

# TOWN OF BROOKLINE



## MINUTES ADJOURNED SESSION SPECIAL TOWN MEETING NOVEMBER 20, 2013

**MINUTES  
OF THE  
ADJOURNED SESSION  
SPECIAL TOWN MEETING  
NOVEMBER 20, 2013**

Pursuant to the vote passed on November 19, 2013, at the Special Town Meeting, the Town Meeting Members, so qualified, met at the Roberts-Dubbs Auditorium at Brookline High School in said Town on Wednesday, November 20, 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 seven minutes past seven o'clock, the Checkers reported that one hundred twenty-seven (127) 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.

The Moderator announced that the Town of Brookline's Fourth Annual Climate Week would be held the week of January 20, 2014 through January 26, 2014. Moderator Edward (Sandy) Gadsby – TMM #AL then proceeded to take up the next Article in the Warrant.

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**SIXTEENTH ARTICLE**

**Submitted by:** The Diversity Committee of the Human Relations Commission (Brooks Ames, Mariela Ames, Larry Onie, Georgi Vogel Rosen)

To see if the Town will adopt the following resolution:

**WHEREAS:** The Human Relations Commission, the Town agency charged with advancing civil rights and race relations, has seven vacancies on its 15 member board and eight members constitute a quorum.

**WHEREAS:** A racially diverse membership is critical to achieving the Commission’s mission.

**WHEREAS:** Three qualified applicants have applied and are awaiting appointment to the Commission; two are Black and one is Latino.

**WHEREAS:** Many of the Town’s 38 standing Boards, Commissions, and Committees would benefit from a more diverse composition, and the Human Relations Commission has the opportunity to lead by example with these applicants.

**WHEREAS:** Every Town Board, Commission, and Committee requires a quorum to lawfully and democratically make decisions and work effectively, and vacancies on the Human Relations Commission have made it virtually impossible for it to achieve a quorum and meet its charge.

**WHEREAS:** Every Board, Commission and Committee should be encouraged to fulfill its charge, and the Bylaw charging the Human Relations Commission with advancing civil rights and race relations is valid until abrogated or amended by Town Meeting.

**WHEREAS:** The Selectmen’s Committee on Diversity has yet to develop recommendations for amending the Commission’s Bylaw and any such recommendations will not be voted on by Town Meeting until at least the spring of 2014.

**WHEREAS:** The Committee for Town Organization and Structure has recommended to the Board of Selectmen that the Commission “be brought up to full strength as soon as practically possible” on the grounds that “keeping the Commission with vacancies for another year is not consistent with the Town’s longstanding commitment to its functions and advocacy.”

**WHEREAS:** The co-chairs of Brookline PAX have called on the Board of Selectmen to promptly fill the vacancies on the Commission, noting that “for years, minorities have been under-represented on the commission that would most benefit from their experience and knowledge.”

**WHEREAS:** The Board of Selectmen are charged by the Commission’s Bylaw with making appointments to the Commission.

**WHEREAS:** The Board of Selectmen have not yet acted on the three outstanding applications to the Commission, which have been pending since April 2013.

**NOW, THEREFORE, BE IT RESOLVED THAT:** Town Meeting urges the Board of Selectmen to take the necessary steps to appoint the three outstanding applicants to the Commission and subsequent qualified applicants until the Commission is at full strength.

Or act on anything relative thereto.

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Upon motion of Mariela Ames – TMM #15 and seconded by M. K. Merelice – TMM #6, the following motion was offered:

**MOVED:** That the Town adopt the following resolution:

**WHEREAS:** The Human Relations Commission, the Town agency charged with advancing civil rights and race relations, has seven vacancies on its 15 member board and eight members constitute a quorum.

**WHEREAS:** A racially diverse membership is critical to achieving the Commission’s mission.

**WHEREAS:** Three qualified applicants have applied and are awaiting appointment to the Commission; two are Black and one is Latino.

**WHEREAS:** Many of the Town’s 38 standing Boards, Commissions, and Committees would benefit from a more diverse composition, and the Human Relations Commission has the opportunity to lead by example with these applicants.

**WHEREAS:** Every Town Board, Commission, and Committee requires a quorum to lawfully and democratically make decisions and work effectively, and vacancies on the Human Relations Commission have made it virtually impossible for it to achieve a quorum and meet its charge.

**WHEREAS:** Every Board, Commission and Committee should be encouraged to fulfill its charge, and the Bylaw charging the Human Relations Commission with advancing civil rights and race relations is valid until abrogated or amended by Town Meeting.

**WHEREAS:** The Selectmen’s Committee on Diversity has yet to develop recommendations for amending the Commission’s Bylaw and any such recommendations will not be voted on by Town Meeting until at least the spring of 2014.

**WHEREAS:** The Committee for Town Organization and Structure has recommended to the Board of Selectmen that the Commission “be brought up to full strength as soon as practically possible” on the grounds that “keeping the Commission with vacancies for another year is not consistent with the Town’s longstanding commitment to its functions and advocacy.”

**WHEREAS:** The co-chairs of Brookline PAX have called on the Board of Selectmen to promptly fill the vacancies on the Commission, noting that “for

years, minorities have been under-represented on the commission that would most benefit from their experience and knowledge.”

**WHEREAS:** The Board of Selectmen are charged by the Commission’s Bylaw with making appointments to the Commission.

**WHEREAS:** The Board of Selectmen have not yet acted on the three outstanding applications to the Commission, which have been pending since April 2013.

**NOW, THEREFORE, BE IT RESOLVED THAT:** Town Meeting urges the Board of Selectmen to take the necessary steps to appoint the three outstanding applicants to the Commission and subsequent qualified applicants until the Commission is at full strength.

Upon motion of Carla Wyman Benka – TMM #13 and seconded by Harry K. Bohrs – TMM #3, the following motion was offered by the Advisory Committee as a Substitute Motion for the Main Motion:

MOVED: That the following motion be substituted for the Main Motion offered under Article 16:

**WHEREAS:** The Human Relations – Youth Resources Commission, ~~the Town agency charged with advancing civil rights and race relations,~~ has ~~seven~~ eight vacancies on its 15 member board and eight members constitute a quorum.

~~**WHEREAS:** A racially diverse membership is critical to achieving the Commission’s mission.~~

~~**WHEREAS:** Three qualified applicants have applied and are awaiting appointment to the Commission; two are Black and one is Latino.~~

~~**WHEREAS:** Many of the Town’s 38 standing Boards, Commissions, and Committees would benefit from a more diverse composition, and the Human Relations Commission has the opportunity to lead by example with these applicants.~~

**WHEREAS:** Every Town Board, Commission, and Committee requires a quorum to lawfully and democratically make decisions and work effectively, and vacancies on the Human Relations – Youth Resources Commission have made it virtually impossible for it to achieve a quorum and meet its charge.

~~**WHEREAS:** Every Board, Commission and Committee should be encouraged to fulfill its charge, and the Bylaw charging the Human Relations Commission with advancing civil rights and race relations is valid until abrogated or amended by Town Meeting.~~

~~WHEREAS: The Selectmen's Committee on Diversity has yet to develop recommendations for amending the Commission's Bylaw and any such recommendations will not be voted on by Town Meeting until at least the spring of 2014.~~

~~WHEREAS: The Committee for Town Organization and Structure has recommended to the Board of Selectmen that the Commission "be brought up to full strength as soon as practically possible" on the grounds that "keeping the Commission with vacancies for another year is not consistent with the Town's longstanding commitment to its functions and advocacy."~~

**WHEREAS:** The Board of Selectmen ~~is~~ **are** charged by the Commission's Bylaw with making appointments to the Commission.

**NOW, THEREFORE, BE IT RESOLVED THAT:** Town Meeting urges the Board of Selectmen to take the necessary steps to appoint a full complement of members to the Commission, preferably including residents from diverse backgrounds and areas of expertise, so that a quorum can be gathered with reasonable certainty, while acknowledging that the Commission's mission and structure may be changed as a result of the pending report from the Selectmen's Committee on Diversity. ~~the three outstanding applicants to the Commission and subsequent qualified applicants until the Commission is at full strength.~~

Moderator Edward (Sandy) Gadsby – TMM #AL stated that, while there are passionate feelings on both sides of this article, he expected that all presentations would be respectful and worthy of the Brookline Town Meeting.

Speaking in support of the main motion under Article 16 were Mariela Ames – TMM #15; Cruz Sanabria, a resident of the Town of Brookline; Arthur Wellington Conquest III – TMM #6; and Cornelia H. J. van der Ziel – TMM #15.

Speaking in support of the Substitute Motion were Michael Sandman, for the Advisory Committee and Nancy A. Daly – TMM #AL, for the Board of Selectmen.

Moderator Edward (Sandy) Gadsby – TMM #AL was about to entertain a vote on the Substitute Motion when 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 Carla Wyman Benka – TMM #13, for the Advisory Committee and seconded by Harry K. Bohrs – TMM #13, for the Advisory Committee, the following Substitute Motion was PASSED BY AN ELECTRONIC RECORDED

VOTE OF 124 INFAVOR, 63 OPPOSED AND 7 ABSTENTIONS (See Addendum #1 for Electronic Recorded Vote)

VOTED: That the following motion be substituted for the Main Motion offered under Article 16:

**WHEREAS:** The Human Relations – Youth Resources Commission, ~~the Town agency charged with advancing civil rights and race relations,~~ has ~~seven~~ eight vacancies on its 15 member board and eight members constitute a quorum.

~~WHEREAS: A racially diverse membership is critical to achieving the Commission's mission.~~

~~WHEREAS: Three qualified applicants have applied and are awaiting appointment to the Commission; two are Black and one is Latino.~~

~~WHEREAS: Many of the Town's 38 standing Boards, Commissions, and Committees would benefit from a more diverse composition, and the Human Relations Commission has the opportunity to lead by example with these applicants.~~

**WHEREAS:** Every Town Board, Commission, and Committee requires a quorum to lawfully and democratically make decisions and work effectively, and vacancies on the Human Relations – Youth Resources Commission have made it virtually impossible for it to achieve a quorum and meet its charge.

~~WHEREAS: Every Board, Commission and Committee should be encouraged to fulfill its charge, and the Bylaw charging the Human Relations Commission with advancing civil rights and race relations is valid until abrogated or amended by Town Meeting.~~

~~WHEREAS: The Selectmen's Committee on Diversity has yet to develop recommendations for amending the Commission's Bylaw and any such recommendations will not be voted on by Town Meeting until at least the spring of 2014.~~

~~WHEREAS: The Committee for Town Organization and Structure has recommended to the Board of Selectmen that the Commission "be brought up to full strength as soon as practically possible" on the grounds that "keeping the Commission with vacancies for another year is not consistent with the Town's longstanding commitment to its functions and advocacy."~~

**WHEREAS:** The Board of Selectmen ~~is~~ are charged by the Commission's Bylaw with making appointments to the Commission.

**NOW, THEREFORE, BE IT RESOLVED THAT:** Town Meeting urges the Board of Selectmen to take the necessary steps to appoint a full complement of members to the Commission, preferably including residents from diverse backgrounds and areas of expertise, so that a quorum can be gathered with reasonable certainty, while acknowledging that the Commission's mission and structure may be changed as a result of the pending report from the Selectmen's Committee on Diversity. ~~the three outstanding applicants to the Commission and subsequent qualified applicants until the Commission is at full strength.~~

Upon motion made by Carla Wyman Benka – TMM #13, for the Advisory Committee and seconded by Harry K. Bohrs – TMM #13, for the Advisory Committee, it was by a COUNTED VOTE OF 183 INFAVOR AND 15 OPPOSED

VOTED: That the Town adopt the following Resolution:

**WHEREAS:** The Human Relations – Youth Resources Commission, ~~the Town agency charged with advancing civil rights and race relations,~~ has ~~seven~~ eight vacancies on its 15 member board and eight members constitute a quorum.

~~**WHEREAS:** A racially diverse membership is critical to achieving the Commission's mission.~~

~~**WHEREAS:** Three qualified applicants have applied and are awaiting appointment to the Commission; two are Black and one is Latino.~~

~~**WHEREAS:** Many of the Town's 38 standing Boards, Commissions, and Committees would benefit from a more diverse composition, and the Human Relations Commission has the opportunity to lead by example with these applicants.~~

**WHEREAS:** Every Town Board, Commission, and Committee requires a quorum to lawfully and democratically make decisions and work effectively, and vacancies on the Human Relations – Youth Resources Commission have made it virtually impossible for it to achieve a quorum and meet its charge.

~~**WHEREAS:** Every Board, Commission and Committee should be encouraged to fulfill its charge, and the Bylaw charging the Human Relations Commission with advancing civil rights and race relations is valid until abrogated or amended by Town Meeting.~~

~~**WHEREAS:** The Selectmen's Committee on Diversity has yet to develop recommendations for amending the Commission's Bylaw and any such recommendations will not be voted on by Town Meeting until at least the spring of 2014.~~

~~WHEREAS: The Committee for Town Organization and Structure has recommended to the Board of Selectmen that the Commission “be brought up to full strength as soon as practically possible” on the grounds that “keeping the Commission with vacancies for another year is not consistent with the Town’s longstanding commitment to its functions and advocacy.”~~

**WHEREAS:** The Board of Selectmen ~~is~~ **are** charged by the Commission’s Bylaw with making appointments to the Commission.

**NOW, THEREFORE, BE IT RESOLVED THAT:** Town Meeting urges the Board of Selectmen to take the necessary steps to appoint a full complement of members to the Commission, preferably including residents from diverse backgrounds and areas of expertise, so that a quorum can be gathered with reasonable certainty, while acknowledging that the Commission’s mission and structure may be changed as a result of the pending report from the Selectmen’s Committee on Diversity. ~~the three outstanding applicants to the Commission and subsequent qualified applicants until the Commission is at full strength.~~

xxx

Moderator Edward (Sandy) Gadsby – TMM #AL commended the previous speakers for their decorum.

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#### SEVENTEENTH ARTICLE

Submitted by: John Bassett, Frank Farlow, David Klafter, M K Merelice

To see if the Town will adopt the following Resolution:

**WHEREAS** we as a people and a nation must honor our commitment to act as a constructive force within the community of nations;

**WHEREAS** human progress resides in respect for international law and for the sovereignty of nations, and as the strongest of these nations the United States has a special responsibility to uphold and abide by broadly supported principles of international law—especially those embodied in the United Nations Charter;

**WHEREAS** the U.N. Charter decrees that (1) no nation can use military force except in self-defense (Articles 39 and 51), (2) the Security Council is the only body that can authorize the use of force (Art. 24; Ch. VII), and (3) only the Security Council can decide what action can be taken to maintain or restore international peace and security (Art. 39);

**WHEREAS** there is no serious and imminent threat of an attack on the U.S. by the Syrian government, and the U.N. has not determined that collective action is necessary against Syria;

**WHEREAS** on August 28, when the U.N. Secretary General pleaded for more time for diplomacy,<sup>1</sup> the five permanent members of the Security Council failed to reach agreement on a resolution proposed by Britain allowing the use against the Syrian government of “all necessary measures under Chapter 7 of the UN Charter to protect civilians from chemical weapons;”<sup>2</sup>

**WHEREAS** two days after the British administration presented its resolution to the Security Council, the British Parliament defeated Prime Minister Cameron’s motion to participate in military action against Syria;<sup>3</sup>

**WHEREAS** although the French administration said the British Parliament’s vote did not change its own resolve on the need to act in Syria<sup>4</sup>, a late-August poll revealed that most French people did not want their country to take part in military action;<sup>5</sup>

**WHEREAS** in mid-May more than 70 countries refused to approve an Arab-backed resolution against Syria in the U.N. General Assembly,<sup>6</sup> and as of late August more than ten NATO countries “definitely” refused any form of involvement in the U.S.-proposed military operation;<sup>7</sup>

**WHEREAS** although U.S. and British officials claimed there was little doubt that Syrian President Bashar al-Assad’s forces were responsible for the August 22 chemical attacks near Damascus, the head of the U.N. said its inspectors in Syria needed time to establish the facts;<sup>8</sup>

**WHEREAS** the United States has no treaty obligation to intervene in the Syrian civil war;

**WHEREAS** President Obama nevertheless recommended that Congress move forward with limited military retaliation against the Syrian regime without waiting for U.N. forensic inspectors to complete their investigation, and without U.N. support;<sup>9</sup>

**WHEREAS** our numerous recent extra-treaty interventions, starting with Vietnam, have resulted in many deaths and injuries and have been expensive beyond measure—in supporting military actions, in subsequent reconstruction, and in providing medical care for those who have fought—wresting funding from an ever-increasing range of pressing domestic needs;

**WHEREAS** the desire of people the world over is to feel safe and secure, and the surest long-term path to safety and security, both domestic and foreign, is through collaborative efforts under international law—not through unilateralism; now, therefore, be it

**RESOLVED**, that the Town Meeting of Brookline, Massachusetts, assembled this 19th day of November, 2013, believes that an attack on Syria by the United States is not justified; be it further

**RESOLVED**, that If such an attack has not occurred at the time of the vote on this Resolution, Town Meeting commends the Obama administration for its restraint; be it further

**RESOLVED**, that if such a unilateral attack has occurred at the time of this vote, Town Meeting urges that any military action still in progress be stopped immediately in favor of working diplomatically with the Syrian government and opposition to convene an international conference working towards a cease fire and political process; and be it further

**RESOLVED**, that Town Meeting requests that this resolution be transmitted promptly to President Obama and to Brookline's congressional delegation.

<sup>1</sup> <http://www.theglobeandmail.com/news/world/un-confirms-substance-in-syria-attack-says-military-response-requires-security-council-approval/article13994275/>

<sup>2</sup> [http://www.cbsnews.com/8301-202\\_162-57600384/syria-resolution-authorizing-military-force-fails-in-u.n-security-council/](http://www.cbsnews.com/8301-202_162-57600384/syria-resolution-authorizing-military-force-fails-in-u.n-security-council/) and <http://www.thehindu.com/news/international/world/uk-wants-all-necessary-measures-authorised-at-un/article5068022.ece>

<sup>3</sup> <http://www.npr.org/blogs/thetwo-way/2013/08/29/216933582/british-parliament-rejects-syria-intervention-in-symbolic-vote>

<sup>4</sup>

<http://www.google.com/search?client=safari&rls=en&q=the+UK's+vote+does+not+change+its+resolve+on+the+need+to+act+in+Syria3&ie=UTF-8&oe=UTF-8>

<sup>5</sup> <http://www.theguardian.com/world/2013/aug/31/syria-un-weapons-inspectors-leave>

<sup>6</sup> <http://www.presstv.com/detail/2013/05/16/303755/12-states-oppose-antisyrria-resolution/>

<sup>7</sup> <http://inserbia.info/news/2013/08/more-than-10-nato-countries-refused-involvement-in-operation-against-syria/>

<sup>8</sup> <http://www.bloomberg.com/news/2013-08-27/u-s-allies-move-closer-to-military-strike-against-syria.html>

<sup>9</sup> <http://www.motherjones.com/politics/2013/08/obama-syria-strike-congressional-approval>

or act on anything relative thereto.

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Speaking in support of the main motion under Article 17 were Frank W. Farlow – TMM #4 and Co-Chair of Brookline Pax; John Bassett – TMM #6; Nancy A. Daly –

TMM #AL, for the Board of Selectmen; M. K. Merelice – TMM #6; and David B. Klafter – TMM #12.

Speaking in support of No Action under Article 17 were Bobbie Knable – TMM #11, for the Advisory Committee; Scott C. Gladstone – TMM #16; and Jonathan J. Margolis – TMM #7.

Upon motion made by Frank W. Farlow – TMM #4 and seconded by John Bassett – TMM #6, it was by a MAJORITY

VOTED: That the Town adopt the following resolution:

**WHEREAS** we as a people and a nation must honor our commitment to act as a constructive force within the community of nations;

**WHEREAS** human progress resides in respect for international law and for the sovereignty of nations, and as the strongest of these nations the United States has a special responsibility to uphold and abide by broadly supported principles of international law—especially those embodied in the United Nations Charter;

**WHEREAS** our numerous recent extra-treaty military interventions have resulted in many deaths and injuries and have wrested funding from a wide range of pressing domestic needs; and

**WHEREAS** the desire of people the world over is to feel safe and secure, and the surest long-term path to safety and security, both domestic and foreign, is through collaborative efforts under international law—not through unilateralism; now, therefore, be it

**RESOLVED**, that Town Meeting commends the Obama administration for choosing diplomacy and negotiations to resolve the Syrian conflict, and urges it to continue vigorously pursuing this course instead of carrying out a unilateral attack as originally proposed; and be it further

**RESOLVED**, that Town Meeting requests that this resolution be transmitted promptly to President Obama and to Brookline’s congressional delegation.

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EIGHTEENTH ARTICLE

Submitted by: Clint Richmond, Sarah Wunsch, Frank Farlow, and Eunice White

To see if the Town will adopt the following Resolution:

## **Opposing Police Surveillance Cameras from the Department of Homeland Security**

WHEREAS the Board of Selectmen first approved the use of a police video camera surveillance system funded by the U.S. Department of Homeland Security (DHS) in January 2009 and networked with a larger Boston Metropolitan system for a one-year trial period of round-the-clock operation; and

WHEREAS the Town Meeting of Spring 2009 voted by a strong majority in favor of Article 25 which called on the Selectmen to *remove* the cameras; and

WHEREAS the Board of Selectmen reduced the use of the camera surveillance system in Sep. 2009 to the hours of 10 PM to 6 AM with special exceptions for other times; and

WHEREAS the Police Department and members of the Camera Oversight Committee and Board of Selectmen have continued to argue for restoration of round-the-clock surveillance; and

WHEREAS the primary purpose originally asserted aiding in evacuations from Boston – raised immediate skepticism among residents, and neither was nor is cost justified; and

WHEREAS the cameras have been used in non-emergency situations variously described as crime prevention or investigation and after more than four years of usage, the benefits in these areas have been minimal to non-existent, which is consistent with the studies cited by opponents that were available prior to the time of the installation; and

WHEREAS no significant benefit has been demonstrated that would outweigh the costs in dollars or the intrusion on personal freedom and privacy; and

WHEREAS the majority of citizens during public hearings have consistently opposed the cameras as a form of government surveillance; and

WHEREAS the United States Constitution, the Massachusetts Declaration of Rights, and the UN Declaration of Human Rights provide for a right to privacy which is undermined by increasing governmental intrusion into the privacy of citizens at all levels; and

WHEREAS we desire to live in a free and open society; and

WHEREAS DHS camera are part of a national program that also created massive statewide data Fusion Centers that allow the archiving and analysis of a wide range of citizen activities inside and outside our homes – similar to what has been done by the National Security Agency; and

WHEREAS the digital images captured by these police cameras will generally be available to anyone who requests copies under the Commonwealth's public records law, or to any government agency, and can be distributed further without any restrictions; and

NOW, THEREFORE BE IT RESOLVED:

that Town Meeting urges the Board of Selectmen to order the removal of the general police surveillance cameras funded by the Department of Homeland Security,

or act on anything relative thereto.

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Upon motion of Clinton Q. Richmond – TMM #6 and seconded by Frank W. Farlow – TMM #4, it was moved that the Main Motion to be offered under Article 18 would be in the words of the petitioners.

Upon motion of Stanley L. Spiegel – TMM #2 and duly seconded, the following motion was offered:

MOVED: To amend the 'Resolve' clause of Article 18, under the Main Motion to read:

"NOW THEREFORE BE IT RESOLVED: that Town Meeting urges the Board of Selectmen not to increase beyond current levels the hours of operation of the general police surveillance cameras funded by the Department of Homeland Security."

Speaking in support of the main motion under Article 18 were Clinton Q. Richmond – TMM #6; Sara Wunsch, a resident of the Town of Brookline; Martin R. Rosenthal – TMM #9 and Co-Chair of Brookline Pax; and Amy Hummell – TMM #12.

Speaking in support of No Action under Article 18 were Kenneth M. Goldstein – TMM #AL, for the Board of Selectmen, Karen Wenc – TMM #11, for the Advisory Committee; Casey A. Hatchett – TMM #12; and Ian Polumbaum – TMM #6.

Speaking in support of the Spiegel Amendment under Article 18 were Stanley L. Spiegel – TMM #2 and John Bassett – TMM #6 who stated that if the Spiegel Amendment failed that he supported the Main Motion un-amended.

Moderator Edward (Sandy) Gadsby – TMM #AL was about to entertain a vote on the Spiegel amendment offered by Stanley Spiegel – TMM #2 when Clinton Q. Richmond – TMM #6 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 of Stanley L. Spiegel – TMM #2 and duly seconded, it was by an ELECTRONIC RECORDED VOTE OF 122 IN FAVOR, 73 OPPOSED AND 5 ABSTENTIONS (See Addendum #1 for Electronic Recorded Vote).

VOTED: To amend the 'Resolve' clause of Article 18, under the Main Motion to read:

"NOW THEREFORE BE IT RESOLVED: that Town Meeting urges the Board of Selectmen not to increase beyond current levels the hours of operation of the general police surveillance cameras funded by the Department of Homeland Security

Moderator Edward (Sandy) Gadsby – TMM #AL was about to entertain a vote on the Main Motion as amended when 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 of Clinton Q. Richmond – TMM #6 and seconded by Frank W. Farlow – TMM #4 it was, AS AMENDED, by an ELECTRONIC RECORDED VOTE OF 112 IN FAVOR, 87 OPPOSED AND 4 ABSTENTIONS (See Addendum #1 for Electronic Recorded Vote).

VOTED: That the Town adopt the following Resolution:

**Opposing Police Surveillance Cameras from the Department of Homeland Security**

WHEREAS the Board of Selectmen first approved the use of a police video camera surveillance system funded by the U.S. Department of Homeland Security (DHS) in January 2009 and networked with a larger Boston Metropolitan system for a one-year trial period of round-the-clock operation; and

WHEREAS the Town Meeting of Spring 2009 voted by a strong majority in favor of Article 25 which called on the Selectmen to *remove* the cameras; and

WHEREAS the Board of Selectmen reduced the use of the camera surveillance system in Sep. 2009 to the hours of 10 PM to 6 AM with special exceptions for other times; and

WHEREAS the Police Department and members of the Camera Oversight Committee and Board of Selectmen have continued to argue for restoration of round-the-clock surveillance; and

WHEREAS the primary purpose originally asserted aiding in evacuations from Boston – raised immediate skepticism among residents, and neither was nor is cost justified; and

WHEREAS the cameras have been used in non-emergency situations variously described as crime prevention or investigation and after more than four years of usage, the benefits in these areas have been minimal to non-existent, which is consistent with the studies cited by opponents that were available prior to the time of the installation; and

WHEREAS no significant benefit has been demonstrated that would outweigh the costs in dollars or the intrusion on personal freedom and privacy; and

WHEREAS the majority of citizens during public hearings have consistently opposed the cameras as a form of government surveillance; and

WHEREAS the United States Constitution, the Massachusetts Declaration of Rights, and the UN Declaration of Human Rights provide for a right to privacy which is undermined by increasing governmental intrusion into the privacy of citizens at all levels; and

WHEREAS we desire to live in a free and open society; and

WHEREAS DHS camera are part of a national program that also created massive statewide data Fusion Centers that allow the archiving and analysis of a wide range of citizen activities inside and outside our homes – similar to what has been done by the National Security Agency; and

WHEREAS the digital images captured by these police cameras will generally be available to anyone who requests copies under the Commonwealth's public records law, or to any government agency, and can be distributed further without any restrictions; and

NOW THEREFORE BE IT RESOLVED: that Town Meeting urges the Board of Selectmen not to increase beyond current levels the hours of operation of the general police surveillance cameras funded by the Department of Homeland Security.

XXX

At thirty-four minutes after nine o'clock, Moderator Edward (Sandy) Gadsby – TMM #AL entertained a motion to dissolve the Special Town Meeting.

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

VOTED: To dissolve the November 19, 2013 Special Town Meeting.

At the close of the Adjourned Session of the Special Town Meeting, the Checkers reported that the signatures of two hundred and six (206) Town Meeting Members had been recorded as having checked in.

DISSOLVED:

ATTEST:

A handwritten signature in black ink, appearing to read "Patrick J. Ward". The signature is fluid and cursive, with the first name "Patrick" and last name "Ward" clearly distinguishable.

Patrick J. Ward  
Town Clerk

**NOVEMBER 20, 2013  
SPECIAL TOWN MEETING  
ADJOURNED SESSION**

**ADDENDUM #1**

**(ELECTRONIC RECORDED VOTES FOR ARTICLES #16 AND #18)**

# Brookline Special Town Meeting November 20, 2013



Precinct	First Name	Last Name	Article 16 AC Substitute	Article 18 Spiegel	Article 18 Main Motion
			Motion	Amendment	
			1	2	3
P01	C.	Cavell			
P01	E.	Cook			
P01	J.	Cutler	Yes	Yes	Yes
P01	E.	Ecolino	No	Yes	Yes
P01	J.	Franco	Yes	Yes	No
P01	R.	Garver	No	Yes	Yes
P01	N.	Gordon	Yes	Yes	Yes
P01	H.	Herman	No	Yes	Yes
P01	C.	Hillman	No	Yes	Yes
P01	S.	Lynn-Jones	Yes	No	No
P01	P.	Moghtader			
P01	B.	Neuefeind	No	Yes	Yes
P01	R.	Schram	No	Yes	Yes
P01	K.	Silbaugh	No	No	Yes
P01	T.	Vitolo	No	Yes	Yes
P02	C.	Kahl			
P02	L.	Liss	Yes	Yes	Yes
P02	R.	McNally	Yes	Yes	Yes
P02	A.	Mitchell	No	No	Yes
P02	B.	O'Brien	No	Yes	No
P02	G.	Ossenfort	No	No	Yes
P02	L.	Pehlke	Yes	Yes	Yes
P02	E.	Richmond			Yes
P02	S.	Roberts	Yes	No	No
P02	D.	Spiegel	Yes	Yes	Yes
P02	S.	Spiegel	Yes	Yes	Yes
P02	E.	White	Yes	Yes	Yes
P02	B.	Wolff	No	Yes	Yes
P02	A.	Wynne	Yes	No	No
P02	R.	Wynne	Yes	No	No
P03	H.	Bohrs	Yes	No	No
P03	P.	Connors	No	Yes	Yes
P03	Ma	Dewart	Yes		
P03	Mu	Dewart	Yes	Yes	No
P03	D.	Doughty	No	No	Yes
P03	K.	Geist	No	Yes	Yes



Precinct	First Name	Last Name	Article 16 AC Substitute Motion	Article 18 Spiegel Amendment	Article 18 Main Motion
			1	2	3
P03	J.	Gilman	Yes	No	No
P03	G.	Jones		No	No
P03	L.	Koff	Yes	No	Yes
P03	D.	Leka			
P03	K.	Scanlon	No	No	No
P03	G.	Shapiro			
P03	F.	Steinfeld	Yes	Yes	Yes
P03	R.	Stone	No	Yes	Yes
P03	J.	Stringham	Yes	No	No
P04	S.	Axelrod	Yes	Yes	Yes
P04	E.	Brickman	Yes	No	Yes
P04	I.	Cooper	Yes	Yes	Yes
P04	A.	Covert	No	No	Yes
P04	F.	Farlow	No	Yes	Yes
P04	M.	Farlow	No	Yes	Yes
P04	N.	Gerdts	Yes	Yes	Yes
P04	S.	McCarrell	No	Yes	Yes
P04	C.	Morales	Yes	Yes	Yes
P04	J.	Mulhane	Yes	No	No
P04	M.	Nobrega			
P04	J.	Robinson		No	No
P04	M.	Siegel		Yes	Yes
P04	V.	Smith	No	Yes	Yes
P04	R.	Volk	Yes	Yes	Yes
P05	R.	Allen	No	No	No
P05	B.	Cady	Yes	Yes	Yes
P05	R.	Daves	Yes	No	No
P05	D.	DeWitt			
P05	B.	Gross	Yes	Yes	Yes
P05	M.	Gunnuscio			
P05	A.	Hyatt	Yes	No	No
P05	A.	Lindenboim	Yes	Yes	Yes
P05	H.	Mattison	Yes	Yes	Yes
P05	P.	Mehta	No	Abstain	Yes
P05	R.	Meiklejohn	Yes	Yes	Yes
P05	P.	O'Leary	Yes	Yes	Yes
P05	A.	Olins	Yes	No	No



Precinct	First Name	Last Name	Article 16 AC Substitute	Article 18 Spiegel	Article 18 Main Motion
			Motion	Amendment	
			1	2	3
P05	C.	Stampfer	Yes	No	No
P05	L.	von Krusenstiern	Yes	Yes	Abstain
P06	C.	Anderson			
P06	J.	Bassett	Yes	Yes	Yes
P06	A.	Conquest III	No	Yes	Yes
P06	C.	Dempsey	Yes	No	No
P06	S.	Humphrey	Yes	Yes	Yes
P06	B.	Kane	Yes	No	No
P06	V.	LaPlante	No	Yes	Yes
P06	M.K.	Merelice	No	No	Yes
P06	K.	O'Donnell	No	Yes	Yes
P06	I.	Polumbaum	Yes	Abstain	No
P06	C.	Richmond	Yes	Yes	Yes
P06	I.	Roffman	No	Yes	Yes
P06	K.	Smith	No	Yes	Yes
P06	R.	Sneider	No	Yes	Yes
P06	R.	Sperber	No	No	No
P07	E.	Ball	No	No	No
P07	S.	Cohen	Yes	Yes	No
P07	S.	Ellis		Yes	Yes
P07	E.	Frey	Yes	Yes	No
P07	P.	Giller			
P07	E.	Goldstein	Yes	Yes	No
P07	M.	Gray	Yes	No	No
P07	B.	Greene	Yes	No	No
P07	K.	Hardebeck			
P07	J.	Lewis	Abstain	No	No
P07	J.	Margolis	Yes	Yes	No
P07	C.	Oates	Yes	Yes	No
P07	S.	Sable	No	Yes	Yes
P07	R.	Shon-Baker	Yes	Yes	No
P07	J.	Slayton			
P08	L.	Bernard	No	Abstain	Yes
P08	F.	Caro	Yes	No	No
P08	A.	Cox	Yes	Yes	Yes
P08	G.	Crandell			
P08	F.	Friedman	No	Yes	Yes



Precinct	First Name	Last Name	Article 16 AC Substitute Motion	Article 18 Spiegel Amendment	Article 18 Main Motion
			1	2	3
P08	D.	Goldstein	Yes	Yes	Yes
P08	J.	Harris	Yes	Yes	Yes
P08	N.	Heller	Yes	No	No
P08	A.	Johnson		No	No
P08	E.	Roll			
P08	B.	Scotto	Yes	Yes	Yes
P08	L.	Sears			
P08	S.	Spiegel			
P08	S.	Stock			
P08	M.	Toomey	Yes	Yes	Yes
P09	L.	Brooks	Yes	Yes	Yes
P09	J.	Geller	No	No	No
P09	P.	Harris			
P09	N.	Hinchey	Yes	Yes	Yes
P09	B.	Jozwicki	Yes	Yes	No
P09	J.	Jozwicki	Yes	Yes	No
P09	P.	Katz			
P09	J.	Levine	Abstain	Yes	Yes
P09	S.	Rabinovitz	Yes		No
P09	H.	Rosenstein			
P09	M.	Rosenthal	Yes	Yes	Yes
P09	C.	Swartz	Yes	No	No
P09	D.	Tyndal	No	No	No
P09	J.	Vanderkay	Yes	Yes	Yes
P09	G.	White	No	Yes	No
P10	S.	Chertok			
P10	K.	Cohen			
P10	J.	Davis	No	Yes	No
P10	L.	Davis	No	Yes	No
P10	H.	Deak	No	Yes	Yes
P10	S.	Gaehde	Yes	Yes	Yes
P10	B.	Jones			
P10	S.	Sandalow	No	Yes	Yes
P10	S.	Shuman	No	No	Yes
P10	F.	Skagestad	Yes	Yes	Yes
P10	A.	Spingarn			
P10	N.	Sweitzer			



Precinct	First Name	Last Name	Article 16 AC Substitute	Article 18 Spiegel	Article 18 Main Motion
			Motion	Amendment	
			1	2	3
P10	M.	Zuker			
P10z		z Open			
P10z		zz Open			
P11	R.	Coderre	Yes	Yes	Yes
P11	J.	Ditkoff	Yes	Yes	No
P11	S.	Giora-Gorfajn	Yes	Yes	Yes
P11	J.	Goldsmith	Yes	No	No
P11	M.	Gray	No	No	Yes
P11	B.	Knable	Yes	Yes	Yes
P11	K.	Lewis	Yes	No	No
P11	D.	Lowe	No	Yes	Yes
P11	R.	Mautner	Yes	Yes	Yes
P11	M.	Moran	Yes	No	No
P11	C.	Oldham	No	Yes	Yes
P11	B.	Sheehan	No	No	Yes
P11	J.	Tolkoff			
P11	K.	Uekermann	Yes	Yes	Yes
P11	K.	Wenc		No	No
P12	M.	Burstein	Yes	Yes	Yes
P12	B.	Cohen	No	No	No
P12	L.	Cooke-Childs	No	Yes	Yes
P12	C.	Ellis	No	Yes	Yes
P12	H.	Friedman	No	Yes	Yes
P12	J.	Grand	Yes	Yes	Yes
P12	S.	Greenfield	No	No	No
P12	C.	Hatchett	No	No	No
P12	A.	Hummel	Yes	Yes	Yes
P12	J.	Karon	Yes	Yes	No
P12	D.	Klafter	No	Yes	Yes
P12	M.	Lowenstein	Yes	No	No
P12	J.	Meyers	Yes	Yes	Yes
P12	W.	Slotnick	No	No	No
P12	D.	Weitzman	No	Yes	Yes
P13	J.	Baker	Yes	Yes	Yes
P13	C.	Benka	Yes	No	No
P13	R.	Blood	Yes	No	No
P13	C.	Chanyasulkit	Abstain	Yes	Yes



Precinct	First Name	Last Name	Article 16 AC Substitute Motion	Article 18 Spiegel Amendment	Article 18 Main Motion
			1	2	3
P13	J.	Doggett	Yes	Yes	Yes
P13	J.	Fine	Yes	Yes	Yes
P13	A.	Fischer	No	No	Yes
P13	J.	Freeman	Yes	No	No
P13	F.	Hoy	Yes	No	No
P13	R.	Kaplan	Yes	No	No
P13	W.	Lohe	Yes	Yes	Yes
P13	P.	Saner			
P13	L.	Selwyn	Yes	No	No
P13	B.	Senecal			
P13	J.	VanScoyoc	Yes	No	No
P14	R.	Basile		No	No
P14	C.	Brown	Abstain	Yes	Abstain
P14	L.	Carlisle			
P14	G.	Fishman	Yes	Yes	Yes
P14	P.	Friedman	Yes	Yes	No
P14	D.	Goldberg	Yes	Yes	Yes
P14	G.	Johnson	Yes	Yes	Yes
P14	F.	Levitan	Yes	No	No
P14	R.	Lipson	Yes	Yes	Yes
P14	P.	Lodish	Yes	No	No
P14	Ch.	Merrill	Yes	No	No
P14	M.	Merrill		No	No
P14	S.	Mittel	Yes		No
P14	K.	O'Connell	No	Yes	Yes
P14	L.	Roseman	Yes	Yes	No
P15	E.	Alexanderian			
P15	M.	Ames	No	Yes	Yes
P15	E.	Berger	Abstain	No	No
P15	M.	Berger	Yes	No	No
P15	A.	Coffin	Yes	No	No
P15	J.	Flanagan			
P15	J.	Hall	Yes	No	No
P15	B.	Hallowell	Yes		
P15	J.	Kahn	Yes	Yes	Yes
P15	R.	Nangle			
P15	D.	Pearlman	No	Yes	Yes



Precinct	First Name	Last Name	Article 16 AC Substitute Motion	Article 18 Spiegel Amendment	Article 18 Main Motion
			1	2	3
P15	J.	Rourke			
P15	D.	Rudman			
P15	A.	Sadeghi-Nejad		Yes	Yes
P15	C.	Van der Ziel	No	Yes	Yes
P16	S.	Allaire	Abstain	Yes	Yes
P16	R.	Allen	No	No	No
P16	B.	Basile	Yes	No	No
P16	J.	Basile			
P16	S.	Chiumenti	Yes	No	No
P16	R.	Frawley	Yes	Yes	Yes
P16	T.	Gallitano	Yes	Yes	Yes
P16	S.	Gladstone	Yes	Yes	No
P16	A.	Jonas	Yes	Yes	No
P16	W.	Pu			
P16	J.	Safer	Yes	Yes	No
P16	I.	Scharf			
P16	A.	Sneider	Yes	Yes	Yes
P16	J.	Stavis-Zak	Yes	Yes	No
P16z	J.	Leichtner	Yes	Yes	No
TAL	R.	Benka	Yes	No	No
TAL	N.	Daly	Yes	No	No
TAL	B.	DeWitt			
TAL	E.	Gadsby		Abstain	Abstain
TAL	K.	Goldstein	Yes	No	No
TAL	Hon. F.	Smizik			
TAL	P.	Ward	Abstain	Abstain	Abstain
TAL	N.	Wishinsky	Yes	No	No
<b>Total 1 = Yes</b>			<b>124</b>	<b>122</b>	<b>112</b>
<b>Total 2 = No</b>			<b>63</b>	<b>73</b>	<b>87</b>
<b>Total 3 = Abstain</b>			<b>7</b>	<b>5</b>	<b>4</b>
<b>Total Voters</b>			<b>194</b>	<b>200</b>	<b>203</b>
<b>% Yes</b>			<b>66.3%</b>	<b>62.6%</b>	<b>56.3%</b>
<b>% No</b>			<b>33.7%</b>	<b>37.4%</b>	<b>43.7%</b>
<b>Required to Pass</b>			<b>50.0%</b>	<b>50.0%</b>	<b>50.0%</b>
<b>Pass/Fail</b>			<b>PASS</b>	<b>PASS</b>	<b>PASS</b>