

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #1, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town establish that the number of Measurers of Wood and Bark be two, appointed by the Selectmen.

The above vote, taken under Article #1, on Tuesday, May 26, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

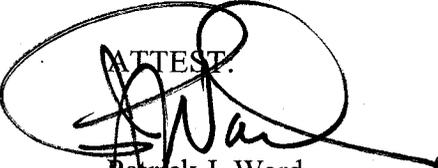
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #2, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That No Action be taken under the Second Article.

The above vote, taken under Article #2, on Tuesday, May 26, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST.

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

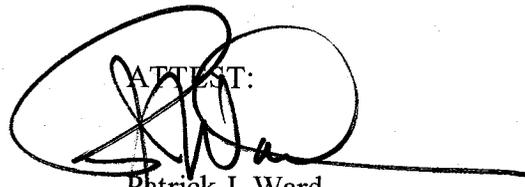
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #3, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town authorize the Town Treasurer, with the approval of the Selectmen, to enter into Compensating Balance Agreement(s) for FY2010 in accordance with General Laws Chapter 44, Section 53F.

The above vote, taken under Article #3, on Tuesday, May 26, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

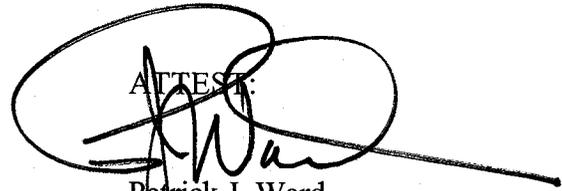
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #4, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That No Action be taken under the Fourth Article.

The above vote, taken under Article #4, on Tuesday, May 26, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

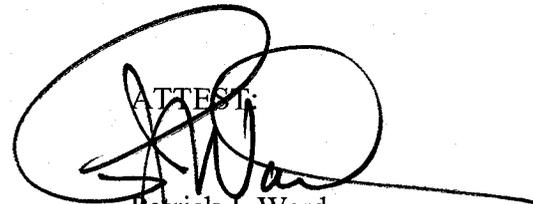
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #5, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That No Action be taken under the Fifth Article.

The above vote, taken under Article #5, on Tuesday, May 26, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

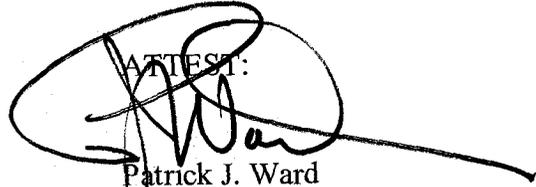
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #6, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town elect to establish an additional property tax exemption for fiscal year 2010 which shall be uniform for all exemptions, in accordance with Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and accept said Section 4, as amended.

The above vote, taken under Article #6, on Tuesday, May 26, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

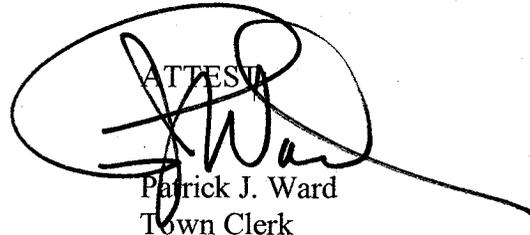
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #7, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That No Action be taken under the Seventh Article.

The above vote, taken under Article #7, on Tuesday, May 26, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

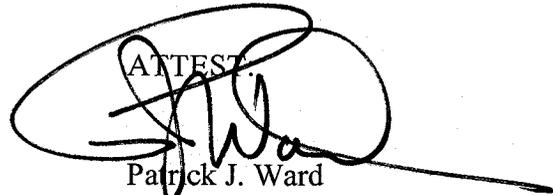
I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #8, Item 56, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED:

56.) Appropriate \$4,275,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for assessment and corrective action associated with the Newton Street Landfill, and to meet the appropriation, authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$4,275,000 under General Laws, Chapter 44, Section 8, Clauses 21 and 24 as amended, or pursuant to any other enabling authority; and authorize the Selectmen to apply for, accept, receive and expend grants, aid, reimbursements, loans and all other forms of funding and financial assistance from both state and federal sources and agencies for such purpose.

The above vote, taken under Article #8, Item 56, on Tuesday, May 26, 2009, was PASSED BY A COUNTED VOTE OF 205 IN FAVOR AND 1 OPPOSED, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

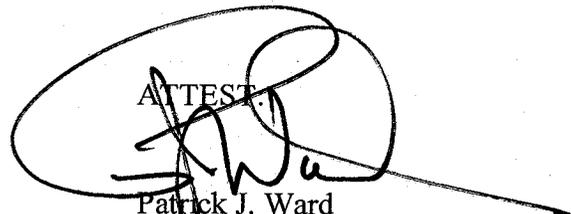
I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #8, Item 57, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED:

- 57.) Appropriate \$1,200,000, to be expended under the direction of the Building Commission, with the approval of the Board of Selectmen, for remodeling, renovating, reconstruction or making extraordinary repairs to the garages located on the grounds of the Town Hall complex and to meet the appropriation, authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$1,200,000 under General Laws, Chapter 44, Section 7, Clause 3A as amended, or pursuant to any other enabling authority; and authorize the Selectmen to apply for, accept, receive and expend grants, aid, reimbursements, loans and all other forms of funding and financial assistance from both state and federal sources and agencies for such purpose.

The above vote, taken under Article #8, Item 57, on Tuesday, May 26, 2009, was PASSED BY A COUNTED VOTE OF 208 IN FAVOR AND 1 OPPOSED, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

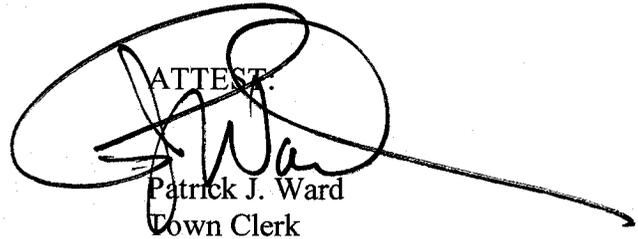
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under a resolution offered under Article #8, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

MOVED: To refer the resolution requesting the Transportation Department to install two traffic-calming devices on Welland Road.

The above vote, taken under a resolution offered under Article 8, on Tuesday, May 26, 2009, was DEFEATED BY A COUNTED VOTE OF 102 IN FAVOR AND 122 OPPOSED, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under a resolution offered under Article #8, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

WHEREAS, speeds and volumes of traffic on Welland Road are at historic highs, according to Transportation Department data

WHEREAS, before the BHS renovation, with Greenough Street open around the clock, fewer than 350 cars a day traveled on Welland; and today, with Greenough closed during school hours, more than 1300 cars a day travel on Welland, or roughly 220 cars each afternoon hour, reaching a peak from 1-4 p.m. of one car every 12 seconds

WHEREAS, despite the authorized speed limit during school days being 20 mph, average speeds on Welland throughout the day are consistently 8-11 miles over that limit, with a significant number of cars driving up to a deadly 40 mph

WHEREAS, speeds on Welland are getting worse, as shown by data from April 2008 (2-6 p.m.), when 17 cars drove at 31-40 mph, compared to the same period a year later, when the number of cars driving at 31-40 mph increased to 58

WHEREAS, incidents over the past month of a pet dog and a parked car on Welland being hit by moving cars have given rise to fears of a child being next

WHEREAS, the number of children living on Welland has increased from 8 in 1999, the year of the Town Meeting vote, to 32 today

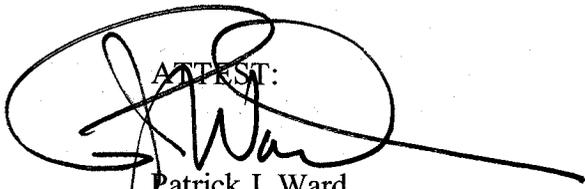
WHEREAS, the BHS Headmaster and the School Committee Chair support traffic calming on Welland to safeguard high-school students as well as younger children

WHEREAS, over the past decade traffic-calming has been instituted with good results on three of the streets affected by closing Greenough—namely Greenough, Tappan, and Davis—no such measures have been implemented on Welland, the street most seriously and negatively impacted by the closure

NOW THEREFORE BE IT RESOLVED that the Town Meeting of Brookline urges the Transportation Board to utilize a portion of its traffic-calming budget for this long-overdue work on Welland Road, ensuring that the work is accomplished before school starts in September 2009.

The above vote, taken under a resolution offered under Article 8, on Tuesday, May 26, 2009, was PASSED BY A MAJORITY VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #8, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: To approve the budget for fiscal year 2010 set forth in the attached Tables I and II; to appropriate the amounts set forth for such fiscal year in the departments and expenditure object classifications within departments, as set forth in Tables I and II, subject to the following conditions; to raise all sums so appropriated, unless other funding is provided herein; and to establish the following authorizations:

1.) TRANSFERS AMONG APPROPRIATIONS: Transfers between the total departmental appropriations separately set forth in Tables 1 and II shall be permitted by vote of Town Meeting or as otherwise provided by Massachusetts General Laws Chapter 44, Section 33B(b). Within each separate departmental appropriation, expenditures shall be restricted to the expenditure object classifications set forth in the recommendation of the Advisory Committee, and voted by the Town Meeting, for each department, subject to the following exceptions:

- A) Expenditures within the appropriation for the School Department shall not be restricted.
- B) The following transfers within the appropriations for each department (other than the School Department and the Library Department), shall be permitted only with the prior written approval of the Board of Selectmen and Advisory Committee:

- i) Transfers from the appropriation for the capital outlay object classification to any other object classification.
 - ii) Transfers to the appropriation for the personal services object classification from any other object classification.
 - iii) Any transfer which has the effect of increasing the number of positions or the compensation for any position, exclusive of adjustments in wages and benefits voted separately by Town Meeting.
 - iv) Within the Building Department appropriation, any transfer of more than \$10,000 to or from the repairs to public building appropriations, unless coming from or going to public building maintenance supplies.
 - v) Transfers within the Department of Public Works from the Parks Division to any other purpose.
 - vi) Transfers within the Department of Public Works from the Snow and Ice budget to any other purpose.
- C) Transfers within the Library Department appropriation shall be permitted with the approval of the Board of Library Trustees, and written notice of such approval shall be submitted promptly to the Advisory Committee, Town Administrator and Town Comptroller.
- D) All other transfers within the total appropriation for a particular department shall be permitted with the written approval of the Town Administrator, subject to review and approval of the Board of Selectmen, and upon the condition that written notice of each such approval shall be submitted promptly to the Advisory Committee and Town Comptroller.

2.) PROCUREMENT CONTRACTS AND LEASES: The Chief Procurement Officer is authorized to lease, or lease with an option to purchase, any equipment or capital item funded within the FY2010 budget, and to solicit and award contracts for terms of more than four years, provided that in each instance the longer term is determined to be in the best interest of the Town by a vote of the Board of Selectmen.

3.) ALLOCATION OF SALARY ADJUSTMENTS: Appropriations for salary and wage adjustments (Item #21) shall be transferred by the Town Comptroller to the various affected departments within (60) days from the beginning of the fiscal year, or in the absence of duly approved collective bargaining agreements, within (60) days of the approval of the collective bargaining agreements by Town Meeting. The Board of Selectmen shall

determine the salaries, which may include merit adjustments, for employees not included in any collective bargaining agreement.

Should a balance remain after the Town Comptroller has made the transfers specified herein, said balance shall be transferred by the Town Comptroller to a budget line entitled Personnel Services Reserve (Item #20), which shall be used to fund costs incurred over the course of the fiscal year pursuant to employee contracts and/or established personnel policies. The Town Comptroller shall include an accounting of all transfers made from this reserve in the Annual Financial Report.

4.) SALARIES OF ELECTED OFFICIALS: The salaries of members of the Board of Selectmen shall be at the rate of \$3,500 per year for the Chairman and at the rate of \$2,500 per year for each of the other four members. The annual salary of the Town Clerk shall be at the rate of \$94,917 effective July 1, 2009, plus any adjustment approved by vote of the Board of Selectmen. The Town Clerk shall pay all fees received by the Town Clerk by virtue of his office into the Town treasury for Town use.

5.) VACANT POSITIONS: No appropriation for salaries, wages, or other compensation shall be expended for a position which has become vacant during the fiscal year unless the Board of Selectmen, at an official meeting, has determined that the filling of the vacancy is either essential to the proper operation of the Town or is required by law. This condition shall not apply to appropriations of the School Department.

6.) GOLF ENTERPRISE FUND: The following sums, totaling \$1,266,200 shall be appropriated into the Golf Enterprise Fund, and may be expended under the direction of the Park and Recreation Commission, for the operation of the Golf Course:

Salaries	\$435,107
Purchase of Services	\$177,242
Supplies	\$129,975
Other	\$4,100
Utilities	\$48,364
Capital	\$85,580
Debt Service	\$184,484
Reserve	<u>\$15,000</u>
Total Appropriations	\$1,079,851
Indirect Costs	<u>\$186,349</u>
Total Costs	\$1,266,200

Total costs of \$1,266,200 to be funded from golf receipts with \$186,349 to be reimbursed to the General Fund for indirect costs.

7.) WATER AND SEWER ENTERPRISE FUND: The following sums, totaling \$24,108,856, shall be appropriated into the Water and Sewer Enterprise Fund, and may be

expended under the direction of the Commissioner of Public Works for the Water and Sewer purposes as voted below:

	Water	Sewer	Total
Salaries	1,975,724	280,233	2,255,956
Purchase of Services	102,968	186,326	289,294
Supplies	97,815	21,000	118,815
Other	6,400	0	6,400
Utilities	136,297	0	136,297
Capital	141,400	138,300	279,700
In ter go ver nmen tal	5,242,610	11,000,000	16,242,610
Debt Service	1,432,218	1,040,135	2,472,352
Reserve	107,689	130,417	238,106
Total Appropriations	9,243,120	12,796,410	22,039,530
Indirect Costs	<u>1,629,928</u>	<u>439,398</u>	<u>2,069,326</u>
Total Costs	10,873,048	13,235,808	24,108,856

Total costs of \$24,108,856 to be funded from water and sewer receipts with \$2,069,326 to be reimbursed to the General Fund for indirect costs.

8.) REVOLVING FUNDS:

- a.) The Park and Recreation Commission is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2 and Chapter 79 of the Acts of 2005, a revolving fund for special recreation programs and events. All receipts from said programs and events shall be credited to the fund. Annual expenditures from the fund shall not exceed \$2,000,000.
- b.) The Building Commissioner is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2 and Chapter 79 of the Acts of 2005, a revolving fund for the repair and maintenance of the Town's rental properties, including all those listed in the vote under Article 13 of the Warrant for the 1999 Annual Town Meeting. All receipts from said rental properties shall be credited to the fund. Annual expenditures from the fund shall not exceed \$100,000.
- c.) The Commissioner of Public Works is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2 and Chapter 79 of the Acts of 2005, a revolving fund for the construction and reconstruction, upkeep, maintenance, repair and improvement of sidewalks and walkways along public streets and ways over, across and through town owned property. Annual expenditures from the fund shall not exceed \$200,000.

d.) The Director of Planning and Community Development is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2 and Chapter 79 of the Acts of 2005, a revolving fund for the Façade Improvement Loan Program. Annual expenditures from the fund shall not exceed \$30,000.

9.) **SCHOOLHOUSE MAINTENANCE AND REPAIR:** The sum of \$4,600,382, included within the Building Department appropriation for school building maintenance, shall be expended for School Plant repair and maintenance and not for any other purpose. The listing of work to be accomplished shall be established by the School Department. The feasibility and prioritization of the work to be accomplished under the school plant repair and maintenance budget shall be determined by the Superintendent of Schools and the Building Commissioner, or their designees.

10.) **SNOW AND ICE BUDGET:** The sum of \$368,127, included within the Department of Public Works appropriation for snow and ice operations, shall be expended for snow and ice operations and not for any other purpose, unless transferred per the provisions of Section 1.B.vi of this Article.

11.) **INTERFUND TRANSFERS:** In order to fund the appropriations voted for the various departments itemized on Table 1, the Town Comptroller is authorized to make the following interfund transfers:

Parking Meter Special Revenue Fund [to the Department of Public Works - \$1,275,000] [to the Police Department - \$1,275,000]	\$2,550,000
State Library Aid Special Revenue Fund [to the Library]	\$ 41,555
Cemetery Sales Special Revenue Fund [to the Department of Public Works]	\$ 50,000
Recreation Revolving Fund [to the General Fund for benefits reimbursement]	\$ 210,870

12.) **BUDGETARY REPORTING:** The Town Comptroller shall provide the Advisory Committee with a report on the budgetary condition of the Town as of September 30, December 31, March 31, and June 30, within 45 days of said dates. This financial report shall include a summary of the status of all annual and special appropriations voted in this article; a report on the status of all special appropriations voted in prior years which remain open at the reporting date; and a summary of the status of all revenues and inter-

fund transfers which have been estimated to finance the appropriations voted under this article.

13.) SPECIAL APPROPRIATIONS: The appropriations set forth as items 34 through 57, inclusive, in Table 1 shall be specially appropriated for the following purposes. In addition, with the exception of Items #56 and #57, they shall be transferred from the General Fund to the Revenue-Financed Capital Fund.

- 34.) Raise and appropriate \$75,000, to be expended under the direction of the Building Commission, with the approval of the Board of Selectmen, for the costs associated with the removal of the pumphouse and transformer buildings near the intersection of Route 9 and Warren Street at the Brookline Reservoir.
- 35.) Raise and appropriate \$239,000, to be expended under the direction of the Chief Information Officer, with the approval of the Board of Selectmen, for the enhancement of town-wide hardware and software.
- 36.) Raise and appropriate \$350,000, to be expended under the direction of the Fire Chief, with the approval of the Board of Selectmen, for the refurbishment of Fire Engine #4.
- 37.) Appropriate \$1,000,000, to be expended under the direction of the Fire Chief, with the approval of the Board of Selectmen, for the purchase of a fire engine; to meet the appropriation raise \$475,000; transfer \$255,000 from the overlay surplus account to undesignated fund balance; transfer \$17,246 from the balance remaining in the appropriation voted under Article 9, Section 13, Item 65 of the 2002 Annual Town Meeting; transfer \$46,000 from the balance remaining in the appropriation voted under Article 11, Section 12, Item 50 of the 2003 Annual Town Meeting; transfer \$35,284 from the balance remaining in the appropriation voted under Article 7, Section 12, Item 64 of the 2005 Annual Town Meeting; transfer \$12,000 from the balance remaining in the appropriation voted under Article 7, Section 13, Item 59 of the 2006 Annual Town Meeting; transfer \$80,470 from the balance remaining in the appropriation voted under Article 7, Section 13, Item 66 of the 2006 Annual Town Meeting; and transfer \$79,000 from the balance remaining in the appropriation voted under Article 7, Section 13, Item 67 of the 2006 Annual Town Meeting.
- 38.) Raise and appropriate \$1,720,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the rehabilitation of streets.
- 39.) Raise and appropriate \$100,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for traffic calming studies and improvements; provided that the Department of Public Works and Transportation Board provide status reports to the Board of Selectmen on a semi-annual basis.

- 40.) Raise and appropriate \$256,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the rehabilitation of sidewalks.
- 41.) Appropriate \$60,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the purchase of multi-space parking meters; to meet the appropriation transfer \$60,000 from the balance remaining in the appropriation voted under Article 7, Section 12, Item 58 of the 2001 Annual Town Meeting.
- 42.) Raise and appropriate \$120,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the rehabilitation of Town-owned parking lots.
- 43.) Raise and appropriate \$260,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the renovation of playground equipment, fields, and fencing.
- 44.) Raise and appropriate \$120,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the rehabilitation of Town and School grounds.
- 45.) Raise and appropriate \$150,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Tree Planting Committee, for the removal and replacement of trees.
- 46.) Raise and appropriate \$25,000, to be expended under the direction of the Chief Procurement Officer, with the approval of the Board of Selectmen and the School Committee, for school furniture upgrades.
- 47.) Raise and appropriate \$50,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for removal of asbestos from Town and School buildings.
- 48.) Raise and appropriate \$50,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for ADA renovations to Town and School buildings.
- 49.) Raise and appropriate \$100,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for improvements to life safety systems and building security in Town and School facilities.

- 50.) Raise and appropriate \$105,572, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for energy conservation projects in Town and School buildings.
- 51.) Raise and appropriate \$100,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for upgrades to energy management systems.
- 52.) Appropriate \$625,000, to be expended under the direction of the Building Commission, with the approval of the Board of Selectmen, for roof repairs and replacements in Town and School facilities; to meet the appropriation raise \$125,000 and transfer \$500,000 from the balance remaining in the appropriation voted under Article 7, Section 13, Item 58 of the 2007 Annual Town Meeting.
- 53.) Raise and appropriate \$75,000, to be expended under the direction of the Building Commission, with the approval of the Board of Selectmen and the School Committee, for engineering or architectural services for plans and specifications for remodeling, reconstructing, or making extraordinary repairs to the auditorium at the Pierce School.
- 54.) Raise and appropriate \$400,000, to be expended under the direction of the Building Commission, with the approval of the Board of Selectmen and School Committee, for the expansion of classroom capacity in various schools; also, amend the language for portable classrooms, approved under Article 7, Section 13, Item 55 of the 2007 Annual Town Meeting, by adding after the words "for portable classrooms" the following: "and for the expansion of classroom capacity in various schools."
- 55.) Appropriate \$3,280,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for costs and settlement of claims associated with the Newton Street Landfill; to meet the appropriation raise \$2,030,000 and transfer \$1,250,000 from the overlay surplus account to undesignated fund balance.
- 56.) Appropriate \$4,275,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for assessment and corrective action associated with the Newton Street Landfill, and to meet the appropriation, authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$4,275,000 under General Laws, Chapter 44, Section 8, Clauses 21 and 24 as amended, or pursuant to any other enabling authority; and authorize the Selectmen to apply for, accept, receive and expend grants, aid, reimbursements, loans and all other forms of funding and financial assistance from both state and federal sources and agencies for such purpose.
- 57.) Appropriate \$1,200,000, to be expended under the direction of the Building Commission, with the approval of the Board of Selectmen, for remodeling,

renovating, reconstruction or making extraordinary repairs to the garages located on the grounds of the Town Hall complex and to meet the appropriation, authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$1,200,000 under General Laws, Chapter 44, Section 7, Clause 3A as amended, or pursuant to any other enabling authority; and authorize the Selectmen to apply for, accept, receive and expend grants, aid, reimbursements, loans and all other forms of funding and financial assistance from both state and federal sources and agencies for such purpose.

14.) FREE CASH: Appropriate and transfer \$7,053,295 from free cash for the following purposes:

- a.) Reduce the tax rate (Special Appropriations) – \$5,151,351;
- b.) Operating Budget Reserve Fund (MGL Chapter 40, Section 6) – \$458,547;
- c.) Liability/Catastrophe Fund (Chapter 66 of the Acts of 1998, as amended) – \$1,443,397.

FY10 BUDGET - TABLE 1

	FY07 ACTUAL	FY08 ACTUAL	FY09 BUDGET	FY10 BUDGET	\$\$ CHANGE FROM FY09	% CHANGE FROM FY09
REVENUES						
Property Taxes	128,871,387	133,849,950	147,273,069	152,552,834	5,279,765	3.6%
Local Receipts	23,281,093	24,524,074	20,475,664	20,217,125	(258,539)	-1.3%
State Aid	18,023,846	18,946,277	19,623,691	17,157,180	(2,466,511)	-12.6%
Free Cash	5,387,435	3,814,792	5,954,963	7,053,295	1,098,332	18.4%
Overlay Surplus	950,000	850,000	0	1,505,000	1,505,000	-
Other Available Funds	7,998,053	7,753,612	5,986,332	5,938,101	(48,232)	-0.8%
TOTAL REVENUE	184,511,814	189,738,706	199,313,719	204,423,534	5,109,815	2.6%
EXPENDITURES						
DEPARTMENTAL EXPENDITURES						
1 . Selectmen	583,148	622,009	615,989	600,160	(15,828)	-2.6%
2 . Human Resources	400,705	478,335	485,892	512,008	26,115	5.4%
3 . Information Technology	1,411,216	1,362,103	1,416,878	1,421,058	4,180	0.3%
4 . Finance Department	2,923,699	2,934,091	2,997,394	3,049,791	52,397	1.7%
5 . Legal Services	690,527	772,840	688,792	748,648	59,857	8.7%
6 . Advisory Committee	18,507	21,940	19,439	19,615	176	0.9%
7 . Town Clerk	551,363	525,170	577,007	480,094	(96,913)	-16.8%
8 . Planning and Community Development	663,106	644,375	715,849	627,081	(88,768)	-12.4%
9 . Police	13,708,009	13,636,806	14,724,421	14,381,212	(343,209)	-2.3%
10 . Fire	11,719,128	12,125,596	12,513,780	12,206,045	(307,735)	-2.5%
11 . Building	6,059,407	6,542,701	6,826,827	6,982,354	155,526	2.3%
(1) 12 . Public Works	12,309,177	13,178,799	12,913,639	12,879,990	(33,649)	-0.3%
<i>a. Administration</i>	860,631	868,055	902,881	910,739	7,858	0.9%
<i>b. Engineering/Transportation</i>	811,671	849,680	879,764	924,628	44,864	5.1%
<i>c. Highway</i>	4,597,800	4,723,284	4,893,195	4,767,067	(126,128)	-2.6%
<i>d. Sanitation</i>	2,785,605	2,870,421	2,726,872	2,816,942	90,070	3.3%
<i>e. Parks and Open Space</i>	2,670,725	2,694,138	3,143,199	3,092,487	(50,712)	-1.6%
<i>f. Snow and Ice</i>	582,745	1,173,221	367,729	368,127	399	0.1%
13 . Library	3,366,890	3,398,242	3,473,208	3,465,937	(7,270)	-0.2%
14 . Health	1,055,741	1,024,069	1,081,115	1,099,574	18,459	1.7%
15 . Veterans' Services	203,128	203,829	214,521	241,409	26,888	12.5%
16 . Council on Aging	718,469	746,900	778,480	762,772	(15,708)	-2.0%
17 . Human Relations	139,109	143,236	146,939	101,870	(45,069)	-30.7%
18 . Recreation	1,024,380	992,864	943,196	972,808	29,611	3.1%
(2) 19 . Energy Reserve	153,167	0	0	0	0	-
(2) 20 . Personnel Services Reserve	1,416,017	750,000	1,282,281	750,000	(532,281)	-41.5%
(2) 21 . Collective Bargaining - Town	1,100,000	1,600,000	3,042,804	960,000	(2,082,804)	-68.5%
<i>Subtotal Town</i>	57,545,709	59,353,905	62,415,647	62,262,426	(153,221)	-0.2%
22 . Schools	60,671,696	62,924,864	68,021,240	68,974,271	953,031	1.4%
TOTAL DEPARTMENTAL EXPENDITURES	118,217,405	122,278,769	130,436,887	131,236,696	799,810	0.6%
NON-DEPARTMENTAL EXPENDITURES						
(1) 23 . Employee Benefits	32,289,078	34,564,193	38,307,598	40,270,929	1,963,331	5.1%
(3) <i>a.) Pensions</i>	10,129,853	11,256,221	11,651,618	12,293,565	641,947	5.5%
<i>b.) Group Health</i>	19,011,273	19,855,771	23,084,980	24,245,364	1,160,384	5.0%
(3) <i>c.) Retiree Group Health Trust Fund</i>	0	0	0	250,000	250,000	-
<i>d.) Employee Assistance Program (EAP)</i>	24,568	24,968	28,000	28,000	0	0.0%

		FY07 ACTUAL	FY08 ACTUAL	FY09 BUDGET	FY10 BUDGET	\$\$ CHANGE FROM FY09	% CHANGE FROM FY09
	e.) Group Life	152,721	151,643	161,000	162,000	1,000	0.6%
	f.) Disability Insurance	0	12,813	16,000	16,000	0	0.0%
(3)	g.) Worker's Compensation	1,450,000	1,600,000	1,550,000	1,350,000	(200,000)	-12.9%
(3)	h.) Public Safety IOD Medical Expenses	245,000	250,000	300,000	300,000	0	0.0%
(3)	i.) Unemployment Compensation	125,000	166,000	166,000	166,000	0	0.0%
	j.) Medical Disabilities	16,643	15,718	30,000	30,000	0	0.0%
	k.) Medicare Coverage	1,134,020	1,231,059	1,320,000	1,430,000	110,000	8.3%
(2)	24 . Reserve Fund	603,861	774,834	1,746,546	1,834,186	87,640	5.0%
	25 . Stabilization Fund	22,248	0	0	0	0	-
	26 . Liability/Catastrophe Fund	225,039	254,629	297,476	1,443,397	1,145,921	385.2%
	27 . General Insurance	275,989	276,146	279,490	286,198	6,708	2.4%
	28 . Audit/Professional Services	196,148	99,433	138,987	138,987	0	0.0%
	29 . Contingency Fund	15,796	11,806	15,000	15,000	0	0.0%
	30 . Out-of-State Travel	2,260	1,979	3,000	3,000	0	0.0%
	31 . Printing of Warrants & Reports	16,805	14,487	20,000	20,000	0	0.0%
	32 . MMA Dues	11,389	10,959	11,532	11,820	288	2.5%
	Subtotal General	765,674	1,444,273	2,512,031	3,752,588	1,240,557	49.4%
(1)	33 . Borrowing	14,376,306	13,824,443	12,374,047	12,572,215	198,168	1.6%
	a. Funded Debt - Principal	9,696,587	9,432,797	8,218,816	8,536,243	317,427	3.9%
	b. Funded Debt - Interest	4,582,344	4,354,324	3,978,698	3,686,572	(292,126)	-7.3%
	c. Bond Anticipation Notes	55,593	0	116,533	289,400	172,867	148.3%
	d. Abatement Interest and Refunds	41,782	37,322	60,000	60,000	0	0.0%
	TOTAL NON-DEPARTMENTAL EXPENDITURES	47,431,058	49,832,909	53,193,676	56,595,732	3,402,057	6.4%
	TOTAL GENERAL APPROPRIATIONS	165,648,463	172,111,678	183,630,562	187,832,429	4,201,866	2.3%
	SPECIAL APPROPRIATIONS						
	34 . Reservoir Buildings (revenue financed)				75,000		
	35 . Technology Applications (revenue financed)				239,000		
	36 . Fire Apparatus Rehab (revenue financed)				350,000		
	37 . Fire Engine (\$475,000 = revenue financed, \$255,000 = overlay surplus, \$270,000 = capital project surplus)				1,000,000		
	38 . Street Rehabilitation (revenue financed)				1,720,000		
	39 . Traffic Calming Studies and Improvements (revenue financed)				100,000		
	40 . Sidewalk Repair/Reconstruction (revenue financed)				256,000		
	41 . Parking Meter System Replacement (capital project surplus)				60,000		
	42 . Parking Lot Rehabilitation (revenue financed)				120,000		
	43 . Playground Equipment, Fields, Fencing (revenue financed)				260,000		
	44 . Town/School Grounds Rehab (revenue financed)				120,000		
	45 . Tree Removal and Replacement (revenue financed)				150,000		
	46 . School Furniture Upgrades (revenue financed)				25,000		
	47 . Town/School Asbestos Removal (revenue financed)				50,000		
	48 . Town/School ADA Renovations (revenue financed)				50,000		
	49 . Town/School Building Security / Life Safety (revenue financed)				100,000		
	50 . Town/School Energy Conservation Projects (revenue financed)				105,572		
	51 . Town/School Energy Management System (revenue financed)				100,000		
	52 . Town/School Roof Repair / Replacement (\$125,000 = revenue financed, \$500,000 = capital project surplus)				625,000		
	53 . Pierce School Auditorium - Design (revenue financed)				75,000		
	54 . Classroom Capacity (revenue financed)				400,000		
	55 . Newton St. Landfill Settlement (\$1,250,000 = overlay surplus, \$2,030,000 = revenue financed)				3,280,000		

	FY07 ACTUAL	FY08 ACTUAL	FY09 BUDGET	FY10 BUDGET	\$\$ CHANGE FROM FY09	% CHANGE FROM FY09
56 . Newton St. Landfill - Corrective Action (bond)				4,275,000		
57 . Town Hall / Main Library Garage Repair & Driveway Improvements (bond)				1,200,000		
(4) TOTAL SPECIAL APPROPRIATIONS	7,874,562	5,928,000	8,575,746	9,260,572	684,826	8.0%
TOTAL APPROPRIATED EXPENDITURES	173,523,025	178,039,678	192,206,308	197,093,001	4,886,692	2.5%
NON-APPROPRIATED EXPENDITURES						
Cherry Sheet Offsets	117,738	120,749	122,866	112,111	(10,755)	-8.8%
State & County Charges	5,375,086	5,410,405	5,424,518	5,543,424	118,906	2.2%
Overlay	1,451,262	1,858,148	1,535,026	1,650,000	114,974	7.5%
Deficits-Judgments-Tax Titles	0	0	25,000	25,000	0	0.0%
TOTAL NON-APPROPRIATED EXPEND.	6,944,086	7,389,302	7,107,410	7,330,535	223,125	3.1%
TOTAL EXPENDITURES	180,467,111	185,428,981	199,313,719	204,423,535	5,109,815	2.6%
SURPLUS/(DEFICIT)	4,044,703	4,309,725	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).

FY10 BUDGET - TABLE 2

Department/Board/Commission	Personnel Services	Purchase of Services	Supplies	Other Charges/Expenses	Utilities	Capital Outlay	Inter-Gov't'al	Snow & Ice	Debt Service	Personnel Benefits	Agency Total
Board of Selectmen (Town Administrator)	578,497	7,463	4,500	6,400		3,300					600,160
Human Resources Department (Human Resources Director)	256,646	228,587	8,500	15,900		2,375					512,008
Information Technology Department (Chief Information Officer)	864,971	490,432	22,336	27,550		15,769					1,421,058
Finance Department (Director of Finance)	1,886,930	1,088,839	39,502	17,783	1,011	15,727					3,049,791
Legal Services (Town Counsel)	511,541	126,442	2,200	104,700		3,765					748,648
Advisory Committee (Chair, Advisory Committee)	17,247	36	1,275	570		487					19,615
Town Clerk (Town Clerk)	398,974	67,270	9,000	1,600		3,251					480,094
Planning and Community Department (Plan. & Com. Dev. Dir.)	588,793	16,817	9,432	4,513		7,525					627,081
Police Department (Police Chief)	13,083,437	334,845	224,103	53,000	324,357	361,470					14,381,212
Fire Department (Fire Chief)	11,609,007	95,284	119,500	25,125	230,486	126,643					12,206,045
Public Buildings Department (Building Commissioner)	1,911,243	1,851,968	127,770	5,800	3,056,685	28,887					6,982,354
Public Works Department (Commissioner of Public Works)	7,184,246	2,902,776	625,972	35,150	1,043,719	700,000	20,000	368,127			12,879,991
Public Library Department (Library Board of Trustees)	2,482,871	141,702	503,454	4,502	281,307	52,101					3,465,937
Health Department (Health Director)	756,548	255,518	14,570	4,120	40,817	28,000					1,099,574
Veterans' Services (Veterans' Services Director)	121,116	2,718	650	116,200		725					241,409
Council on Aging (Council on Aging Director)	601,207	58,282	18,825	5,300	70,258	8,900					762,772
Human Relations/Youth Resources (Human Relations Dir.)	96,017	1,807	2,800	450		796					101,870
Recreation Department (Recreation Director)	678,334	89,179	40,703	2,400	131,312	30,880					972,808
School Department (School Committee)											68,974,271
Total Departmental Budgets	43,627,626	7,759,964	1,775,092	431,063	5,179,952	1,390,601	20,000	368,127			129,526,700
DEBT SERVICE											
Debt Service (Director of Finance)									12,572,215		12,572,215
Total Debt Service:									12,572,215		12,572,215
EMPLOYEE BENEFITS											
Contributory Pensions Contribution (Director of Finance)										12,063,565	12,063,565
Non-Contributory Pensions Contribution (Director of Finance)										230,000	230,000
Group Health Insurance (Human Resources Director)										24,245,364	24,245,364
Retiree Group Health Insurance - OPEB's (Director of Finance)										250,000	250,000
Employee Assistance Program (Human Resources Director)										28,000	28,000
Group Life Insurance (Human Resources Director)										162,000	162,000
Disability Insurance										16,000	16,000
Workers' Compensation (Human Resources Director)										1,350,000	1,350,000
Public Safety IOD Medical Expenses (Human Resources Director)										300,000	300,000
Unemployment Insurance (Human Resources Director)										166,000	166,000
Ch. 41, Sec. 100B Medical Benefits (Town Counsel)										30,000	30,000
Medicare Payroll Tax (Director of Finance)										1,430,000	1,430,000
Total Employee Benefits:										40,270,929	40,270,929
GENERAL / UNCLASSIFIED											
Reserve Fund (*) (Chair, Advisory Committee)				1,834,186							1,834,186
Liability/Catastrophe Fund (Director of Finance)				1,443,397							1,443,397
General Insurance (Town Administrator)		286,198									286,198
Audit/Professional Services (Director of Finance)		138,987									138,987
Contingency (Town Administrator)				15,000							15,000
Out of State Travel (*) (Town Administrator)		3,000									3,000
Printing of Warrants (Town Administrator)		10,000	10,000								20,000
MMA Dues (Town Administrator)				11,820							11,820
Town Salary Reserve (*) (Director of Finance)	960,000										960,000
Personnel Services Reserve (*) (Director of Finance)	750,000										750,000
Total General / Unclassified:	1,710,000	438,185	10,000	3,304,403							5,462,588
TOTAL APPROPRIATIONS	45,337,626	8,198,149	1,785,092	3,735,467	5,179,952	1,390,601	20,000	368,127	12,572,215	40,270,929	187,832,428

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

The above vote, taken under Article #8, on Tuesday, May 26, 2009, was PASSED, AS AMENDED AND SEPARATELY VOTED, BY A COUNTED VOTE OF 178 IN FAVOR AND 1 OPPOSED, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under a resolution offered under Article #9, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

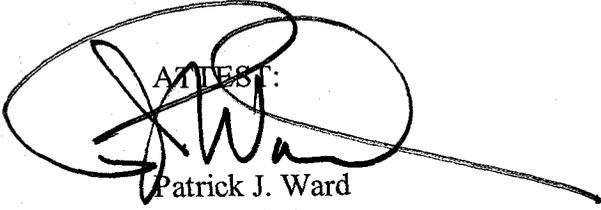
MOVED: That Town Meeting adopt the following resolution:

WHEREAS maintaining Brookline Fire Department staffing for fewer than five fire engine companies and two ladder companies raises public safety concerns;

NOW, THEREFORE, BE IT RESOLVED THAT Town Meeting requests that the board of Selectman direct the Brookline Fire Department to administer it's budget appropriation in such a manner that five engine companies and two ladder companies are fully staffed at all times during fiscal year 2010.

The above vote, taken under a resolution offered under Article #9, on Wednesday, May 27, 2009, was DEFEATED, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

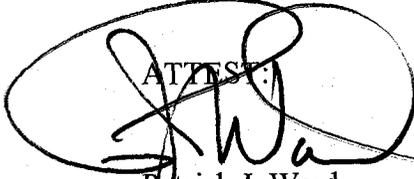
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #10, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

No Action was taken under the Tenth Article.

No Action was taken under Article #10 on Wednesday, May 27, 2009. It was so declared by the Moderator and it is so recorded.

(Seal)

ATTEST

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

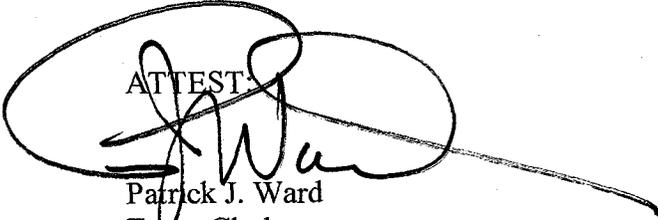
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #11, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

No Action was taken under the Eleventh Article.

No Action was taken under Article #11 on Wednesday, May 27, 2009. It was so declared by the Moderator and it is so recorded.

(Seal)

ATTEST

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

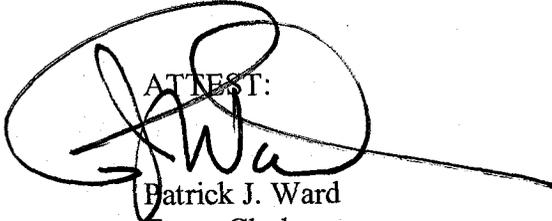
I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #12, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town create a local fund titled "School Facility Maintenance Trust Fund" for the purpose of funding appropriate school facility maintenance projects that meet the provision of 963 CMR 2.00, Section 2.18 4(b), and further that the Town affirm its intent to accept all matching grant funds from the Massachusetts School Building Authority (MSBA) for which it qualifies, relative to the regulations outlined in 963 CMR 2.00, Section 2.18 4 (b), and deposit said funds into the "School Facility Maintenance Trust Fund" for use in funding such projects.

The above vote, taken under Article #12, on Wednesday, May 27, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:



Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

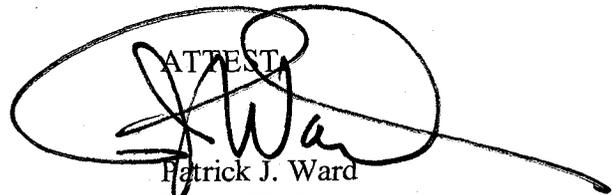
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #13, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town authorize the Selectmen to lease, for not more than ten years, the land and building located at 55 Newton Street in accordance with the request of the Building Commissioner, and upon such other terms and conditions the Selectmen determine to be in the best interest of the Town.

The above vote, taken under Article #13, on Wednesday, May 27, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #14, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town amend Article 3.10, Sections 3.10.2 and 3.10.4 of the General By-Laws as follows (language to be deleted is in brackets and language to be added is in bold and underlined):

SECTION 3.10.2 MEMBERSHIP

The Council on Aging shall consist of the Chair of the Board of Selectmen, Chair of the Park and Recreation Commission, Chair of the Housing Authority, Director of Public Health, Superintendent of Schools, Head Librarian, or their respective representatives, and, in addition, [eleven] **fifteen** citizens reflecting the general composition of the citizenry of Brookline. The Citizen members shall be appointed by the Board of Selectmen after receiving recommendations from public and private agencies concerned with the welfare of older persons. Fifty-one percent of the members of the Council on Aging shall be composed of persons 60 years of age or over. The terms of office expire on August 31, unless otherwise specified by the Selectmen or unless such appointment is for an indefinite term.

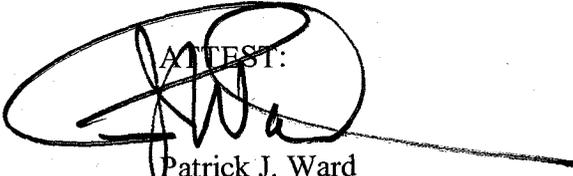
SECTION 3.10.4 NON-VOTING MEMBERS

The Board of Selectmen may appoint from time to time up to [fifteen (15)] **ten (10)** non-voting members to the Council on Aging who shall be designated Associate Members. One-third of the Associate Members shall be appointed initially for a one year term; one-

third of the Associate Members shall be appointed initially for a two year term; and one-third of the Associate members shall be appointed initially for a three year term. All subsequent Associate Members shall be appointed for a three year term. The terms of office expire on August 31, unless otherwise specified by the Selectmen or unless such appointment is for an indefinite term.

The above vote, taken under Article #14, on Wednesday, May 27, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

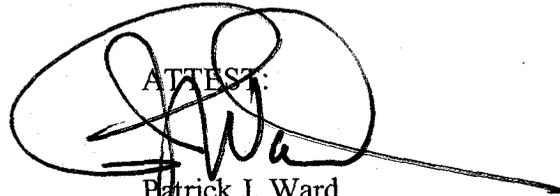
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #15, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

MOVED: That the subject matter of Article 15 be referred to the Committee on Town Organization and Structure, with a request that they report their findings prior to the closing of the warrant for the 2010 Annual Town Meeting.

The above vote, taken under Article #15, on Wednesday, May 27, 2009, was DEFEATED, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #15, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

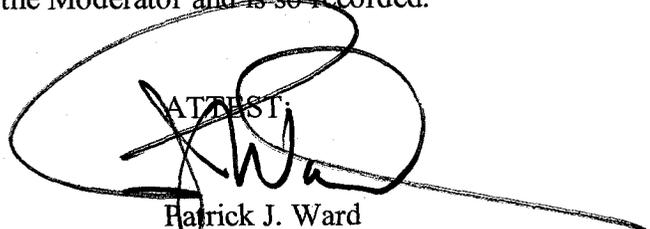
VOTED: That the Town amend SECTION 3.12.6 PLANNING BOARD of its General By-laws as follows (amended text in **bold and underlined**):

The Board of Selectmen shall appoint ~~five~~ **seven** residents to serve on the Planning Board for five year staggered terms. **At least one of the appointees must be qualified for such appointment by virtue of relevant and significant experience or training in the field of environmental or urban planning.**

The Planning Board is established under G.L.c. 41, §81A, and shall perform and discharge all of the statutory powers and duties required by law, including those set forth in The Zoning Act, G.L.c. 40A, in the Subdivision Control Act and other relevant sections in G.L.c. 41, Sections 81A to 81GG, inclusive, in Chapter 270 of the Acts of 1985 and in G.L.c. 41.

The above vote, taken under Article #15, on Wednesday, May 27, 2009, was PASSED BY A MAJORITY VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

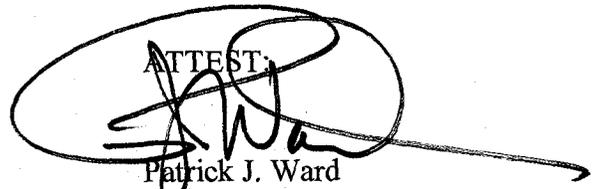
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #15, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

MOVED: To reconsider the subject matter under the Fifteenth Article.

The above vote, taken under Article #15, on Tuesday, June 2, 2009, was DEFEATED, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #16, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town adopt the following resolution:

WHEREAS obesity is a growing epidemic in America affecting both our youth and adult populations; and that

WHEREAS obesity increases the risk of heart disease, type two diabetes, and some cancers, reduces life expectancy, increases disability, increases social stigma, decreases work productivity and school achievement, and increases health care costs; and

WHEREAS it is the mission of the Town of Brookline Department of Public Health to preserve, promote and improve the health of Brookline citizens and to control and prevent dangerous, contagious and infectious diseases; and

WHEREAS obesity may be prevented through the combined efforts of the whole community. Many factors over the years are responsible for the current obesity epidemic.

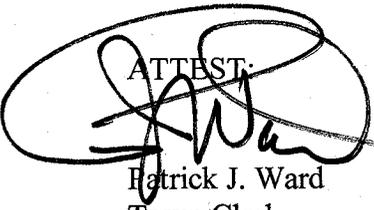
THEREFORE BE IT RESOLVED that Brookline Town Meeting firmly believes that individual knowledge, motivation, and skills may be insufficient to fully address and curb the problem of obesity. Individual behavior is greatly influenced by the policies and practices of organizations including food service establishments throughout the community that either promote or thwart individual efforts to engage in healthy eating and physical activity.

TOWN MEETING, THEREFORE, URGES that food service establishments provide, when feasible, calorie and other general nutritional information to consumers at point of sale; and

Food service establishments are encouraged to provide and promote an increased number of healthy food and beverage options.

The above vote, taken under Article #16, on Wednesday, May 27, 2009, was PASSED BY A MAJORITY VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

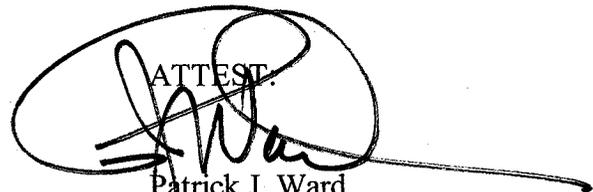
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #17, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: To refer Article 17 to the Zoning By-Law Committee for amendment and resubmission at a future Town Meeting prior to June, 2010.

The above vote, taken under Article #17, on Wednesday, May 27, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST.

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #18, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

MOVED: That the Town amend the Zoning By-Law as follows (new language appears in bold and italics):

Add a new paragraph c, to the end of §2.01.1 - "A" DEFINITIONS

- c. Accessory dwelling unit: A dwelling unit situated entirely within a detached, owner-occupied dwelling that is self-contained or segregated from the principal dwelling unit and subject to size, design, ownership and use restrictions, as further enumerated in §4.0, paragraph 2.*

Add a new paragraph 4 to the end of §2.15 - "O" DEFINITIONS

- 4. OWNER-OCCUPIED – Serving as the principal or year-round residence of the property owner of record, as defined by the Town Assessor.*

Add to the end of the first paragraph of §4.04.1 - LIMITATION OF AREA OF ACCESSORY USES

- , except that an accessory dwelling unit may occupy up to 30 percent of the floor area of the principal building.*

Change the title of §4.05 to

ACCESSORY USES IN RESIDENCE DISTRICTS

Add the following new paragraph 2 to §4.05

2. *Accessory dwelling units in single family owner-occupied buildings shall conform to all of the following provisions:*
 - a. *An accessory dwelling unit shall occupy up to (a) 30 percent of the floor area of the principal building or (b) 700 square feet of habitable space, whichever is less.*
 - b. *A building containing an accessory dwelling unit may only be situated in an S-10, S-15, S-25, or S-40 zone;*
 - c. *A building containing an accessory dwelling unit may only be situated on a lot having at least 10,000 square feet;*
 - d. *A building containing an accessory dwelling unit shall be owner-occupied, which status may apply to either the principal or the accessory dwelling unit; qualifying owner-occupancy must be certified in accordance with §4.05, paragraph 2.j.1 below, and documented annually thereafter by inclusion in the listing of residential property tax exemptions as maintained by the Town Assessor;*
 - e. *A building containing an accessory dwelling unit shall not exhibit any exterior evidence of occupancy by more than one family, including but not limited to the following:*
 - 1) *having no more than one mailing address;*
 - 2) *having no electric, gas, or water meters other than those serving the principal dwelling unit of the building in which it is situated;*
 - f. *An accessory dwelling unit shall contain no more than one bedroom and may be occupied by no more than two persons;*
 - g. *An accessory dwelling unit must have means of egress that conform to the applicable requirements of the Building Code. A second means of egress may be via the principal dwelling unit, providing a continuous and unobstructed path that leads to exit doors. Such egress may not be through a space subject to locking, and the property owner must certify in writing that such passage will remain unobstructed for the full term of the special permit. Certification will be part of the documentation required in §4.05, paragraph 2.j.1, below. If any means of egress required to permit the creation of an accessory dwelling unit is an exterior stairway, any such stairway shall not extend more than one and a quarter stories in height nor be visible from a public way.*

h. No residential building shall contain more than one accessory dwelling unit. In addition, an accessory dwelling unit shall not be permitted in the following situations:

- 1. On any lot which contains two or more permanent dwelling units, whether in one or more than one building;*
- 2. In any building in which there are one or more lodgers in accordance with §4.07(51);*
- 3. In any existing garage space, unless all required parking spaces are already accommodated in another existing on-site structure;*
- 4. On any lot upon which is accessed from any public or private street by more than one curb cut, except for lots having a circular driveway designed to serve the original principal dwelling;*

i. A property with an accessory dwelling unit shall conform to the following parking provisions:

1) The property must have three parking spaces as specified in §6.02 Table of Off-Street Parking Requirements, except as this requirement may be waived by the Zoning Board of Appeals according to the following criteria:

(a) the property has two parking spaces, and is located within one half

mile of an MBTA light rail stop; or

(b) the property has two parking spaces, and the applicant is able to demonstrate that the applicant's household requires no more than one parking space.

2) No exceptions to setback or yard regulations may be granted for the purpose of constructing any parking space that may be required as a condition of securing regulatory approval for an accessory dwelling unit. No part of any parking space added to meet the parking requirement shall lie between the street and the principal plane of the front facade of the house as extended to the side yard setback lines

3) In the event that a parking space waiver is granted, the special permit shall stipulate that no additional parking spaces requiring any setback relief shall be constructed on the subject lot during the term of the special permit.

j. An accessory dwelling unit may be authorized only by means of a special permit, as per §9.04, which shall include all applicable restrictions, including a condition which requires recertification of compliance every five years and upon the sale of the property.

1) The property owner shall record with the special permit, at the Norfolk County Registry of Deeds, an affidavit of principal residence in a form to be prescribed by the Building Commissioner. Such affidavit form may include owner's certification of other conditions relating to maximum number of occupants and maintenance of unobstructed egress through the principal dwelling unit.

2) As a condition of the special permit, every five years and upon sale of the property, the owner shall submit to the Building Commissioner a recertification of compliance with all conditions of the special permit, including a new affidavit of principal residence. The property owner shall record such recertification at the Norfolk County Registry of Deeds upon approval of the Building Commissioner. Prior to approval, the Building Commissioner may re-inspect the property for compliance.

3) A property owner who fails to recertify or dismantle an accessory dwelling unit, as required, shall be subject to regulatory enforcement by the Building Commissioner.

4) A property owner who chooses to discontinue the accessory dwelling unit shall notify the Building Commissioner in writing.

5) Modifications to properties not otherwise subject to Local Historic District Review as per the Preservation Commission and Historic Districts By-law (Article 5.6 of the Town's bylaws), that are listed on the National Register of Historic Places or deemed eligible for such listing by the Preservation Commission, shall, as part of the special permitting procedure, be subject to Advisory Design Review by the Preservation Commission using Local Historic District guidelines.

k. A listing of all accessory dwelling units which currently have a special permit shall be maintained by the Town in such a manner as to be accessible on the Town of Brookline website.

Add the following #51.B to use categories in §4.07 – TABLE OF USE REGULATIONS

Accessory Uses	Residence				Business			Industr y
	S	SC	T	M	L	G	0	I
51B. <i>Within a detached owner-occupied dwelling in zones S-10, S-15, S-25 and S-40, an Accessory Dwelling Unit as further defined and limited in Section 4.05, paragraph 2.</i>	<i>SP</i>	<i>No</i>						

In §5.22- EXCEPTIONS TO MAXIMUM FLOOR AREA RATIO (FAR) REGULATIONS FOR RESIDENTIAL UNITS,

Add at the end of paragraph 1.a:

, except for accessory dwelling units as per §4.05(2)

Add after but separate from 2.b, a new paragraph:

For purposes of this subsection only, an accessory dwelling unit, as per §4.05, paragraph 2, shall not be considered a separate unit.

In §6.02 - OFF-STREET PARKING SPACE REGULATIONS

Add a footnote symbol to TABLE OF OFF-STREET PARKING SPACE REQUIREMENTS after “2.0” in first box under Residence (Number of Spaces per Dwelling Unit), and the following footnote below:

An additional parking space is required for accessory dwelling units in eligible single family zones.

Add in the title of paragraph §6.02.2

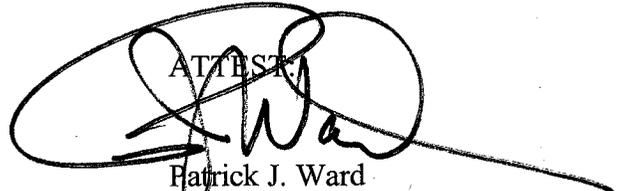
51B

Add to Paragraph §6.02.2.e, after words “For a dwelling unit”

(excepting a single family home which includes an accessory dwelling unit as defined in §4.05 paragraph 2),

The above vote, taken under Article #18, on Tuesday, June 2, 2009, FAILED TO ACHIEVE A TWO-THIRDS VOTE, BY A COUNTED VOTE OF 115 IN FAVOR AND 84 OPPOSED, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

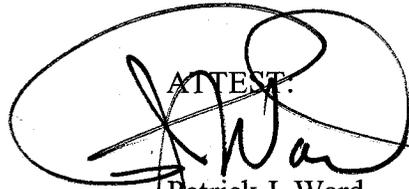
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #19, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: To amend the Main Motion offered under Article 19 by adding the words "or entirely" after the word "primarily" in paragraph 1.b.

The above vote, taken under Article #19, on Wednesday, May 27, 2009, was PASSED BY A MAJORITY VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #19, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town amend Section 6.02, subparagraph 1.b. of the Zoning By-law as follows:

[bold is new language, strike-out is deletion]

§6.02 - OFF-STREET PARKING SPACE REGULATIONS

1. Off-street parking facilities shall be provided for each type of land use, in accordance with the following table, which is part of this Article, except as otherwise permitted in this section, and subject to the further provisions of Article VI. Parking spaces for the physically handicapped shall meet the number and dimensional requirements set forth in the Rules and Regulations of the Architectural Access Board and any other applicable provisions of law.
 - a. Where the computation of required parking space results in a fractional number, only the fraction of one-half or more shall be counted as one.
 - b. **When a change or expansion of a non-residential use in a business district is proposed primarily or entirely within an existing building,** ~~Where the computed requirement for non-residential use in a business district is six spaces or less,~~ the Board of Appeals by special permit may waive ~~all or part~~ **up to 10 spaces, or up to 50%, of any increased such computed**

requirement, **whichever is greater**. In determining whether a waiver of parking is appropriate, the Board of Appeals shall consider evidence which shall be provided by the applicant regarding the following items:

1. the operating characteristics of the proposed use including but not limited to a description of the type of business, hours of operation, number of employees, and delivery service requirements;
2. the peak parking demand for the proposed use in relation to the peak parking demand generated by other uses in the area;
3. the need for and provision of employee parking; and
4. the availability and/or shortage of existing public parking and transit facilities in the area.

The above vote, taken under Article #19, on Wednesday, May 27, 2009, was PASSED, AS AMENDED, BY A TWO-THIRDS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #20, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town amend Section 6.02, paragraph 3. of the Zoning By-Law by adding a new subparagraph f. as follows:

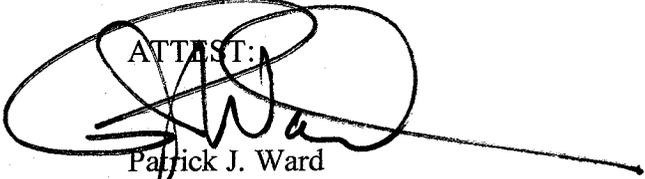
§6.02 - OFF-STREET PARKING SPACE REGULATIONS

- f. For any place of public assembly that obtains a license for seasonal outdoor seating subject to section 8.10.8. of the Town's General Bylaws, the additional seasonal outdoor space shall be exempt from parking requirements.

The above vote, taken under Article #20, on Wednesday, May 27, 2009, was PASSED BY A TWO-THIRDS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:



Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #21, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town authorize and empower the Board of Selectmen to file a petition, in substantially the following form, with the General Court:

Be it enacted, etc., as follows:

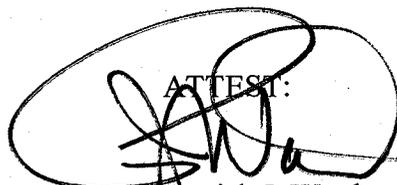
SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, all positions in the Town of Brookline, including the School Department, with the exception of Police Officers and Firefighters regardless of rank, shall not be subject to the provisions of Chapter Thirty-One of the General Laws.

SECTION 2. The provisions of section one shall not impair the civil service status of any person holding one of the said positions in the Town of Brookline or its School Department on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

The above vote, taken under Article #21, on Wednesday, May 27, 2009, was PASSED BY A RECORDED COUNTED VOTE OF 145 IN FAVOR AND 74 OPPOSED WITH 2 ABSTENTIONS, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

MAY 26, 2009 ANNUAL TOWN MEETING

Date: May 27, 2009

Article: 21 (Main Motion)

Vote Yes No Present Absent

			Vote	Yes	No	Present	Absent
15	12	ALEXANDRIAN, Edwin	N		1		
05	11	ALLEN, Richard E.	N		1		
16	12	ALLEN, Robert L.	N		1		
03	10	ALVARADO, Matthew James	N		1		
15	10	AMES, Mariela	A				1
06	10	ANDERSON, Catherine C	N		1		
15	10	ANDREADIS, Anthony T.	Y	1			
04	10	AXELROD, Sarah T	Y	1			
11	09	BAIN, Dixon	Y	1			
07	10	BALL, Ellen B.	Y	1			
16	10	BASILE, Beverly A.	Y	1			
15	11	BASILE, Robert W	Y	1			
06	11	BASSETT, John	N		1		
01	11	BEANE, Linda R.	Y	1			
13	10	BENKA, Carla Wyman	Y	1			
AL	11	BENKA, Richard (Dick)	Y	1			
16	12	BERGER, Eileen Connell	Y	1			
16	10	BERGER, Michael	Y	1			
09	10	BIRNBAUM, Benjamin	Y	1			
13	11	BLOOD, Roger F.	A				1
03	10	BOHRS, Harry K	Y	1			
04	11	BRICKMAN, Edith R.	N		1		
13	11	BROOKS, Deborah G	Y	1			
12	10	BROWN, Catherine P.	A				1
14	12	BUNNELL, Craig A.	A				1
12	12	BURSTEIN, Michael A.	N		1		
08	10	CARO, Carol B.	Y	1			
08	12	CARO, Francis G.	Y	1			
01	12	CAVELL, Cathleen C.	A				1
13	12	CHANYASULKIT, Chris	N		1		
01	11	CHERTOK, Sumner J.	Y	1			
16	11	CHESSMAN, Daniel	Y	1			
02	10	CHIN, Kenneth W.	Y	1			
08	12	COEHLO, Paula Jo	A				1

12	10	COHEN, Bruce B.	N		1		
07	12	COHEN, Susan F.	N		1		
03	10	CONNORS, Patricia A	N		1		
06	10	CONQUEST, Arthur W. III	N		1		
01	10	COOK, Ernest	A				1
12	12	COOKE-CHILDS, Lee	Y	1			
04	12	COOPER, Ingrid E	Y	1			
12	12	COTNEY, David James	Y	1			
10	10	COUGHLIN, William J.	Y	1			
01	11	COVERT, Anne S.	Y	1			
02	11	DAISY, Stephen R.	A				1
AL	11	DALY, Nancy A	Y	1			
05	10	DAVES, Robert S.	Y	1			
10	11	DAVIS, Jonathan H.	N		1		
10	12	DAVIS, Linda M.	N		1		
11	11	de FOUGEROULLES, Paula	Y	1			
03	11	DEWART, Mary D	Y	1			
03	11	DEWART, Murray	Y	1			
AL	12	DeWITT, Betsy	Y	1			
05	11	DeWITT, Dennis. J.	Y	1			
11	12	DITKOFF, Joseph M.	Y	1			
15	10	DOW, Joseph Sheffield	A				1
01	10	DOWNES, Sherrell B.	Y	1			
11	10	DRYFOOS, Paul R.	Y	1			
07	12	ELLIS, Susan P.	Y	1			
05	10	ELWERTOWSKI, Thomas C.	Y	1			
04	11	FARLOW, Frank W	N		1		
04	10	FARLOW, Martha A.	N		1		
09	12	FEINMAN, Marvin A	N		1		
08	11	FEINSTEIN, Steven P.	A				1
13	11	FINE, Jonathan S	Y	1			
13	12	FISCHER, Andrew	N		1		
14	12	FISHMAN, Gill	Y	1			
01	12	FRANCO, Benjamin J.	N		1		
01	11	FRANK, Ellen T.	A				1
16	11	FRAWLEY, Regina M.	N		1		
13	12	FREEMAN, John W.	Y	1			
08	12	FRIEDMAN, Franklin D	N		1		
14	10	FRIEDMAN, Harry K.	Y	1			

16	11	FRIEDMAN, James E.	Y	1			
14	11	FRIEDMAN, Paula K.	Y	1			
AL	12	GADSBY, Edward (Sandy)	P			1	
10	10	GAEHDE, Stephan A.	Y	1			
16	12	GALLITANO, Thomas J.	Y	1			
03	12	GEIST, Kathe Sternbach	N		1		
09	11	GELLER, Joseph T.	Y	1			
15	11	GELLER, Marvin N.	Y	1			
04	12	GERDTS, Nadine	Y	1			
07	10	GILLER, Phyllis D.	A				1
03	12	GILMAN, JANE C	Y	1			
16	11	GLADSTONE, Scott C.	Y	1			
10	11	GLASSOFF, Eric Charles	A				1
08	10	GOLDEN, Jack	Y	1			
08	12	GOLDSTEIN, David-Marc	Y	1			
07	12	GOLDSTEIN, Elizabeth (Betty)	N		1		
AL	12	GOLDSTEIN, Kenneth M.	Y	1			
14	11	GOODMAN, Caryl I.	Y	1			
01	12	GORDON, Neil R.	Y	1			
12	09	GRAND, Jonathan H.	Y	1			
07	11	GRAY, Mark A.	Y	1			
07	10	GREENE, Bernard W.	N		1		
12	11	GREENFIELD, Stefanie A.	Y	1			
14	10	GREGSON, Annette	Y	1			
05	11	GROSS, Betsy Shure	Y	1			
15	09	GUZELIAN, Nancy Diane	Y	1			
15	11	HALL, John L.	Y	1			
05	12	HAMLIN, David	Y	1			
07	11	HARDEBECK, Kelly A.	Y	1			
04	10	HARRINGTON, Kevin	Y	1			
05	12	HARRINGTON, Philip	N		1		
05	10	HARRIS, Mary J.	N		1		
12	12	HATCHETT, Casey	N		1		
08	11	HELLER, Nancy S.	Y	1			
10	12	HENRY, Wendy	N		1		
01	11	HERMAN, Helen Y.	Y	1			
01	12	HILLMAN, Carol B.	Y	1			
11	11	HINDS, Isabella	A				1
11	11	HOMER, Joanne P	Y	1			

13	10	HOY, Francis Charlton	Y	1			
06	11	HUMPHREY, Systke V.	Y	1			
08	12	JOHNSON, Anita L.	Y	1			
01	10	JOHNSON, Emily Winn	A				1
14	12	JOHNSON, Georgia M.	Y	1			
16	10	JONAS, Alisa G.	N		1		
03	11	JONES, Gary D.	A				1
09	11	JOZWICKI, Barr A	Y	1			
09	12	JOZWICKI, Joyce	Y	1			
16	10	JURICH, Joseph G.	N		1		
02	11	KAHL, Christopher A.	Y	1			
15	11	KAHN, Janice S.	Y	1			
06	12	KANE, Brian	N		1		
13	10	KAPLAN, Ruth L.	Y	1			
07	11	KATZ, Estelle	N		1		
09	12	KATZ, Pamela C.	N		1		
07	11	KATZ, Pauline Ponnie	Y	1			
12	12	KLAFTER, David B.	N		1		
11	10	KNABLE, Bobbie M.	Y	1			
10	10	KOCH, Christopher A.	Y	1			
03	12	KOFF, Laurence Kragen	Y	1			
16	10	KOOCHEK, Gerald P	N		1		
09	10	LANG, Kevin E.	Y	1			
06	11	LAPLANTE, Virginia W	N		1		
11	11	LAWSON, William	Y	1			
14	10	LEVITAN, Fred	Y	1			
02	10	LIANIDES-CHIN, Barbara A.	Y	1			
03	12	LIAUTAUD, Joanne	Y	1			
11	10	LINDQUIST, Gwen Pritchard	Y	1			
14	12	LIPSON, Roger R.	N		1		
02	10	LISS, Lisa E	Y	1			
14	11	LODISH, Pamela C.	Y	1			
13	10	LOHE, Werner	Y	1			
11	10	MACDONALD, Bradley A.	Y	1			
07	11	MARGOLIS, Jonathan	N		1		
03	11	MARTIN, Lois J.	Y	1			
02	11	MASON, Judith E.	N		1		
05	11	MATTISON, Hugh	Y	1			

04	12	McCARRELL, Sharon L.	Y	1			
02	10	MCNALLY, Rita K.	N		1		
05	12	MEIKLEJOHN, D. Randolph	Y	1			
AL	10	MERMELL, Jesse R.	N		1		
14	12	MERRILL, Cameron S.	N		1		
14	11	MERRILL, Chou Chou	N		1		
14	10	MERRILL, Michael W.	Y	1			
12	11	MEYERS, Judy	Y	1			
14	11	MITTEL, Shaari S	Y	1			
09	11	MOORE, Bruce	A				1
11	12	MORAN, Maryellen	Y	1			
02	12	MORRISSEY, Robert	N		1		
01	12	MORSE, Stephen R	Y	1			
15	10	MUELLER, Karen Weltchek	Y	1			
04	11	MULHANE, John T	N		1		
15	12	NANGLE, Richard	N		1		
04	12	NOBREGA, Mariah C.	Y	1			
12	10	OATES, Michael F.	N		1		
02	12	O'BRIEN, Barbara A.	Y	1			
06	10	O'DONNELL, Kerry	Y	1			
05	09	O'LEARY, Phyllis R	N		1		
05	11	OLINS, Andrew M	Y	1			
04	11	O'NEAL, Sr., Donnelle S.	N		1		
02	12	PEHLKE, Linda Olson	Y	1			
09	12	POWELL, William B.	Y	1			
06	12	PRATT-OTTO, Stephen G.	Y	1			
09	11	RABINOVITZ, Stanley N.	A				1
09	11	RADLO, Shirley	N		1		
08	10	RAVITZ, Randall Evan	Y	1			
12	11	REED, Thomas A.	Y	1			
02	12	RICHMOND, Edward L	Y	1			
04	11	ROBINSON, Joseph E	N		1		
06	12	ROFFMAN, Ian D.	Y	1			
08	11	ROLL, Evelyn Ayash	A				1
09	10	ROSENSTEIN, Harriet	A				1
09	12	ROSENTHAL, Martin R	N		1		
12	11	ROSS, A. Joseph	Y	1			
15	12	ROURKE, JR, James C.	N		1		
15	11	RUDMAN, Deborah D	N		1		

07	12	SABLE, Sloan K.	N		1		
15	12	SADEGHI-NEJAD, Ab	Y	1			
16	09	SAFER, Joshua D.	Y	1			
10	12	SALKIN, Lori D.	Y	1			
13	12	SANER, Paul S.	A				1
06	11	SCHECTMAN, Amy N.	Y	1			
01	10	SCHRAM, Robert L.	Y	1			
08	10	SCOTTO, Barbara C	N		1		
13	11	SELWYN, Lee L.	Y	1			
05	10	SENATOR, Susan	N		1		
13	10	SENECAL, Barbara M	N		1		
08	12	SENTURIA, Margaret (Peg)	Y	1			
03	11	SHAPIRO, Gregg David	Y	1			
11	12	SHIELD, Joel D	A				1
07	10	SHON-BAKER, Rita S.	Y	1			
11	10	SIDOR, Monica	Y	1			
09	10	SIMANSKY, Harold Mark	Y	1			
10	12	SKAGESTAD, Finn Peter	A				1
12	10	SLOTNICK, William E.	Y	1			
06	12	SMITH, Kim N.	N		1		
04	10	SMITH, Virginia A.	Y	1			
AL	08	SMIZIK, Hon. Frank Israel	Y	1			
16	12	SNEIDER, Arthur	N		1		
06	12	SNEIDER, Ruthann	N		1		
06	10	SPERBER, Edith W.	Y	1			
06	11	SPERBER, Robert I.	Y	1			
02	11	SPIEGEL, Diana Lees	N		1		
08	11	SPIEGEL, Samuel	N		1		
02	11	SPIEGEL, Stanley L	N		1		
10	10	SPINGARN, Alexandra "Sandy"	N		1		
16	11	STAVIS-ZAK, Joyce E.	N		1		
03	10	STEINFIELD, Frank R.	Y	1			
10	12	STERN, Benjamin	A				1
08	10	STOCK, Sara	A				1
03	10	STONE, Rebecca E.	Y	1			
09	10	SWARTZ, Charles	Y	1			
10	11	SYDNEY, Ronny M	N		1		
04	10	TAYLOR, Melinda A.	N		1		
11	11	TOLKOFF, Josh	Y	1			

03	12	TRACHTENBERG, Myra R	N		1		
10	10	TRAISTER, Michael S.	Y	1			
04	12	TRIETSCH, David M	Y	1			
14	10	UNION, Laurie E.	Y	1			
13	12	VANSCOYOC, John R.	Y	1			
01	10	VITOLO, Thomas John	N		1		
05	12	von KRUSENSTIERN, Lenore K.	Y	1			
AL	12	WARD, Patrick J	P			1	
13	11	WARNER, Donald A	Y	1			
06	12	WARREN, Henry B	Y	1			
12	10	WEITZMAN, Donald C.	N		1		
11	12	WENC, Karen	Y	1			
15	10	WHEELER, William Morton	A				1
02	11	WHITE, Eunice	Y	1			
05	10	WISHINSKY, Neil A.	Y	1			
02	10	WOLFF, Bruce	Y	1			
01	11	ZABAK, Steve S.	Y	1			
07	10	ZISKEND, Alan	N		1		
07	11	ZISKEND, Seymour A	N		1		
10	11	ZUKER, Molly Gross	A				1

248 248 145 74 2 27

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #22, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That Town authorize and empower the Board of Selectmen to file a petition, in substantially the following form, with the General Court:

**AN ACT EXPANDING THE RESIDENCY PREFERENCE AFFORDED
UNDER THE CIVIL SERVICE LAW TO CANDIDATES FOR
APPOINTMENT AS BROOKLINE POLICE OFFICERS TO INCLUDE
GRADUATES OF BROOKLINE HIGH SCHOOL**

Be it enacted, etc., as follows:

SECTION 1. The purpose of this Act is to place recent graduates of Brookline High School on equal footing under the Massachusetts Civil Service Law, for purposes of competing for original appointment to the Town of Brookline's police force, with current or former residents of the Town who now benefit from Mass. Gen. Laws ch. 31, § 58, the Civil Service Law's residency preference applicable to persons who have resided in a municipality for one year immediately prior to the date of examination for original appointment to a municipal police force, in order to expand the pool of qualified candidates from which the Town may recruit, while still affording preference to individuals who, as Brookline High School graduates, can be expected to retain familiarity with and concern for the Town equivalent to that of persons to whom the Mass. Gen. Laws ch. 31, § 58 residency preference now applies.

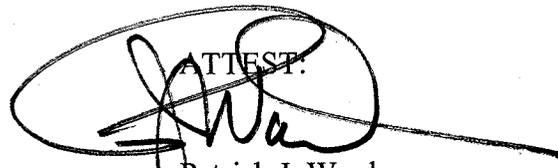
SECTION 2. Notwithstanding Mass. Gen. Laws ch. 31 or any other general or special law to the contrary, persons who graduated from Brookline High School within ten years of the date of examination for original appointment to the police force of the Town of Brookline shall be afforded the same status as those persons who have resided in the Town of Brookline for one year immediately prior to the date of examination for original appointment to the police force of the Town of

Brookline, for the purposes of a) establishing standing on any eligible list applicable to original appointment to the Brookline police force under the Massachusetts Civil Service Law, Mass. Gen. Laws ch. 31, b) establishing standing for certification from any eligible list applicable to original appointment to the Brookline police force under the Massachusetts Civil Service Law, Mass. Gen. Laws ch. 31, and c) otherwise evaluating candidates for original appointment to the Brookline police force.

SECTION 3. This act shall take effect upon its passage.

The above vote, taken under Article #22, on Tuesday, June 2, 2009, PASSED BY A MAJORITY VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #23, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town will adopt the following Resolution:

Resolution Concerning Citizen Complaint Policy

WHEREAS: an incident involving TMM-6 Arthur Conquest and others on May 24, 2007, after a Zoning Board of Appeals meeting at Town Hall, followed by events involving the Brookline Police and the Board of Selectmen, led to the selectmen's establishment of a Citizen Complaint Review Committee (CCRC), which in January presented to a final report recommending a number of changes in procedures for handling citizen complaints regarding police conduct; and

WHEREAS: for two decades those procedures were derived from the 1987 *Report on Police & Community Relations*, a unanimous Board of Selectmen's response to widespread community concerns not just about obtaining better and more transparent accountability, but also about protecting civil rights and providing greater racial justice while trying to be fair to both citizens and officers. Civil rights specialists widely praised the 1987 Report, e.g., Martin Walsh, regional director of the U.S. Justice Department's Community Relations Service in the *Boston Globe*: "I was very impressed with what Brookline did. ... This is what we keep discussing with various town and city officials, They have to take the leadership role. The leaders in this case have said this is what Brookline stands for in terms of civil rights"; and

WHEREAS: anything diminishing the reforms in place since 1987 must be justified by a high burden of proof and compelling reasons; and

WHEREAS: the current procedure for deciding whether to grant a full selectmen's hearing – a single selectman's request for serious complaints (Class A) or policy issues (Class C) and two selectmen for others (Class B) led to almost

no hearings for two decades; so clearly some changes are needed. While the CCCR proposed one salutary improvement in that procedure, an informal presentation by the complainant, it also proposed increasing to three the number of selectmen votes required to grant a full hearing. The committee majority offered two rationales for this major step backward: that the new informal presentation will lead to the granting of more appeals, and that civil service laws conflict with the two-decade-old procedure. These rationales are, respectively, speculative and legally unconvincing. Brookline officials of the Police Department, the Police Union, and Town Counsel were closely consulted in 1987, as were state civil service officials, and none objected. Unless clearly unnecessary or clearly unlawful, neither being the case, the 1-2 vote 1987 procedures should be retained; and

WHEREAS: the CCRC majority rejected proposals to simply urge studies of two issues that were clearly raised by the May 2007 incident – the development of procedural guidelines for officers seeking criminal complaints regarding situations in which they, themselves, are not actual witnesses, and procedures for citizen complaints concerning non-Police officials;

NOW, THEREFORE, BE IT RESOLVED THAT: Town Meeting urges the Board of Selectmen:

1. to the extent permitted by civil service law, to reject the CCRC's twofold recommendation (a) to abandon the current procedure, adopted in 1987, requiring the Selectmen to grant a full appeal hearing requested by a complainant

- at the request of any individual selectman for a complaint deemed either Class A (alleging "excessive force, unreasonable deprivation of individual rights, conduct or behavior derogatory of a person's race, religion, or ethnic origin") or "Class C" (questioning "policy issues") and
- at the request of any two selectmen for a Class B matter (regarding all other nontrivial complaints);

and (b) to put in its place a new requirement that at least three selectmen must vote to grant a full appeal hearing for complaints of all classes; and

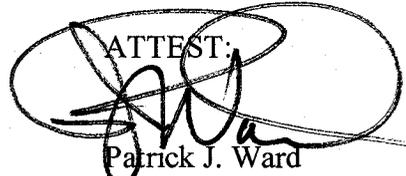
2. to take the following three measures, which were considered but not recommended by the CCRC despite the near-unanimous support of those who testified at the its final hearing:

- a. study and, in consultation with the Chief of Police, establish procedures to be followed when officers seek the issuance of criminal complaints regarding situations in which the police, themselves, are not witnesses to the alleged crime;

- b. oversee the development of procedures for citizen complaints concerning Town officials and employees of departments other than the Police Department, final responsibility for their adoption and implementation residing with the Selectmen; and
- c. add to current policy concerning the handling of citizen complaints a provision requiring that written submissions by appellants and/or witnesses that dispute or supplement the police investigative report be appended to the report.

The above vote, taken under Article #23, on Tuesday, June 2, 2009, PASSED BY A MAJORITY VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #24, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

MOVED: That the Town adopt the following resolution:

Resolution to Support a Public Surveillance Camera Pilot Program

WHEREAS, the Town of Brookline, through its Police Department, along with eight other cities and towns in the metropolitan Boston area, is a member of the Metro Boston Homeland Security Region ("MBHSR"); and

WHEREAS, as a member of the MBHSR, the Town has assisted with drafting the MBHSR's Urban Areas Security Initiative ("UASI"), a plan to prepare and train for, respond to, and recover from a chemical, biological, radiological, nuclear, and/or explosive weapon incident in the Port of Boston and elsewhere in the region, as well as a catastrophic natural disaster; and

WHEREAS, the MBHSR has developed and received federal grant funding for a critical infrastructure video camera monitoring system ("CIMS") for the nine member communities to monitor major thoroughfares and evacuation routes that are deemed critical infrastructure; and

WHEREAS, once deployed, a CIMS may also prove effective in deterring criminal activity and public disorder, reducing fear of crime, identifying criminal activity and suspects, identifying and gathering possible evidence for use in criminal and civil court actions, documenting police actions, safeguarding citizen and police officer rights, aiding in Amber alerts and in the search for lost / missing children or elderly people, assisting emergency services personnel when responding to incidents, assisting with the monitoring of traffic conditions, otherwise assisting town officials with the provision of municipal services in

order to enhance overall municipal efficiency, and assisting with the training of Department personnel; and

WHEREAS, the first year of operation of the CIMS program is without cost to the Town due to the availability of grant funding if accepted by February 1, 2009; and

WHEREAS, under Mass. Gen. Laws c. 41, § 97, which the Town adopted on March 15, 1921 at its Annual Town Meeting, the Brookline Police Department is established under the direction of the Selectmen and the Selectmen may make suitable regulations for its governance; and

WHEREAS, the Brookline Police Department proposed to the Selectmen as suitable regulation for the implementation of a Brookline CIMS Program a proposed Special Order (now known as Special Order 2009-1); and

WHEREAS, in light of all of the foregoing, on January 13, 2009, a majority of the Selectmen voted to approve acceptance and deployment of the CIMS for a 12-month trial period in order to evaluate its effectiveness in serving any of the purposes described above and any detrimental impact of the program on civil liberties and constitutional rights and values, including privacy and anonymity, free speech and association, government accountability, and equal protection (hereinafter, the "CIMS Pilot Program"); and

WHEREAS, pursuant to the Selectmen's January 13, 2009 vote, the CIMS Pilot Program is subject to a) Special Order 2009-1 regarding the permissible and impermissible uses of cameras and other provisions that seek to safeguard residents' and visitors' interests in privacy and other constitutional values, and b) those other conditions set forth in the Selectmen's January 13, 2009 vote, including i) the establishment of a Surveillance Camera Oversight Committee to assist the Town with evaluating any impact (both favorable and unfavorable) of the CIMS program, and ii) regular reporting by the Chief of Police regarding any impact (both favorable and unfavorable) of the CIMS program; and

WHEREAS, it is clear from testimony given at the Selectmen's hearings that preceded the January 13, 2009 vote, from written testimony submitted to the Selectmen, and from other feedback from the public that there is a range of opinion within the Town about the presence of public surveillance cameras within the Town;

WHEREAS, in connection with executing their responsibilities under Mass. Gen. Laws c. 41, § 97, the Selectmen wish to have, and on January 13, 2009 voted to file an Article for the May 2009 Annual Town Meeting seeking, input from Town Meeting regarding the CIMS Pilot Program;

NOW, THEREFORE, BE IT RESOLVED THAT the Town continue the CIMS Pilot Program as approved by the Board of Selectmen on January 13, 2009,

and further_that the Board of Selectmen report its findings relative to the evaluation conducted by the Camera Oversight Committee of the CIMS Pilot Program, for review and consideration by the first Annual Town Meeting to be held immediately following the conclusion of the CIMS Pilot Program's 12-month trial period; **and further that such evaluation be based, among other things, on data collected to measure 1) the effectiveness of the cameras in achieving the intended emergency preparedness or law enforcement purposes, 2) future ongoing costs of the program, and 3) any potential impacts on civil liberties and constitutional rights and values, including privacy and anonymity, free speech and association, and equal protection, and on government accountability.**

The above vote, taken under Article #24, on Tuesday, June 2, 2009, was DEFEATED, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #25, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town adopt the following Resolution:

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

WHEREAS the United States Constitution and the Massachusetts Declaration of 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, not under the watchful eye of Big Brother spying on citizens in public spaces, characteristic of the Chinese government, the government of the former Soviet Union, South Africa under Apartheid, and other repressive societies; and

WHEREAS the Board of Selectmen, by a vote of 3-2, has approved the use of a police video camera surveillance system funded largely by the U.S. Department of Homeland Security (DHS) for a one-year trial period; and

WHEREAS these cameras will operate 24 hours per day, seven days a week, and will record activities in twelve public locations in Brookline, making digital recordings which can be stored and shared, with images available to law enforcement authorities in eight other neighboring towns, to the state police, and to DHS; and

WHEREAS the National Security Agency, under DHS, has engaged in extensive data mining about private citizens and created databases containing vast amounts of information, as has the Commonwealth Fusion Center created under Governor Romney, and DHS has promoted police camera surveillance systems as part of a

massive infrastructure being created for government surveillance of our activities; and

WHEREAS the digital cameras have the capacity to pan, tilt and zoom in and observe the activities of residents engaged in lawful activities, for example, observing and recording what they are reading, the people with whom they are engaged in conversation, and peaceful political demonstrations; and

WHEREAS the creation of the infrastructure for government surveillance of the daily activities of the people, using, among other things, police cameras and government databases, poses a threat to our liberty substantially different from privately owned cameras in places of business; and

WHEREAS such police camera systems used for general surveillance purposes in Britain and other parts of the United States have been studied thoroughly and scientifically, thus making a trial period unnecessary and a waste of time and taxpayer dollars; and

WHEREAS studies uniformly show that such government camera systems are not effective at preventing or solving crime or preventing terrorism; and

WHEREAS studies also show that alternative measures, like improved lighting and community policing, can reduce all types of crime by about twenty percent, and are a better investment of our limited resources; and

WHEREAS the purposes of the Brookline police surveillance camera system have been described in varying and confusing ways and without evidence to demonstrate that those purposes can be achieved by the cameras, and residents are skeptical of the asserted primary purpose – aiding in evacuations from Boston – because the police are aware of intersections which are grid-locked every day but are unable to provide relief; and

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

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

WHEREAS in this time of economic crisis, there is concern about the considerable costs of this system not covered by DHS, including many hours of labor by police officers and other Town employees maintaining the required records, training personnel, and setting up, maintaining, and repairing the cameras, computers, monitors, software and related equipment; and

WHEREAS experience with general police surveillance cameras elsewhere (especially in Britain) strongly suggests that keeping such a system small and limited is unlikely, due to demands for expansion and increased monitoring, and other government agency requests for data sharing; and

WHEREAS the Cambridge City Council voted 9-0 in January 2009 to reject the use of a similar DHS-funded surveillance camera system;

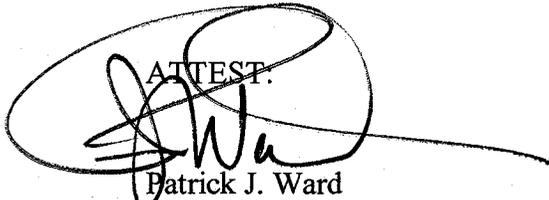
NOW, THEREFORE BE IT RESOLVED:

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

or act on anything relative thereto.

The above vote, taken under Article #25, on Tuesday, June 2, 2009, was PASSED BY A MAJORITY VOTE WITH 1 ABSTENTION, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST.

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

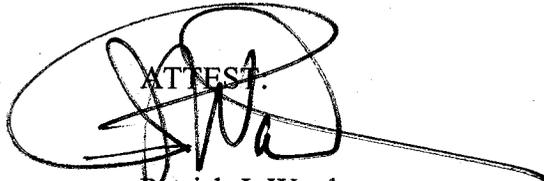
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #26, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

MOVED: To refer the question in Article 26 to a Selectmen's Solid Waste and Recycling Implementation Committee (SWRIC) and to report to the Selectmen by January 31, 2010.

The above vote, taken under Article #26, on Tuesday, June 2, 2009, was DEFEATED, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST.

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

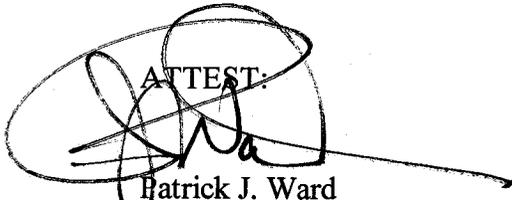
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #26, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: To refer the substance of Article 26 to a Moderator's Committee, whose members shall include representation from the prior "Pay-As-You-Throw Study Committee," to report, at the latest, to the 2010 Fall Special Town Meeting. Besides studying Pay-As-You-Throw, the Moderator's Committee should also study possible alternative ways of meeting the goals of increasing recycling and reducing solid waste, including but not limited to education, single-stream recycling and automated waste collection.

The above vote, taken under Article #26, on Tuesday, June 2, 2009, was PASSED BY A MAJORITY VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #27, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: To refer the subject matter of Article 27 to the Advisory Council on Public Health for report back to a future Town Meeting.

The above vote, taken under Article #27, on Tuesday, June 2, 2009, was DEFEATED, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #27, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town adopt the following Resolution:

RESOLUTION FOR SINGLE PAYER HEALTH CARE

WHEREAS, skyrocketing healthcare costs for public employees are placing a heavy financial burden on all municipalities and towns in the Commonwealth and,

WHEREAS, legislation has been filed in the General Court HB 2127 creating the Massachusetts Health Care Trust, a Single Payer public entity that would provide comprehensive lifetime care coverage to every resident of the Commonwealth and,

WHEREAS, this recently updated legislation is co-sponsored by 11 members of the senate and 38 members of the house in 2009 and,

WHEREAS, the main purpose of this legislation is to establish a rational patient-centered system of health insurance financing that would save money and guarantee health care as a right for all Massachusetts residents by consolidating and streamlining administrative and clinical functions and,

WHEREAS, two reports commissioned by the Massachusetts Medical Society found that a Single Payer system would "offer the most care and highest level of savings for Massachusetts compared to all other reform options" and many reports from other states by the Lewin Group show that Single Payer reform would save money and cover everybody and,

WHEREAS, the present health care law (Chapter 58) has failed to achieve universal healthcare coverage and is unable to control the costs of healthcare that are contributing to the budget deficits for the Commonwealth and municipalities across the state

NOW THEREFORE BE IT RESOLVED that the Town Meeting of Brookline urges the Legislature **to enact legislation that includes the major provisions of** the Single Payer Health Care Trust bill HB 2127 and the Town Meeting call upon Senator Cynthia Creem, Representative Michael Rush, Representative Jeffrey Sanchez, Representative Frank Smizik, and Representative Michael Moran to work towards the passage **of fully-developed legislation that will lead to implementation in Massachusetts of a single payer health care program** so that all the residents will have full health coverage as a matter of right with the cost to be shared by all of the citizens of the Commonwealth.

The above vote, taken under Article #27, on Tuesday, June 2, 2009, was PASSED BY A PRACTICALLY UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #28, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town adopt the following Resolution to Commemorate the Tenth Anniversary of the Brookline-Xi'an China Exchange Program and Acknowledge the Friendship Between the People of Brookline and the People of Xi'an, China:

WHEREAS Brookline High School has engaged in a student and teacher exchange program with the Gao Xin Number One High School in Xi'an, China for the past ten years.

WHEREAS hundreds of residents of Brookline, including students, parents, teachers and other community members, have formed friendships with their Chinese counterparts as a result of the Brookline-Xi'an Exchange Program.

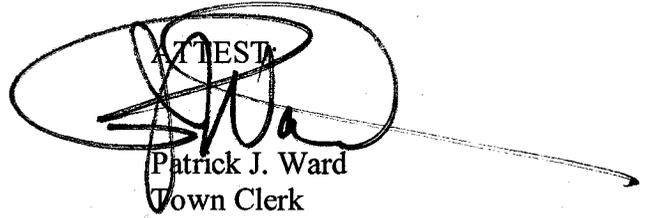
WHEREAS the Brookline-Xi'an Exchange program has fostered an increased mutual cultural awareness between the people of the United States and China.

WHEREAS The Brookline-Xi'an Exchange program has provided a valuable educational opportunity for both American and Chinese students.

NOW, THEREFORE, BE IT RESOLVED THAT Town Meeting commemorates the tenth anniversary of the Brookline-Xi'an China Exchange Program and acknowledges the valued friendship between the people of Xi'an and the people of Brookline.

The above vote, taken under Article #28, on Tuesday, June 2, 2009, was PASSED BY A
COUNTED VOTE OF 150 IN FAVOR AND 1 OPPOSED, was so declared by the
Moderator and is so recorded.

(Seal)

ATTEST

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

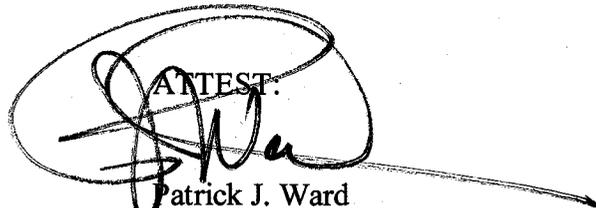
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #29, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: To approve the name of the rotary located at the intersection of Pond Ave. and Chestnut Street and near Jamaica Pond as the "Paul Pender Rotary".

The above vote, taken under Article #29, on Wednesday, May 27, 2009, was PASSED BY A UNANIMOUS VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk

**TOWN OF BROOKLINE
OFFICE OF THE TOWN CLERK**

June 8, 2009

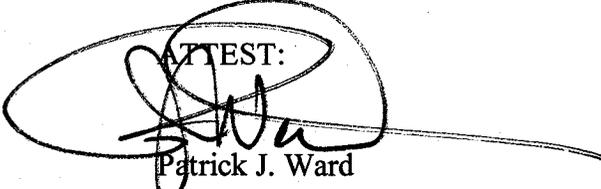
To Whom It May Concern:

I, Patrick J. Ward, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following actions were taken under Article #30, at the Annual Town Meeting called for Tuesday, May 26, 2009 at 7:00 P.M., adjourned to Wednesday, May 27, 2009 and dissolved on Tuesday, June 2, 2009 at 11:26 P.M.

VOTED: That the Town approve a change in the name of Incinerator Drive to "Saw Mill Road".

The above vote, taken under Article #30, on Tuesday, June 2, 2009, was PASSED BY A MAJORITY VOTE, was so declared by the Moderator and is so recorded.

(Seal)

ATTEST:

Patrick J. Ward
Town Clerk