET	FY14 ORIGINAL BUDGET	PROPOSED AMENDMENTS	FY14 AMENDED BUDGET	\$\$ CHANGE FROM FY13	% CHANGE FROM FY13
	<i>e. Employee Assistance Program (EAP)</i>	28,000	28,000		28,000	0	0.0%
	<i>f. Group Life</i>	130,000	132,500		132,500	2,500	1.9%
	<i>g. Disability Insurance</i>	16,000	16,000		16,000	0	0.0%
(3)	<i>h. Worker's Compensation</i>	1,200,000	1,720,000		1,720,000	520,000	43.3%
(3)	<i>i. Public Safety IOD Medical Expenses</i>	560,660	400,000		400,000	(160,660)	-28.7%
(3)	<i>j. Unemployment Compensation</i>	350,000	450,000		450,000	100,000	28.6%
	<i>k. Medical Disabilities</i>	30,000	40,000		40,000	10,000	33.3%
	<i>l. Medicare Coverage</i>	1,660,000	1,725,000		1,725,000	65,000	3.9%
(2)	23 . Reserve Fund	1,946,946	2,161,799		2,161,799	214,853	11.0%
	24 . Stabilization Fund	0	250,000		250,000	250,000	#DIV/0!
	25 . Affordable Housing	251,363	555,106		555,106	303,743	120.8%
	26 . Liability/Catastrophe Fund	253,669	154,115		154,115	(99,554)	-39.2%
	27 . General Insurance	275,000	335,000		335,000	60,000	21.8%
	28 . Audit/Professional Services	130,000	130,000		130,000	0	0.0%
	29 . Contingency Fund	15,000	15,000		15,000	0	0.0%
	30 . Out-of-State Travel	3,000	3,000		3,000	0	0.0%
	31 . Printing of Warrants & Reports	20,000	25,000		25,000	5,000	25.0%
	32 . MMA Dues	12,729	11,686		11,686	(1,043)	-8.2%
	<i>Subtotal General</i>	<i>2,907,707</i>	<i>3,640,706</i>	<i>0</i>	<i>3,640,706</i>	<i>732,999</i>	<i>25.2%</i>
(1)	33 . Borrowing	10,046,874	9,583,111	0	9,583,111	(463,763)	-4.6%
	<i>a. Funded Debt - Principal</i>	<i>7,422,382</i>	<i>7,207,338</i>		<i>7,207,338</i>	<i>(215,044)</i>	<i>-2.9%</i>
	<i>b. Funded Debt - Interest</i>	<i>2,464,492</i>	<i>2,215,772</i>		<i>2,215,772</i>	<i>(248,719)</i>	<i>-10.1%</i>
	<i>c. Bond Anticipation Notes</i>	<i>100,000</i>	<i>100,000</i>		<i>100,000</i>	<i>0</i>	<i>0.0%</i>
	<i>d. Abatement Interest and Refunds</i>	<i>60,000</i>	<i>60,000</i>		<i>60,000</i>	<i>0</i>	<i>0.0%</i>
	TOTAL NON-DEPARTMENTAL EXPENDITURES	58,501,588	63,324,067	0	63,324,067	4,822,479	8.2%
	TOTAL GENERAL APPROPRIATIONS	202,469,822	212,388,579	32,000	212,420,579	9,950,756	4.9%
	SPECIAL APPROPRIATIONS						
	34 . Garage Floor Sealant and Water/Oil Separators (revenue financed)		25,000		25,000		
	35 . Technology Applications (revenue financed)		256,000		256,000		
	36 . Commercial Areas Improvements (revenue financed)		50,000		50,000		
	37 . Riverway Park Pedestrian/Bike Path - Design (revenue financed)		40,000		40,000		
	38 . Historic Building Rehab (Devotion House & Putterham School) (revenue financed)		85,000		85,000		
	39 . Fire Engine #3 (revenue financed)		510,000		510,000		
	40 . Fire Station Renovations (revenue financed)		245,000		245,000		
	41 . Bicycle Access Improvements (revenue financed)		40,000		40,000		
	42 . Woodland Rd. / Hammond St. Study (revenue financed)		45,000		45,000		
	43 . Street Rehabilitation (revenue financed)		1,510,000		1,510,000		
	44 . Sidewalk Repair/Reconstruction (revenue financed)		283,000		283,000		
	45 . LED Streetlight Conversion (revenue financed)		540,000		540,000		
	46 . Transfer Station Floor (revenue financed)		70,000		70,000		
	47 . Brookline Ave. Playground - Design (revenue financed)		87,000		87,000		
	48 . Larz Anderson Park - roadway/pathway improvements (revenue financed)		660,000		660,000		
	49 . Playground Equipment, Fields, Fencing (revenue financed)		295,000		295,000		
	50 . Town/School Grounds Rehab (revenue financed)		85,000		85,000		
	51 . Tennis Courts / Basketball Courts (revenue financed)		100,000		100,000		
	52 . Comfort Stations (revenue financed)		50,000		50,000		

	FY13 BUDGET	FY14 ORIGINAL BUDGET	PROPOSED AMENDMENTS	FY14 AMENDED BUDGET	\$\$ CHANGE FROM FY13	% CHANGE FROM FY13
53 . Tree Removal and Replacement (revenue financed)		170,000		170,000		
54 . Walnut Hills Cemetery - roadway work (special revenue fund)		100,000		100,000		
55 . School Furniture Upgrades (revenue financed)		50,000		50,000		
56 . Town/School ADA Renovations (revenue financed)		65,000		65,000		
57 . Town/School Elevator Renovations (revenue financed)		250,000		250,000		
58 . Town/School Emergency Generator Replacement (revenue financed)		125,000		125,000		
59 . Town/School Energy Conservation Projects (revenue financed)		150,000		150,000		
60 . Town/School Energy Management Systems (revenue financed)		150,000		150,000		
61 . Town/School Building Security / Life Safety (revenue financed)		345,000		345,000		
62 . School Technology (revenue financed)		175,000		175,000		
63 . Pierce School Electric Distribution Upgrade (revenue financed)		375,000		375,000		
64 . Classroom Capacity (revenue financed)		1,750,000		1,750,000		
65 . Municipal Service Center Renovations (bond)		2,500,000		2,500,000		
66 . Fisher Hill Field/Playground - Town (bond)		1,200,000		1,200,000		
67 . Town/School Building Roof Repair/Replacement (bond)		1,350,000		1,350,000		
68 . Old Lincoln School Renovations (bond)		3,000,000		3,000,000		
(4) TOTAL REVENUE-FINANCED SPECIAL APPROPRIATIONS	12,933,500	8,581,000	0	8,581,000	(4,352,500)	-33.7%
TOTAL APPROPRIATED EXPENDITURES	215,403,322	220,969,579	32,000	221,001,579	5,598,256	2.6%
NON-APPROPRIATED EXPENDITURES						
Cherry Sheet Offsets	109,160	111,026		111,026	1,866	1.7%
State & County Charges	6,087,819	6,222,733	(22,821)	6,199,912	112,093	1.8%
Overlay	1,958,780	1,700,000	(153,398)	1,546,602	(412,178)	-21.0%
Deficits-Judgments-Tax Titles	25,000	25,000		25,000	0	0.0%
TOTAL NON-APPROPRIATED EXPEND.	8,180,759	8,058,759	(176,219)	7,882,540	(298,219)	-3.6%
TOTAL EXPENDITURES	223,584,082	229,028,338	(144,219)	228,884,119	5,300,036	2.4%
SURPLUS/(DEFICIT)	0	0	0	0		

(1) Breakdown provided for informational purposes.

(2) Figures provided for informational purposes. Funds were transferred to departmental budgets for expenditure.

(3) Funds are transferred to trust funds for expenditure.

(4) Amounts appropriated. Bonded appropriations are not included in the total amount, as the debt and interest costs associated with them are funded in the Borrowing category (item #33).

FY14 AMENDED BUDGET - TABLE 2

Department/Board/Commission	Personnel Services/ Benefits	Purchase of Services	Supplies	Other Charges/ Expenses	Utilities	Capital Outlay	Inter-Gov'tal	Debt Service	Agency Total
Board of Selectmen (Town Administrator)	619,901	14,118	4,000	7,600		2,130			647,749
Human Resources Department (Human Resources Director)	269,086	200,503	9,000	31,000		1,390			510,979
Information Technology Department (Chief Information Officer)	946,386	614,322	33,850	32,550		40,769			1,667,878
Finance Department (Director of Finance)	1,986,207	754,949	43,697	18,865	2,318	42,600			2,848,636
Legal Services (Town Counsel)	562,335	127,559	2,800	105,400		3,000			801,094
Advisory Committee (Chair, Advisory Committee)	20,503		2,275	570		295			23,643
Town Clerk (Town Clerk)	443,663	77,887	9,750	1,400		1,200			533,900
Planning and Community Department (Plan. & Com. Dev. Dir.)	619,215	16,025	9,212	4,550		3,200			652,202
Police Department (Police Chief)	13,570,473	457,669	221,750	64,000	438,897	440,284			15,193,074
Fire Department (Fire Chief)	12,217,122	154,755	146,260	27,650	242,024	232,134			13,019,946
Public Buildings Department (Building Commissioner)	1,977,182	2,213,679	23,170	5,350	2,727,878	63,100			7,010,359
Public Works Department (Commissioner of Public Works)	7,331,492	3,391,940	915,750	40,900	1,388,406	700,000	20,000		13,788,488
Public Library Department (Library Board of Trustees)	2,560,256	173,834	552,460	3,700	320,634	26,000			3,636,885
Health Department (Health Director)	963,409	196,963	19,700	4,570	40,896	3,550			1,229,088
Veterans' Services (Veterans' Services Director)	155,120	2,609	650	133,185		510			292,074
Council on Aging (Council on Aging Director)	678,482	42,732	18,000	2,900	68,722	5,200			816,036
Human Relations/Youth Resources (Human Relations Dir.)									
Recreation Department (Recreation Director)	704,520	74,982	70,980	12,400	162,231	3,600			1,028,713
School Department (School Committee)									82,780,770
Total Departmental Budgets	45,625,353	8,514,525	2,083,304	496,590	5,392,006	1,568,962	20,000		146,481,511
DEBT SERVICE									
Debt Service (Director of Finance)								9,583,111	9,583,111
Total Debt Service								9,583,111	9,583,111
EMPLOYEE BENEFITS									
Contributory Pensions Contribution (Director of Finance)	17,255,688								17,255,688
Non-Contributory Pensions Contribution (Director of Finance)	130,000								130,000
Group Health Insurance (Human Resources Director)	24,618,704								24,618,704
Health Reimbursement Account (HRA) (Human Resources Director)	70,000								70,000
Retiree Group Health Insurance - OPEB's (Director of Finance)	3,514,360								3,514,360
Employee Assistance Program (Human Resources Director)	28,000								28,000
Group Life Insurance (Human Resources Director)	132,500								132,500
Disability Insurance	16,000								16,000
Workers' Compensation (Human Resources Director)	1,720,000								1,720,000
Public Safety IOD Medical Expenses (Human Resources Director)	400,000								400,000
Unemployment Insurance (Human Resources Director)	450,000								450,000
Ch. 41, Sec. 100B Medical Benefits (Town Counsel)	40,000								40,000
Medicare Payroll Tax (Director of Finance)	1,725,000								1,725,000
Total Employee Benefits	50,100,251								50,100,251
GENERAL / UNCLASSIFIED									
Reserve Fund (*) (Chair, Advisory Committee)				2,161,799					2,161,799
Stabilization Fund (Director of Finance)				250,000					250,000
Liability/Catastrophe Fund (Director of Finance)				154,115					154,115
Housing Trust Fund (Planning & Community Development Dir.)				555,106					555,106
General Insurance (Town Administrator)		335,000							335,000
Audit/Professional Services (Director of Finance)		130,000							130,000
Contingency (Town Administrator)				15,000					15,000
Out of State Travel (Town Administrator)		3,000							3,000
Printing of Warrants (Town Administrator)	5,000	10,000	10,000						25,000
MMA Dues (Town Administrator)				11,686					11,686
Town Salary Reserve (*) (Director of Finance)	1,900,000								1,900,000
Personnel Services Reserve (*) (Director of Finance)	715,000								715,000
Total General / Unclassified	2,620,000	478,000	10,000	3,147,706					6,255,706
TOTAL GENERAL APPROPRIATIONS	98,345,604	8,992,525	2,093,304	3,644,296	5,392,006	1,568,962	20,000	9,583,111	212,420,579

(*) NO EXPENDITURES AUTHORIZED DIRECTLY AGAINST THESE APPROPRIATIONS. FUNDS TO BE TRANSFERRED AND EXPENDED IN APPROPRIATE DEPT.

**NOVEMBER 19, 2013
SPECIAL TOWN MEETING**

ADDENDUM #3

(ELECTRONIC RECORDED VOTE FOR ARTICLE #10)

Brookline Special Town Meeting November 19, 2013



Article 10 Main Motion

Precinct	First Name	Last Name	Keypad	Vote
P01	C.	Cavell	1	Yes
P01	E.	Cook	2	
P01	J.	Cutler	3	Yes
P01	E.	Ecolino	4	Yes
P01	J.	Franco	5	No
P01	R.	Garver	6	Yes
P01	N.	Gordon	7	Yes
P01	H.	Herman	8	Yes
P01	C.	Hillman	9	Yes
P01	S.	Lynn-Jones	10	Yes
P01	P.	Moghtader	11	
P01	B.	Neuefeind	12	Yes
P01	R.	Schram	13	Yes
P01	K.	Silbaugh	14	Yes
P01	T.	Vitolo	15	Yes
P02	C.	Kahl	16	No
P02	L.	Liss	17	Yes
P02	R.	McNally	18	No
P02	A.	Mitchell	19	Yes
P02	B.	O'Brien	20	No
P02	G.	Ossenfort	21	Yes
P02	L.	Pehlke	22	Yes
P02	E.	Richmond	23	Yes
P02	S.	Roberts	24	No
P02	D.	Spiegel	25	No
P02	S.	Spiegel	26	No
P02	E.	White	27	Yes
P02	B.	Wolff	28	Yes
P02	A.	Wynne	29	No
P02	R.	Wynne	30	No
P03	H.	Bohrs	31	No
P03	P.	Connors	32	No
P03	Ma	Dewart	33	Yes
P03	Mu	Dewart	34	Yes
P03	D.	Doughty	35	Yes
P03	K.	Geist	36	No



Article 10 Main Motion

Precinct	First Name	Last Name	Keypad	Vote
P03	J.	Gilman	37	Yes
P03	G.	Jones	38	Yes
P03	L.	Koff	39	Yes
P03	D.	Leka	40	Yes
P03	K.	Scanlon	41	Yes
P03	G.	Shapiro	42	Yes
P03	F.	Steinfield	43	Yes
P03	R.	Stone	44	Abstain
P03	J.	Stringham	45	Yes
P04	S.	Axelrod	46	Yes
P04	E.	Brickman	47	No
P04	I.	Cooper	48	No
P04	A.	Covert	49	No
P04	F.	Farlow	50	No
P04	M.	Farlow	51	No
P04	N.	Gerdts	52	
P04	S.	McCarrell	53	Yes
P04	C.	Morales	54	No
P04	J.	Mulhane	55	No
P04	M.	Nobrega	56	No
P04	J.	Robinson	57	No
P04	M.	Siegel	58	No
P04	V.	Smith	59	Yes
P04	R.	Volk	60	Yes
P05	R.	Allen	61	Yes
P05	B.	Cady	62	
P05	R.	Daves	63	Yes
P05	D.	DeWitt	64	Yes
P05	B.	Gross	65	Yes
P05	M.	Gunnuscio	66	Yes
P05	A.	Hyatt	67	Yes
P05	A.	Lindenboim	68	Yes
P05	H.	Mattison	69	Yes
P05	P.	Mehta	70	Yes
P05	R.	Meiklejohn	71	Yes
P05	P.	O'Leary	72	
P05	A.	Olins	73	No



Article 10 Main Motion

Precinct	First Name	Last Name	Keypad	Vote
P05	C.	Stampfer	74	Yes
P05	L.	von Krusenstiern	75	Yes
P06	C.	Anderson	76	Yes
P06	J.	Bassett	77	Yes
P06	A.	Conquest III	78	No
P06	C.	Dempsey	79	Yes
P06	S.	Humphrey	80	No
P06	B.	Kane	81	Yes
P06	V.	LaPlante	82	No
P06	M.K.	Merelice	83	Yes
P06	K.	O'Donnell	84	Yes
P06	I.	Polumbaum	85	Yes
P06	C.	Richmond	86	Yes
P06	I.	Roffman	87	No
P06	K.	Smith	88	Yes
P06	R.	Sneider	89	No
P06	R.	Sperber	90	Yes
P07	E.	Ball	91	Yes
P07	S.	Cohen	92	No
P07	S.	Ellis	93	No
P07	E.	Frey	94	No
P07	P.	Giller	95	No
P07	E.	Goldstein	96	No
P07	M.	Gray	97	No
P07	B.	Greene	98	No
P07	K.	Hardebeck	99	
P07	J.	Lewis	100	Yes
P07	J.	Margolis	101	Yes
P07	C.	Oates	102	No
P07	S.	Sable	103	Yes
P07	R.	Shon-Baker	104	No
P07	J.	Slayton	105	Yes
P08	L.	Bernard	106	No
P08	F.	Caro	107	Yes
P08	A.	Cox	108	No
P08	G.	Crandell	109	Yes
P08	F.	Friedman	110	Yes



Article 10 Main Motion

Precinct	First Name	Last Name	Keypad	Vote
P08	D.	Goldstein	111	No
P08	J.	Harris	112	Yes
P08	N.	Heller	113	No
P08	A.	Johnson	114	Yes
P08	E.	Roll	115	
P08	B.	Scotto	116	No
P08	L.	Sears	117	Yes
P08	S.	Spiegel	118	
P08	S.	Stock	119	
P08	M.	Toomey	120	Yes
P09	L.	Brooks	121	Yes
P09	J.	Geller	122	
P09	P.	Harris	123	
P09	N.	Hinchey	124	Yes
P09	B.	Jozwicki	125	No
P09	J.	Jozwicki	126	No
P09	P.	Katz	127	Yes
P09	J.	Levine	128	Yes
P09	S.	Rabinovitz	129	Yes
P09	H.	Rosenstein	130	
P09	M.	Rosenthal	131	No
P09	C.	Swartz	132	Yes
P09	D.	Tyndal	133	Yes
P09	J.	Vanderkay	134	No
P09	G.	White	135	No
P10	S.	Chertok	136	
P10	K.	Cohen	137	
P10	J.	Davis	138	No
P10	L.	Davis	139	No
P10	H.	Deak	140	No
P10	S.	Gaehde	141	No
P10	B.	Jones	142	
P10	S.	Sandalow	143	No
P10	S.	Shuman	144	No
P10	F.	Skagestad	145	
P10	A.	Spingarn	146	
P10	N.	Sweitzer	147	Yes



Article 10 Main Motion

Precinct	First Name	Last Name	Keypad	Vote
P10	M.	Zuker	148	
P10		Open	149	
P10		Open	150	
P11	R.	Coderre	151	Yes
P11	J.	Ditkoff	152	Yes
P11	S.	Giora-Gorfajn	153	Yes
P11	J.	Goldsmith	154	Yes
P11	M.	Gray	155	No
P11	B.	Knable	156	Yes
P11	K.	Lewis	157	No
P11	D.	Lowe	158	Yes
P11	R.	Mautner	159	
P11	M.	Moran	160	
P11	C.	Oldham	161	Yes
P11	B.	Sheehan	162	Yes
P11	J.	Tolkoff	163	
P11	K.	Uekermann	164	Yes
P11	K.	Wenc	165	No
P12	M.	Burstein	166	No
P12	B.	Cohen	167	Yes
P12	L.	Cooke-Childs	168	Yes
P12	C.	Ellis	169	Yes
P12	H.	Friedman	170	Yes
P12	J.	Grand	171	No
P12	S.	Greenfield	172	Yes
P12	C.	Hatchett	173	Yes
P12	A.	Hummel	174	No
P12	J.	Karon	175	No
P12	D.	Klafter	176	Yes
P12	M.	Lowenstein	177	Yes
P12	J.	Meyers	178	Yes
P12	W.	Slotnick	179	Yes
P12	D.	Weitzman	180	Yes
P13	J.	Baker	181	No
P13	C.	Benka	182	No
P13	R.	Blood	183	Yes
P13	C.	Chanyasulkit	184	Yes



Article 10 Main Motion

Precinct	First Name	Last Name	Keypad	Vote
P13	J.	Doggett	185	Abstain
P13	J.	Fine	186	No
P13	A.	Fischer	187	Yes
P13	J.	Freeman	188	Yes
P13	F.	Hoy	189	No
P13	R.	Kaplan	190	No
P13	W.	Lohe	191	Yes
P13	P.	Saner	192	Yes
P13	L.	Selwyn	193	Yes
P13	B.	Senecal	194	Yes
P13	J.	VanScoyoc	195	Yes
P14	R.	Basile	196	Yes
P14	C.	Brown	197	No
P14	L.	Carlisle	198	Yes
P14	G.	Fishman	199	No
P14	P.	Friedman	200	No
P14	D.	Goldberg	201	Yes
P14	G.	Johnson	202	Yes
P14	F.	Levitan	203	No
P14	R.	Lipson	204	Yes
P14	P.	Lodish	205	Yes
P14	Ch.	Merrill	206	
P14	M.	Merrill	207	
P14	S.	Mittel	208	No
P14	K.	O'Connell	209	No
P14	L.	Roseman	210	No
P15	E.	Alexanderian	211	No
P15	M.	Ames	212	No
P15	E.	Berger	213	Yes
P15	M.	Berger	214	Yes
P15	A.	Coffin	215	
P15	J.	Flanagan	216	
P15	J.	Hall	217	Yes
P15	B.	Hallowell	218	Yes
P15	J.	Kahn	219	
P15	R.	Nangle	220	
P15	D.	Pearlman	221	No



Article 10 Main Motion

Precinct	First Name	Last Name	Keypad	Vote
P15	J.	Rourke	222	
P15	D.	Rudman	223	No
P15	A.	Sadeghi-Nejad	224	No
P15	C.	Van der Ziel	225	No
P16	S.	Allaire	226	No
P16	R.	Allen	227	Yes
P16	B.	Basile	228	
P16	J.	Basile	229	
P16	S.	Chiumenti	230	No
P16	R.	Frawley	231	No
P16	T.	Gallitano	232	Yes
P16	S.	Gladstone	233	Yes
P16	A.	Jonas	234	Yes
P16	W.	Pu	235	
P16	J.	Safer	236	Yes
P16	I.	Scharf	237	
P16	A.	Sneider	238	Yes
P16	J.	Stavis-Zak	239	Yes
P16	J.	Leichtner	240	No
TAL	R.	Benka	241	Yes
TAL	N.	Daly	242	Yes
TAL	B.	DeWitt	243	Yes
TAL	E.	Gadsby	244	Abstain
TAL	K.	Goldstein	245	Yes
TAL	Hon. F.	Smizik	246	
TAL	P.	Ward	247	Abstain
TAL	N.	Wishinsky	248	Yes
Total 1 = Yes				127
Total 2 = No				82
Total 3 = Abstain				4
Total Voters				213
% Yes				60.8%
% No				39.2%
2/3 Vote Required to Pass				140
Pass/Fail				FAIL