

TOWN OF BROOKLINE



MINUTES

ADJOURNED SPECIAL TOWN MEETING NOVEMBER 14, 2012

**MINUTES
OF THE
ADJOURNED SPECIAL TOWN MEETING
NOVEMBER 14, 2012**

Pursuant to the adjournment, in accordance with the vote passed at the November 13, 2012 Special Town Meeting, the duly qualified Town Meeting Members met at the Roberts-Dubbs Auditorium at Brookline High School on Wednesday, the fourteenth of November at seven P.M.

Lists of the duly qualified Town Meeting Members were used at the entrances to the meeting place and were in the charge of Checkers, who were appointed by and sworn to the faithful performance of their duties by the Town Clerk. These lists contained the names of two-hundred forty-eight (248) Town Meeting Members qualified to vote in Town Meetings in Brookline.

No Town Meeting Members were allowed within the rails until they signed the check-in lists.

At seven minutes past seven o'clock, the Checkers reported that one hundred twenty-five (125) signatures of Town Meeting Members had been checked, or more than one-half of all qualified Town Meeting Members, and the Town Clerk reported to the Moderator that a quorum was present.

The meeting was called to order by the Moderator Edward (Sandy) Gadsby. The Moderator then reviewed the results and answered questions as to the performance of the electronic hand-held voting devices at the first session of the November 13, 2012 Special Town Meeting. The Moderator then conducted an additional test vote.

NINTH ARTICLE

Submitted by: Jessica Arconti

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

Article 8.XX PLASTIC BAG REDUCTION ACT

Section 1.

The following words shall, unless the context clearly requires otherwise, have the following meanings:

“Commissioner”, the Commissioner of the Department of Inspectional Services.

“ASTM D6400”, the American Society for Testing and Materials (ASTM) International “Standard Specification for Compostable Plastics”.

“ASTM D7081”, ASTM International “Standard Specification for Biodegradable Plastics in the Marine Environment”

“Compostable plastic bag”, a plastic bag that (1) conforms to the current ASTM D6400 for compostability; (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) conforms to any other standards deemed acceptable by this section.

“Checkout bag”, a carryout bag provided by a store to a customer at the point of sale.

“Department”, the Brookline Department of Inspectional Services.

“Home compostable plastic bag”, a plastic bag that conforms to the EU 13432 standard for compostability.

“Marine degradable plastic bag”, a plastic bag that conforms to the current ASTM D7081 standard specification for marine degradability.

“Person”, an individual, trust, firm, joint stock company, corporation, cooperative, partnership, or association.

“Recyclable paper bag”, a paper bag that is 100 percent recyclable overall and contains at least 70 per cent recycled content, and displays the word “Recyclable” in a highly visible manner on the outside of the bag.

“Reusable bag”, a bag with handles that is specifically designed and manufactured for multiple reuse and is either (1) made of cloth or other fabric; or (2) made of durable plastic that is at least 2.25 mils thick; or (3) made of other durable material.

“Retail establishment”, any retail store that satisfies at least one of the following requirements:

- (a) a retail space of 2,500 square feet or larger or at least three (3) locations under the same ownership within the City of Brookline that total 2,500 square feet or more; or
- (b) a retail pharmacy with at least two locations under the same ownership within the City of Brookline; or
- (c) a full-line, self-service supermarket that had annual gross sales in excess of \$1,000,000 during the previous tax year, and which sells a line of dry grocery, canned goods or nonfood items and some perishable items;

Section 2.

(a) If a retail establishment provides plastic checkout bags to customers, the bags shall comply with the requirements of being compostable or home compostable plastic bags, as well as marine degradable plastic bags.

(b) Nothing in this section shall be read to preclude any establishment from making reusable checkout bags available for sale to customers or utilizing recyclable paper bags as defined in this section at checkout.

(c) The enforcement and penalty provisions of section two shall apply to this chapter.

(d) The commissioner shall promulgate rules and regulations to implement this section.

Section 3.

Audits and Violations:

- (a) Each Retail Establishment located in the City of Brookline shall comply with this act.
- (c) Violation of any of the requirements of this act shall subject a retail establishment to the penalties set forth by the Brookline Town Council.
- (1) If it is determined that a violation has occurred, the City of Brookline shall issue a warning notice to the Retail Establishment for the initial violation.
- (2) If it is determined that an additional violation of this Chapter has occurred within one year after a warning notice has been issued for an initial violation, the City of Brookline shall issue a notice of infraction and shall impose a penalty against the retail establishment.
- (3) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:
- A) \$50 for the first offense
 - B) \$100 for the second offense
 - C) For the third and all subsequent offenses there shall be a mandatory Court appearance and such penalty as may be determined by the Court pursuant to _____
- (4) No more than one (1) penalty shall be imposed upon a Retail Establishment within a seven (7) calendar day period.
- (5) A Retail Establishment shall have fifteen (15) calendar days after the date that a notice of infraction is issued to pay the penalty.
- (6) The penalty shall double after fifteen (15) calendar days if the Retail Establishment does not pay the penalty; or fails to respond to a notice of infraction by either denying or objecting in writing to the infraction or penalty.

Section 4.

All of the requirements set forth in this act shall take effect 90 days after its effective date.

Or act on anything relative thereto.

After discussion of the various motions under Article 9 that were before Town Meeting, a motion was made and duly seconded, to call the question. That motion was put to a vote and DEFEATED.

After discussion of the various motions under Article 9 that were before Town Meeting, a motion was made and duly seconded, to call the question. That motion was put to a vote and was PASSED by a TWO-THIRDS VOTE and was so declared by the Moderator.

Upon motion of John Bassett – TMM #6 and duly seconded, the following motion was offered

MOVED: To refer the subject matter of Article 9 to a Moderator's Committee for further study

Thirty-five (35) Town Meeting Members requested an electronic recorded vote for the motion offered by John Basset – TMM #6 under Article 9.

Upon motion of John Bassett – TMM #6 and duly seconded the above motion was DEFEATED by an ELECTRONIC RECORDED VOTE OF 70 IN FAVOR, 127 OPPOSED AND 4 ABSTENTIONS.

Thirty-five (35) Town Meeting Members requested an electronic recorded vote for the motion offered by Clinton Q. Richmond – TMM #6 under Article 9.

Upon motion of Clinton Q. Richmond – TMM #6 and seconded by Sytske V. Humphrey – TMM #6, it was by an ELECTRONIC RECORDED VOTE OF 142 IN FAVOR, 53 OPPOSED AND 7 ABSTENTIONS

VOTED: That the Town amend the General By-Laws by adding the following Article:

Article 8.33 PLASTIC BAG REDUCTION

Section 1.

The following words shall, unless the context clearly requires otherwise, have the following meanings:

“Director”, the Director of Public Health Services or his/her designee.

“ASTM D6400”, the American Society for Testing and Materials (ASTM) International “Standard Specification for Compostable Plastics”.

“ASTM D7081”, ASTM International “Standard Specification for Biodegradable Plastics in the Marine Environment”.

“Checkout bag”, a carryout bag provided by a store to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or check out area of the store.

“Compostable plastic bag”, a plastic bag that (1) conforms to the current ASTM D6400 for compostability; (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) conforms to any other standards deemed acceptable by this section.

“Department”, the Brookline Department of Public Health.

“Marine degradable plastic bag”, a plastic bag that conforms to the current ASTM D7081 standard specification for marine degradability; and conforms to any other standards deemed acceptable by the Director, provided additional, Director-approved standards are as stringent as ASTM D7081.

“Reusable check-out bag”, a bag with handles that is specifically designed for multiple reuse and is either (1) made of cloth or other machine washable fabric; or (2) made of durable plastic that is at least 2.25 mils thick; or (3) made of other durable material.

“Retail establishment”, any retail store that satisfies at least one of the following requirements:

(a) a retail space of 2,500 square feet or larger or at least three (3) locations under the same name within the Town of Brookline that total 2,500 square feet or more; or (b) a retail pharmacy with at least two locations under the same ownership within the Town of Brookline; or (c) a full-line, self-service supermarket that had annual gross sales in excess of \$1,000,000 during the previous tax year, and which sells a line of dry grocery, canned goods or nonfood items and some perishable items;

Section 2.

(a) If a retail establishment as defined in section 1 provides plastic checkout bags to customers, the plastic bags shall comply with the requirements of being compostable plastic bags, as well as marine degradable plastic bags.

(b) Nothing in this section shall be read to preclude any establishment from making reusable checkout bags available for sale to customers or utilizing recyclable paper bags as defined in this section at checkout.

(c) The Director may promulgate rules and regulations to implement this section.

Section 3.

Penalties and Enforcement:

(a) Each Retail Establishment as defined in Section 1, above, located in the Town of Brookline shall comply with this by-law.

(1) If it is determined that a violation has occurred the Director shall issue a warning notice to the Retail Establishment for the initial violation.

(2) If an additional violation of this by-law has occurred within one year after a warning notice has been issued for an initial violation, the Director shall issue a notice of violation and shall impose a penalty against the retail establishment.

(3) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:

A) \$50 for the first offense

B) \$100 for the second offense and all subsequent offenses. Payment of such fines may be enforced through civil action in the Brookline District Court.

(4) No more than one (1) penalty shall be imposed upon a Retail Establishment within a seven (7) calendar day period.

(5) A Retail Establishment shall have fifteen (15) calendar days after the date that a notice of violation is issued to pay the penalty.

Section 4.

All of the requirements set forth in this by-law shall take effect December 1, 2013. In the event that compliance with the effective date of this by-law is not feasible for a food service establishment because of either unavailability of alternative checkout bags or economic hardship, the Director may grant a waiver of not more than six months upon application of the owner or the owner's representative. The waiver may be extended for one (1) additional six-month period upon showing of continued infeasibility as set forth above.

TWELFTH ARTICLE

Submitted by: Board of Selectmen

To see if the Town will authorize and empower the Board of Selectmen to lease the town-owned property known and numbered as 27 Ackers Avenue, in accordance with the requirements of General Laws, Chapter 30B and Chapter 40, §3, for not more than thirty years and upon such other terms and conditions determined by the Board of Selectmen to be in the best interest of the town, or act on anything relative thereto.

Upon motion of Kenneth M. Goldstein – TMM #AL and seconded by Betsy DeWitt – TMM #AL, the following motion was offered

MOVED: To amend the Advisory Committee’s main motion by deleting the words, beginning on the third line, “for not more than three years with an option to renew” and the word “other” found in the fourth line.

The Moderator Edward (Sandy) Gadsby was in doubt as to a hand-count vote and so ordered an electronic recorded vote for the motion offered by Kenneth M. Goldstein – TMM #AL under Article 12.

Upon motion of Kenneth M. Goldstein – TMM #AL and seconded by Betsy DeWitt – TMM #AL, the above motion was PASSED by an ELECTRONIC RECORDED VOTE OF 91 IN FAVOR, 78 OPPOSED AND 17 ABSTENTIONS

Upon motion of Amy Hummel – TMM #12 and seconded by Harry K. Bohrs – TMM #3, as amended, it was by a MAJORITY

VOTED: That the Town authorize the Selectmen to lease the Town-owned property known and numbered as 27 Ackers Avenue, in accordance with the requirements of General Laws, Chapter 30B and Chapter 40, section 3, upon such terms and conditions determined by the Board of Selectmen to be in the best interest of the town.

THIRTEENTH ARTICLE

Submitted by: Board of Selectmen

To see if the Town will authorize and empower the Board of Selectmen to lease the town-owned property known and numbered as 15 Newton Street (the Carriage House and garage and contiguous site occupied by the Larz Anderson Auto Museum, a Massachusetts non-profit corporation) in accordance with the requirements of General Laws, Chapter 30B and Chapter 40, §3, for not more than thirty years and upon such other terms and conditions determined by the Board of Selectmen to be in the best interest of the town, or act on anything relative thereto

Upon motion of Richard (Dick) Benka – TMM #AL and seconded by Amy Hummel – TMM #12, it was UNANIMOUSLY

VOTED: That the Town authorize the Selectmen to lease the Town-owned property known and numbered as 15 Newton Street (the Carriage House and garage and contiguous site now occupied by the Larz Anderson Auto Museum, a Massachusetts non-profit corporation) upon 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.

FOURTEENTH ARTICLE

Submitted by: Board of Selectmen

To see if the Town will authorize and empower the Board of Selectmen to file a petition, in substantially the following form, with the General Court:

AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO GRANT 11
ADDITIONAL LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO
BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the Town of Brookline may grant 1 additional license for the sale of all alcoholic beverages to be drunk on the premises, pursuant to section 12 of chapter 138, provided, however, that such license is issued to an establishment that holds a common victuallers license pursuant to section 2 of chapter 140 of the General Laws, to be used at a parcel depicted on page 59 of the Town of Brookline Assessor's Atlas as block number 238, lot number 01. The license shall be subject to all of said chapter 138 except said section 17.

(b) Once issued, the licensing authority shall not approve the transfer of the license to any other location but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the division of unemployment assistance indicating that the license is in good standing with the department and that all applicable taxes, fees, and contributions have been paid.

(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act provided that the applicant files with the licensing authority a letter from the department of revenue and a letter from the division of unemployment assistance indicating that the license is in good standing with those entities and that all applicable taxes, fees, and contributions have been paid.

SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the Town of Brookline may grant a total of 2 additional licenses for the sale of all alcoholic beverages to be drunk on the premises, pursuant to section 12 of chapter 138, provided, however, that such licenses are issued to establishments that hold a common victuallers license pursuant to section 2 of chapter 140 of the General

Laws, to be used at parcels depicted on page 29B of the Town of Brookline Assessor's Atlas as block number 138, parcel numbers 01 and 02. The licenses shall be subject to all of said chapter 138 except said section 17.

(b) Once issued, the licensing authority shall not approve the transfer of the licenses to any other location but it may grant the licenses to new applicants at the same location if the applicants file with the licensing authority a letter from the department of revenue and a letter from the division of unemployment assistance indicating that the licenses are in good standing with the department and that all applicable taxes, fees, and contributions have been paid.

(c) If the licenses granted under this section are cancelled, revoked or no longer in use, they shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the licenses to new applicants at the same locations under the same conditions as specified in this act provided that the applicants file with the licensing authority a letter from the department of revenue and a letter from the division of unemployment assistance indicating that the licenses are in good standing with those entities and that all applicable taxes, fees, and contributions have been paid.

SECTION 3. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the Town of Brookline may grant a total of 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises, pursuant to section 12 of chapter 138, provided, however, that such licenses are issued to establishments that hold a common victuallers license pursuant to section 2 of chapter 140 of the General Laws, to be used at parcels depicted on page 9 of the Town of Brookline Assessor's Atlas as block number 045, lot numbers 01, 11 and 02-01. The licenses shall be subject to all of said chapter 138 except said section 17.

(b) Once issued, the licensing authority shall not approve the transfer of the licenses to any other location but it may grant the licenses to new applicants at the same locations if the applicants file with the licensing authority a letter from the department of revenue and a letter from the division of unemployment assistance indicating that the licenses are in good standing with the department and that all applicable taxes, fees, and contributions have been paid.

(c) If the licenses granted under this section are cancelled, revoked or no longer in use, they shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the licenses to new applicants at the same locations under the same conditions as specified in this act provided that the applicants file with the licensing authority a letter from the department of revenue and a letter from the division of unemployment assistance indicating that the licenses are in good standing with those entities and that all applicable taxes, fees, and contributions have been paid.

SECTION 4. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the Town of Brookline may grant up to 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises, pursuant to section 12 of chapter 138, provided, however, that such licenses are issued to establishments that hold a common victuallers license pursuant to section 2 of chapter 140 of the General Laws.

(b) A license under this section shall not be transferable to any other person, corporation or organization for a period of 3 years from the date of original issuance or 3 years from the enactment of this legislation, whichever is later. Any transfer in violation of sections (a) or (b) of this section shall render said license null and void.

(c) If a license granted under this section is revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the licensing authority which may then grant the license to a new applicant only at the same location under the same conditions as specified in this act provided that the applicant files with the licensing authority a letter from the department of revenue and a letter from the division of employment assistance indicating that the license is in good standing with those entities and that all applicable taxes, fees, and contributions have been paid.

SECTION 5. This act shall take effect upon its passage.

or act on anything relative thereto. The General Court may make such amendments as are within the scope of the general public objectives of this petition.

Upon motion of Kenneth M. Goldstein – TMM #AL and seconded by Alisa G. Jonas – TMM #16, it was by a MAJORITY

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

**AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO GRANT 11
ADDITIONAL LICENSES FOR THE SALE OF ALL ALCOHOLIC
BEVERAGES TO BE DRUNK ON THE PREMISES**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the Town of Brookline may grant 1 additional license for the sale of all alcoholic beverages to be drunk on the premises, pursuant to section 12 of chapter 138, provided, however, that such license is

issued to an establishment that holds a common victuallers license pursuant to section 2 of chapter 140 of the General Laws, to be used at a parcel depicted on page 59 of the Town of Brookline Assessor's Atlas as block number 238, lot number 01. The license shall be subject to all of said chapter 138 except said section 17.

(b) Once issued, the licensing authority shall not approve the transfer of the license to any other location but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the division of unemployment assistance indicating that the license is in good standing with the department and that all applicable taxes, fees, and contributions have been paid.

(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act provided that the applicant files with the licensing authority a letter from the department of revenue and a letter from the division of unemployment assistance indicating that the license is in good standing with those entities and that all applicable taxes, fees, and contributions have been paid.

SECTION 2. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the Town of Brookline may grant a total of 2 additional licenses for the sale of all alcoholic beverages to be drunk on the premises, pursuant to section 12 of chapter 138, provided, however, that such licenses are issued to establishments that hold a common victuallers license pursuant to section 2 of chapter 140 of the General Laws, to be used at parcels depicted on page 29B of the Town of Brookline Assessor's Atlas as block number 138, parcel numbers 01 and 02. The licenses shall be subject to all of said chapter 138 except said section 17.

(b) Once issued, the licensing authority shall not approve the transfer of the licenses to any other location but it may grant the licenses to new applicants at the same location if the applicants file with the licensing authority a letter from the department of revenue and a letter from the division of unemployment assistance indicating that the licenses are in good standing with the department and that all applicable taxes, fees, and contributions have been paid.

(c) If the licenses granted under this section are cancelled, revoked or no longer in use, they shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the licenses to new applicants at the same locations under the same conditions as specified in this act provided that the applicants file with the licensing authority a letter from the department of revenue and a letter from the division of

unemployment assistance indicating that the licenses are in good standing with those entities and that all applicable taxes, fees, and contributions have been paid.

SECTION 3. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the Town of Brookline may grant a total of 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises, pursuant to section 12 of chapter 138, provided, however, that such licenses are issued to establishments that hold a common victuallers license pursuant to section 2 of chapter 140 of the General Laws, to be used at parcels depicted on page 9 of the Town of Brookline Assessor's Atlas as block number 045, lot numbers 01, 11 and 02-01. The licenses shall be subject to all of said chapter 138 except said section 17.

(b) Once issued, the licensing authority shall not approve the transfer of the licenses to any other location but it may grant the licenses to new applicants at the same locations if the applicants file with the licensing authority a letter from the department of revenue and a letter from the division of unemployment assistance indicating that the licenses are in good standing with the department and that all applicable taxes, fees, and contributions have been paid.

(c) If the licenses granted under this section are cancelled, revoked or no longer in use, they shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the licenses to new applicants at the same locations under the same conditions as specified in this act provided that the applicants file with the licensing authority a letter from the department of revenue and a letter from the division of unemployment assistance indicating that the licenses are in good standing with those entities and that all applicable taxes, fees, and contributions have been paid.

SECTION 4. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the Town of Brookline may grant up to 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises, pursuant to section 12 of chapter 138, provided, however, that such licenses are issued to establishments that hold a common victuallers license pursuant to section 2 of chapter 140 of the General Laws.

(b) A license under this section shall not be transferable to any other person, corporation or organization for a period of 3 years from the date of original issuance or 3 years from the enactment of this legislation, whichever is later. Any transfer in violation of sections (a) or (b) of this section shall render said license null and void.

(c) If a license granted under this section is revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights and privileges pertaining thereto, to the licensing authority which may then grant the license to a new applicant only at the same location under the same

conditions as specified in this act provided that the applicant files with the licensing authority a letter from the department of revenue and a letter from the division of employment assistance indicating that the license is in good standing with those entities and that all applicable taxes, fees, and contributions have been paid.

SECTION 5. This act shall take effect upon its passage.

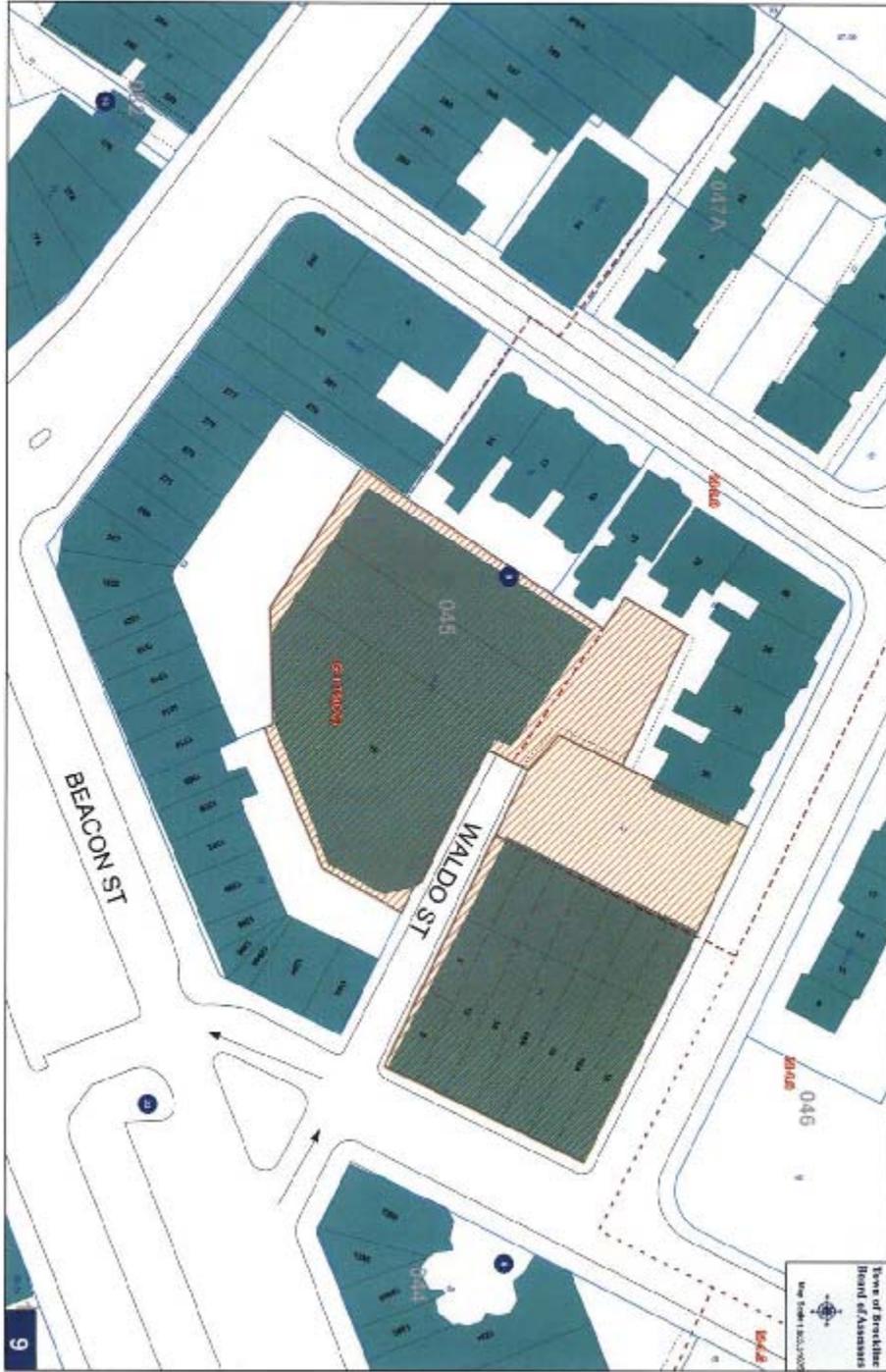
The General Court may make such amendments as are within the scope of the general public objectives of this petition.

MAP 1



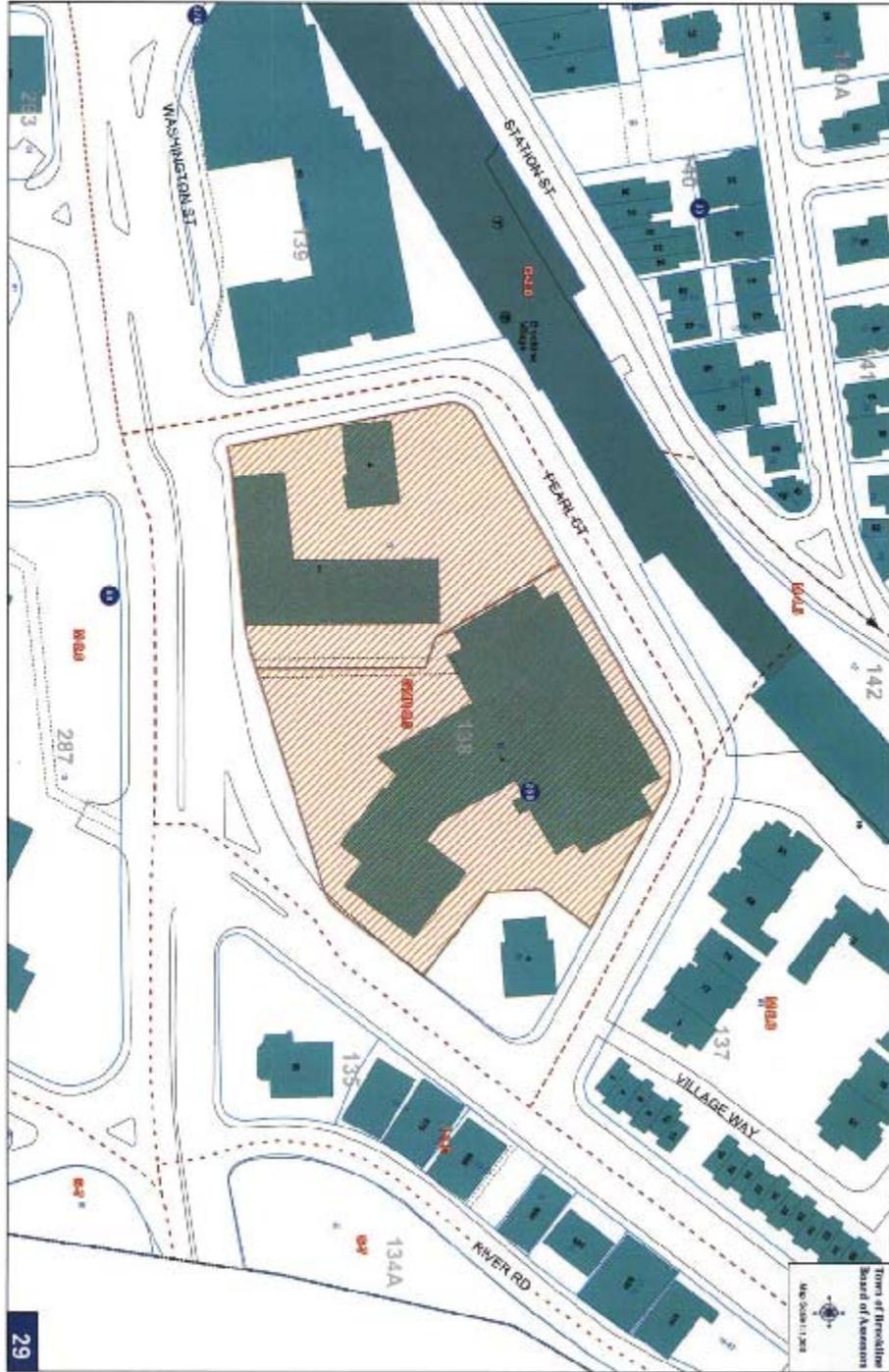
MAP 1

MAP 2



MAP 2

MAP 3



MAP 3

FIFTEENTH ARTICLE

Submitted by: Thomas Vitolo

To see if Town Meeting will adopt the following resolution regarding the study of “solar ready” roofs on municipal buildings:

WHEREAS, the cost of solar photovoltaic (PV) panel installation has been steadily declining, and

WHEREAS, though short-term market fluctuations will determine the best time to install solar PV panels, in the long term such installations are likely to provide a financially advantageous revenue stream to the Town, and

WHEREAS, through its Town Meeting and Board of Selectmen, Brookline has committed to reducing greenhouse gas emissions and carbon footprint, and

WHEREAS, a "solar ready" roof is structurally capable of supporting solar PV panels and, with the exception of the PV panels and the inverter, has most or all equipment necessary for a PV installation already installed, and

WHEREAS, it is expected that making a roof "solar ready" at the time of new construction or major roof repair can minimize solar installation costs and maximize solar production potential when solar PV panels are installed, and

WHEREAS, Brookline has a municipal roof repair and restoration program which systematically improves a portion of the 850,000 square feet of roof surface on an annual basis.

NOW, THEREFORE be it resolved that the Selectmen establish a committee, the purpose of which is to study the potential costs and benefits of a policy requiring some or all Town-owned roofs be made "solar ready" at the time of construction or substantial renovation. The name of the committee shall be the Selectmen's Municipal Solar Roofs Committee. The responsibilities of the committee shall include:

1. To formulate a set of design, engineering, and construction guidelines with which a Brookline municipal roof shall comply to be considered “solar ready”;
2. to determine or estimate the additional costs of making a new municipal roof "solar ready" at the time of new construction;
3. to determine or estimate the additional costs of making an existing municipal roof "solar ready" at the time of substantial renovation;

4. to determine or estimate of the costs of making an existing municipal roof "solar ready" were it not being constructed nor renovated concurrently; and
5. to determine and detail, to the extent possible, any non-financial costs or benefits resulting from the installation of solar PV panels on Town-owned roofs.

The committee shall consist of the following members appointed by the Board of Selectmen:

1. a member of the Board of Selectmen
2. the Chair of the Advisory Committee, or his/her nominee
3. the Chair of the School Committee, or his/her nominee
4. the Chair of the Building Commission, or his/her nominee
5. two Town staff members, upon recommendation of the Town Administrator, from departments such as:
 - Town Administrator's Office
 - Finance Department
 - Planning Department
6. the Chair of the Climate Action Committee, or his/her nominee
7. two members at large with special consideration given to people with the following skills:
 - Relevant regulatory, public policy, and/or business expertise
 - Relevant engineering or trade expertise.

No member shall be disqualified because she or he is not a resident of the Town.

The Committee shall be established no later than March 31, 2013, and shall be dissolved following the acceptance of its report by the Board of Selectmen.

Or act on anything relative thereto.

Upon motion of Fred Levitan – TMM #14 and seconded by Harry K. Bohrs – TMM #3, the following motion was offered

MOVED: To refer the subject matter of Article 15 to the Building Commission with the request that the Commission, a) review Sec 3.7.2 of the Town Bylaws and b) determine how to best incorporate consideration of solar-ready roofs, including a cost-benefit analysis, into the capital project review process; and c) report back to the next Annual Town Meeting.

Thirty-five (35) Town Meeting Members requested an electronic recorded vote for the motion offered by Fred Levitan – TMM #14 under Article 15.

Upon motion of Fred Levitan – TMM #14 and seconded by Harry K. Bohrs – TMM #3, the above motion was DEFEATED by an ELECTRONIC RECORDED VOTE OF 26 IN FAVOR, 149 OPPOSED AND 4 ABSTENTIONS.

Upon motion of Thomas John Vitolo – TMM #1 and seconded by Jesse R. Mermell – TMM #AL, it was UNANIMOUSLY

VOTED: That Town Meeting adopt the following resolution regarding the study of “solar ready” roofs on municipal buildings:

WHEREAS, the cost of solar photovoltaic (PV) panel installation has been steadily declining, and

WHEREAS, though short-term market fluctuations will determine the best time to install solar PV panels, in the long term such installations are likely to be financially advantageous to the Town, and

WHEREAS, through its Town Meeting and Board of Selectmen, Brookline has committed to reducing greenhouse gas emissions and carbon footprint, and

WHEREAS, a “solar ready” roof is structurally capable of supporting solar PV panel and, with the exception of the PV panels and the inverter, has most or all equipment necessary for a PV installation already installed, and

WHEREAS, making a roof “solar ready” at the time of new construction or major roof repair can minimize solar installation costs and maximize solar production potential when solar PV panels are installed, and

WHEREAS, Brookline has a municipal roof repair and restoration program which systematically improves a portion of the 850,000 square feet of roof surface on an annual basis.

NOW THEREFORE be it resolved that the Selectmen ask the Building Commission to jointly establish a committee, the purpose of which is to study the potential costs and benefits, including non-financial costs, of making Town-owned roofs, for which plans do not include the immediate installation of solar panels, “solar ready” at the time of construction or substantial repair, and to establish policy guidelines for the concept of “solar ready” in this context. Potential topics for the committee to discuss could include:

1. Formulating a set of design, engineering, and construction guidelines to make a Brookline municipal roof “solar ready”;
2. Determining or estimating the likely additional costs and future savings when making a new municipal roof “solar ready” at the time of new construction;
3. Determining or estimating the likely additional costs and future savings when

making an existing municipal roof “solar ready” at the time of substantial renovation;

4. Considering the methods by which existing roofs might be made “solar ready” even if they are not ready for replacement and the likely costs of such projects
5. Comparing costs and benefits of a solar readiness program with the costs and benefits of other “green” programs.

The committee established by the Board of Selectmen and the Building Commission should include input from such Town staff, members of other Boards and Commissions, and people with expertise in the technical or financial aspects of solar panels and building projects as are necessary to address the questions set out herein.

No member shall be disqualified because she or he is not a resident of the Town.

The Committee should be established by March 31, 2013, and should report back to the Building Commission and to the Board of Selectmen no later than September 30, 2013.

SIXTEENTH ARTICLE

Submitted by: Patricia Connors and Cornelia van der Ziel

To see if the Town will adopt the following resolution:

**Resolution Calling on Congress to End the War in Afghanistan,
Reduce the Military Budget and Bring Our Troops and Tax Dollars Home**

WHEREAS, the financial resources available for non-military use by governments at the local, county, state and federal levels in the United States are limited to a degree not seen for decades;

WHEREAS, the federal deficit is projected to be \$1.2 trillion in fiscal year 2012;

WHEREAS, U.S. military spending has more than doubled since 9/11 and military outlays in 2012 are expected to reach \$716 billion, up from \$294 billion in 2000;

WHEREAS, Congress has appropriated over \$571 billion for the war in Afghanistan since 2001—more than for World War II—including \$111 billion in fiscal year 2012, most of it borrowed against our national debt;

WHEREAS, according to the National Priorities Project, the taxpayers of Massachusetts and Brookline have paid \$17.4 billion and \$213.2 million, respectively, for the Afghanistan War since FY 2001;

WHEREAS, U.S. troops, including those from Brookline and other Massachusetts municipalities, have served valiantly in Afghanistan;

WHEREAS, over 2000 U.S. troops have been killed and over 17,000 wounded in the Afghanistan War according to the Department of Defense;

WHEREAS, thousands of civilians have been killed in this war, and the ongoing warfare poses great and unnecessary harm to the people of Afghanistan and Pakistan;

WHEREAS, since 2001, more U.S. soldiers have killed themselves than have been killed in the Afghanistan War, the suicide rate as of July, 2012 averaging one per day, and a high percentage of returning veterans suffer from physical and/or psychological wounds;

WHEREAS, a majority of Americans believe that we should not be at war in Afghanistan, a March, 2012 New York Times/CBS News poll showing more than two-thirds opposed;

WHEREAS, the US-led NATO military coalition is not scheduled to end its combat mission in Afghanistan until the end of 2014;

WHEREAS, under a July, 2012 agreement between the U.S. and Pakistan, NATO supply convoys have permission from Pakistan to cross its territory into Afghanistan until the end of 2015;

WHEREAS, the “Enduring Strategic Partnership Agreement,” executed between the U.S. and Afghanistan in May, 2012, leaves the way open for the U.S. to keep forces in Afghanistan until 2024;

Whereas, the U.S. government has spent more than \$20 billion training and equipping a nearly 340,000-member Afghan security force on the assumption that it will be strong enough to fight the Taliban on its own by the end of 2014 but attacks by Afghans on the NATO troops training them have escalated sharply in 2012, thereby raising questions as to the tenability of this NATO exit strategy;

WHEREAS, educational services, medical care, housing, other essential public services, infrastructure repairs and family and private sector financing throughout the Commonwealth of Massachusetts have been cut while our financial resources have been diverted from the constructive economy to the war in Afghanistan and to the general increase in the military budget;

NOW, THEREFORE, BE IT RESOLVED that the Town of Brookline calls on U.S. Senator John Kerry, U.S. Senator..... and Congressperson to:

- oppose further funding of the war in Afghanistan and take leadership in Congress to bring all of our troops, both combat and noncombat forces, safely home,
- substantially reduce overall military spending and redirect our federal tax dollars to the pressing educational, employment, health, housing, infrastructure, energy and environmental needs of our town, state and country,
- support federal funding for the over 2 million Iraq and Afghanistan war veterans—particularly the thousands who have come home disabled or otherwise physically or psychologically wounded—to ensure they receive health care, housing, jobs, education and other support services they deserve; and

BE IT FURTHER RESOLVED that Town officials shall notify the following of this action by Town Meeting: the President of the United States, Secretary of Defense, Secretary of State, Governor Deval Patrick, all U.S. senators and representatives from Massachusetts, and the Brookline TAB and major Boston-area newspapers and television stations.

or take any action relative thereto.

Upon motion of Patricia A. Connors – TMM #3 and seconded by Bobbie M. Knable – TMM #11, it was by a MAJORITY

VOTED: That the Town adopt the following Resolution:

**Resolution Calling on Congress to End the War in Afghanistan,
Reduce the Military Budget and Bring Our Troops and Tax Dollars Home**

WHEREAS, the financial resources available for non-military use by governments at the local, county, state and federal levels in the United States are limited to a degree not seen for decades;

WHEREAS, the fiscal year 2012 federal deficit is \$1.3 trillion—the fourth consecutive year it has exceeded \$1 trillion—and the total national debt now exceeds \$16 trillion;

WHEREAS, U.S. military spending has more than doubled since 9/11 and military outlays in 2012 are expected to reach \$716 billion, up from \$294 billion in 2000;

WHEREAS, Congress has appropriated more than \$571 billion for the war in Afghanistan since 2001—more than for World War II—including \$111 billion in fiscal year 2012, most of it borrowed against our national debt;

WHEREAS, according to the National Priorities Project, the taxpayers of Massachusetts and Brookline have paid \$17.4 billion and \$213.2 million, respectively, for the Afghanistan War since FY 2001;

WHEREAS, U.S. troops, including those from Brookline and other Massachusetts municipalities, have served valiantly in Afghanistan;

WHEREAS, over 2000 U.S. troops have been killed and over 17,000 wounded in the Afghanistan War according to the Department of Defense;

WHEREAS, thousands of civilians have been killed in this war, and the ongoing warfare poses great and unnecessary harm to the people of Afghanistan and Pakistan;

WHEREAS, a high percentage of Iraq and Afghanistan war veterans suffer from severe physical and/or psychological injuries;

WHEREAS, a majority of Americans believe that we should not be at war in Afghanistan, a March, 2012 New York Times/CBS News poll showing more than two-thirds opposed;

WHEREAS, the US-led NATO military coalition is not scheduled to end its combat mission in Afghanistan until the end of 2014;

WHEREAS, under a July, 2012 agreement between the U.S. and Pakistan, NATO supply convoys have permission from Pakistan to cross its territory into Afghanistan until the end of 2015;

WHEREAS, the “Enduring Strategic Partnership Agreement,” executed between the U.S. and Afghanistan in May, 2012, leaves the way open for the U.S. to keep forces in Afghanistan until 2024;

WHEREAS, the U.S. government has spent more than \$20 billion training and equipping a nearly 340,000-member Afghan security force on the assumption that it will be strong enough to fight the Taliban on its own by the end of 2014 but attacks by Afghans on the NATO troops training them have escalated sharply in 2012, thereby raising questions as to the tenability of this NATO exit strategy;

WHEREAS, educational services, medical care, housing, other essential public services, infrastructure repairs and family and private sector financing throughout the Commonwealth of Massachusetts have been cut while our financial resources

have been diverted from the constructive economy to the war in Afghanistan and to the general increase in the military budget;

NOW, THEREFORE, BE IT RESOLVED that the Town of Brookline calls on U.S. Senator John Kerry, U.S. Senator-Elect Elizabeth Warren and US Representative-Elect Joseph P. Kennedy III to:

- take leadership to oppose further funding of the war in Afghanistan except as needed to bring our troops safely home,
- substantially reduce overall military spending and redirect, as possible, these federal tax dollars to the funding of pressing educational, employment, health, housing, infrastructure, energy and environmental needs of our town, state and country and to the reduction of the federal debt,
- support federal funding for the over 2 million Iraq and Afghanistan war veterans—particularly the thousands who have come home disabled or otherwise physically or psychologically wounded—to ensure they receive health care, housing, jobs, education and other support services they deserve; and

BE IT FURTHER RESOLVED that Town officials shall notify the following of this action by Town Meeting: the President of the United States, Secretary of Defense, Secretary of State, Governor Deval Patrick, all U.S. senators and representatives from Massachusetts, and the Brookline TAB and major Boston-area newspapers, television stations and radio stations.

SEVENTEENTH ARTICLE

Reports of Town Officers and Committees

Reports from the Dukakis Recognition Committee, the Moderator's Committee on Public Hearings and the Selectmen's Climate Action Committee were presented to the Town Meeting.

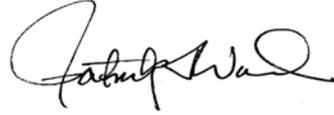
At 9:50 P.M., on motion made and duly seconded, it was UNANIMOUSLY

VOTED: To dissolve the November 13, 2012 Special Town Meeting.

At the close of the meeting the Checkers at the entrances reported that the names of two-hundred and seven (207) Town Meeting Members had been checked as present at the meeting.

DISSOLVED

Patrick J. Ward

A handwritten signature in black ink, appearing to read "Patrick J. Ward". The signature is written in a cursive style with a large initial "P" and a long horizontal stroke at the end.

Town Clerk.