



WARRANT
THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF BROOKLINE
ANNUAL TOWN MEETING

Norfolk, ss

To Any Constable of the Town of Brookline

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to NOTIFY and WARN the Inhabitants of the TOWN OF BROOKLINE, qualified to vote at elections to meet at the High School Auditorium in said Brookline on TUESDAY, the TWENTY-SIXTH day of MAY, 2026 at 7:00 o'clock in the evening for the Annual Town Meeting at which time and place the following articles are to be acted upon and determined by the representative town meeting:

ARTICLE 1

Submitted by: Select Board

To see if the Town will establish that the number of Measurers of Wood and Bark be two, to be appointed by the Select Board, or act on anything relative thereto.

ARTICLE 2

Submitted by: Human Resources

To see if the Town will raise and appropriate, or appropriate from available funds, a sum or sums of money to fund the cost items in collective bargaining agreements between the Town and various employee unions; fund wage and salary increases for employees not included in the collective bargaining agreements; and amend the Classification and Pay Plans of the Town; or act on anything relative thereto.

ARTICLE 3

Submitted by: Treasurer/Collector

To see if the Town will authorize the Town Treasurer, with the approval of the Select Board, to enter into Compensating Balance Agreement(s) for FY2027 in accordance with General Laws Chapter 44, Section 53F, or act on anything relative thereto.

ARTICLE 4

Submitted by: Select Board

To see if the Town will authorize the Comptroller to close out either all or a portion of the unexpended balances in certain Special Appropriations and return said sums to the Surplus Revenue accounts, and rescind the unused portion of prior borrowing authorizations, or act on anything relative thereto.

ARTICLE 5

Submitted by: Select Board

To see if the Town will:

- A) Appropriate additional funds to the various accounts in the fiscal year 2026 budget or transfer funds between said accounts;
- B) And determine whether such appropriations shall be raised by taxation, transferred from available funds, provided by borrowing or provided by any combination of the foregoing; and authorize the Select Board, except in the case of the School Department Budget, and with regard to the School Department, the School Committee, to apply for, accept and expend grants and aid from both federal and state sources and agencies for any of the purposes aforesaid.

or act on anything relative thereto

ARTICLE 6

Submitted by: Select Board

To see if the Town will, in accordance with General Laws, Chapter 44, Section 64, authorize the payment of one or more of the bills of the previous years, which may be legally unenforceable due to the insufficiency of the appropriations therefore, and appropriate from available funds, a sum or sums of money therefore, or act on anything relative thereto.

ARTICLE 7

Submitted by: Select Board

To see if the Town will vote to establish an Operating Override Stabilization Fund, pursuant to the provisions of Section 5B of Chapter 40 of the General Laws, for the purpose of funding budget priorities detailed in the Town Administrator's proposed annual operating budgets, and to raise and appropriate, or transfer from available funds, a sum of money to be deposited in said Fund; or act on anything related thereto.

ARTICLE 8

Submitted by: Advisory Committee

To see if the Town will:

A.) Fiscal Year 2027 Budget

Appropriate the sums requested or proposed by the Select Board or by any other officer, board or committee, or any other sum or sums, for the fiscal year 2027 budget; without limiting the foregoing, appropriate the sums necessary for all town expenses, including the snow and ice budget, debt and interest, and operating expenses; fix the salaries of all elected officers as provided for in General Laws, Chapter 41, Section 108; authorize the leasing, leasing with an option to purchase or installment purchase of equipment; appropriate to or from a stabilization fund as provided for in General Laws Chapter 40, Section 5B; Chapter 44, Section 44B; authorize the continuation of all revolving funds in accordance with General Laws, Chapter 44, Section 53E½ and all Enterprise Funds in accordance with General Laws, Chapter 44, Section 53F½; allocate available free cash; provide for a reserve fund; and establish the requirements for transfers among appropriations, interfund transfers, transfers for the purposes of salary adjustments, filling vacant positions and budgetary reporting.

B.) Fiscal Year 2027 Special Appropriations

Appropriate sums of money for the following special purposes:

- 1.) Appropriate \$350,000, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts over \$100,000 to be approved by the Select Board, for the rehabilitation of Town buildings.
- 2.) Appropriate \$100,000, or any other sum, to be expended under the direction of the Chief Information Officer, for technology infrastructure.
- 3.) Appropriate \$100,000, or any other sum, to be expended under the direction of the Director of Planning and Community Development, for wayfinding signage.
- 4.) Appropriate \$125,000, or any other sum, to be expended under the direction of the Fire Chief, with any necessary contracts over \$100,000 to be approved by the Select Board, for the rehabilitation of Rescue #1.
- 5.) Appropriate \$195,000, or any other sum, to be expended under the direction of the Police Chief, with any necessary contracts over \$100,000 to be approved by the Select Board, for the upgrade of the Police Department's radio system.

- 6.) Appropriate \$100,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, for traffic calming.
- 7.) Appropriate \$50,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, for bike access improvements.
- 8.) Appropriate \$200,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for School Street Pedestrian/Bicycle Safety Lighting.
- 9.) Appropriate \$5,258,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for the rehabilitation of streets.
- 10.) Appropriate \$539,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for the rehabilitation of sidewalks.
- 11.) Appropriate \$1,000,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for a temporary transfer station facility .
- 12.) Appropriate \$800,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for design work related to the Washington Street Rehabilitation and Complete Streets Program.
- 13.) Appropriate \$500,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for stormwater improvements.
- 14.) Appropriate \$2,000,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for water system improvements.
- 15.) Appropriate \$3,000,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for wastewater system improvements.
- 16.) Appropriate \$145,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, Big Belly compacting waste stations.
- 17.) Appropriate \$1,150,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for the design of the renovation of the Soule Athletic Fields.

- 18.) Appropriate \$970,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for the design of the renovation of the New Lincoln School Grounds.
- 19.) Appropriate \$325,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for the renovation of playground equipment, fields, and fencing.
- 20.) Appropriate \$190,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for the rehabilitation of Town and School grounds.
- 21.) Appropriate \$365,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board and the Tree Planting Committee, for the removal and replacement of trees.
- 22.) Appropriate \$600,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, for improvements to the Walnut Hills Cemetery.
- 23.) Appropriate \$3,200,000, or any other sum, to be expended under the direction of the Sustainability and Natural Resources Director, with any necessary contracts over \$100,000 to be approved by the Select Board for the strategic solar initiative.
- 24.) Appropriate \$3,200,000, or any other sum, to be expended under the direction of the Recreation Director, with any necessary contracts over \$100,000 to be approved by the Select Board and the Park and Recreation Commission, improvements to the Evelyn Kirrane Aquatic Center's filtration system.
- 25.) Appropriate \$300,000, or any other sum, to be expended under the direction of the Recreation Director, with any necessary contracts over \$100,000 to be approved by the Select Board and the Park and Recreation Commission, for lighting at the golf course driving range.
- 26.) Appropriate \$275,000, or any other sum, to be expended under the direction of the Building Commissioner for HVAC equipment.
- 27.) Appropriate \$280,000, or any other sum, to be expended under the direction of the Building Commissioner for sustainability enhancements to HVAC equipment.
- 28.) Appropriate \$2,900,000, or any other sum, to be expended under the direction of the Building Commissioner with any necessary contracts over \$100,000 to be approved

by the Select Board and Building Commission for the Town Hall HVAC electrification project.

- 29.) Appropriate \$95,000, or any other sum, to be expended under the direction of the Building Commissioner for ADA renovations to Town and School facilities.
- 30.) Appropriate \$215,000, or any other sum, to be expended under the direction of the Building Commissioner for upgrades to energy conservation projects in Town and School facilities.
- 31.) Appropriate \$130,000, or any other sum, to be expended under the direction of the Building Commissioner for upgrades to energy management systems in Town and School facilities.
- 32.) Appropriate \$2,000,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts over \$100,000 to be approved by the Select Board, for building envelope / fenestration repairs to Town and School facilities.
- 33.) Appropriate \$2,000,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts over \$100,000 to be approved by the Select Board, for building roof repairs to Town and School facilities.
- 34.) Appropriate \$700,000, or any other sum, to be expended under the direction of the Building Commissioner, for public building fire alarm upgrades.
- 35.) Appropriate \$250,000, or any other sum, to be expended under the direction of the Building Commissioner, for improvements to life safety systems and building security in Town and School facilities.
- 36.) Appropriate \$500,000 or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts over \$100,000 to be approved by the Select Board and the School Committee, for minor renovations / upgrades to school buildings.
- 37.) Appropriate \$809,342 or any other sum, to be expended under the direction of the School Superintendent, with any necessary contracts to be approved by the School Committee, for the expansion of classroom capacity in various schools.

C.) Funding

And determine whether such appropriations shall be raised by taxation, transferred from available funds, borrowed or provided by any combination of the foregoing, and authorize the leasing, leasing with an option to purchase, or the installment purchase of any

equipment or any capital items; and authorize the Select Board, except in the case of the School Department Budget, and with regard to the School Department, the School Committee, to apply for, accept and expend grants, gifts, reimbursements, and aid from both federal, state, and other sources and agencies for any of the purposes noted in this Article, or act on anything relative thereto.

ARTICLE 9

Submitted by: Community Preservation Act Committee

To see if the Town will appropriate the following amounts from Community Preservation Fund annual revenues as recommended by the Community Preservation Act Committee for its reserve accounts and, for its unallocated budget reserve to be further appropriated at a future Town Meeting with each item to be considered a separate appropriation as follows:

<u>PURPOSE</u>	<u>AMOUNT</u>
<u>FY 27 EXPECTED ANNUAL REVENUE</u>	
1.Unallocated Budget Reserve	\$2,557,100
2.Open Space & Recreation Reserve	\$393,400
3.Historic Preservation Reserve	\$393,400
4.Community Housing Reserve	\$393,400
TOTAL APPROPRIATIONS	\$3,934,000

To see if the Town will appropriate **\$196,700** from the FY27 Community Preservation Fund revenues to the CPA Administrative Expenses account for eligible FY **2027** administrative expenses, such funds to be expended under the direction of the Community Preservation Act Committee.

<u>FY27 Appropriations</u>	
5.CPA Committee – Administration	\$196,700

To see if the Town will appropriate funds from the Community Preservation Fund for eligible community preservation projects; from the community preservation reserve accounts for historic preservation, open space and recreation, and community housing; in Fiscal Year 2027, with each item to be considered a separate appropriation as follows:

<u>FY27 GRANT RECOMMENDATIONS & PURPOSE</u>		
6. Brookline Housing Authority at Trustman Apartments for roof replacement/preservation in the category of community housing, subject to the condition that a Grant Agreement between the Brookline Housing Authority and the Community Preservation Act Committee be executed, said funds to be expended under the direction of the Brookline Housing Authority and the Community Preservation Act Committee;	\$380,230	Unallocated Budget Reserve
7. Brookline Housing Authority at Trustman Apartments for roof replacement/preservation in the category of community housing, subject to the condition that a Grant Agreement between the Brookline Housing Authority and the Community Preservation Act Committee be executed, said funds to be expended under the direction of the Brookline Housing Authority and the Community Preservation Act Committee;	\$798,400	Community Housing Budget Reserve
8. Brookline Housing Authority at High Street Veterans Apartments for window replacement/preservation in the category of community housing, subject to the condition that a Grant Agreement between the Brookline Housing Authority and the Community Preservation Act Committee be executed, said funds to be expended under the direction of the Brookline Housing Authority and the Community Preservation Act Committee;	\$398,317	Unallocated Budget Reserve
9. Housing Advisory Board (Affordable Housing Trust) for the purpose of community housing creation, preservation, and support in the category of community housing, subject to the condition that a Memorandum of Understanding between the Housing Advisory Board and the Community Preservation Act Committee be executed, and said funds to be expended under the direction of the Housing Advisory Board and Select Board, in consultation with the Community Preservation Act Committee;	\$400,000	Unallocated Budget Reserve

10. United Parish, for restoration of the steeple tower in the category of historic preservation, subject to the condition that a Grant Agreement between United Parish and the Community Preservation Act Committee be executed, said funds to be expended under the direction of the United Parish and the Community Preservation Act Committee;	\$800,000	Historic Preservation Reserve
11. Brookline Parks & Open Space Division for preservation of Old Burial Ground Tombstones, in the category of historic preservation, subject to the condition that a Memorandum of Agreement between the Brookline Parks & Open Space Division and the Community Preservation Act Committee be executed, said funds to be expended under the direction of the Parks & Recreation Division and the Community Preservation Act Committee;	\$78,300	Historic Preservation Reserve
12. Brookline Parks & Open Space Division for preservation of Old Burial Ground Tombstones, in the category of historic preservation, subject to the condition that a Memorandum of Agreement between the Brookline Parks & Open Space Division and the Community Preservation Act Committee be executed, said funds to be expended under the direction of the Parks & Recreation Division and the Community Preservation Act Committee;	\$787,098	Unallocated Budget Reserve
13. Brookline Parks & Open Space Division for the Tree Inventories and Planting, to preserve open space, in the category of open space & recreation, subject to the condition that a Memorandum of Agreement between the Brookline Parks & Open Space Division and the Community Preservation Act Committee be executed, said funds to be expended under the direction of the Brookline Parks & Open Space Division and the Community Preservation Act Committee;	\$35,000	Open Space & Recreation Budget Reserve;
14. Brookline Sustainability & Natural Resources Division for the D. Blakely Hoar Invasive Species Management, to preserve open space, in the category of open space & recreation, subject to the condition that a Memorandum of Agreement between the Sustainability & Natural Resources Division and the Community Preservation Act Committee be executed, said funds to be expended under the direction of the Brookline Sustainability & Natural Resources and the Community Preservation Act Committee;	\$20,000	Open Space & Recreation Budget Reserve;

15. Brookline Parks & Open Space Division for a study to preserve and create wetlands, invasive species removal, native plantings, and boardwalk at the Larz Anderson Park, in the categories of Open Space & Recreation, subject to condition that a Memorandum of Agreement between the Brookline Parks & Open Space Division and the Community Preservation Act Committee be executed, said funds to be expended under the direction of the Brookline Parks & Open Space Division and the Community Preservation Act Committee;	\$375,000	Open Space & Recreation Budget Reserve;
	\$4,072,345	

Or act on anything relative thereto.

ARTICLE 10

Submitted by: Committee on Town Organization & Structure

To see if the Town will amend the final sentence of the second paragraph of Section 2.2.1 of the General By-Laws (Advisory Committee, Appointment of Members) as follows (insertions in **bold underline**, deletions in ~~strikethrough~~):

No member of the Committee shall be an employee of the Town or **shall hold elective office of Town government other than Town Meeting member or constable.** ~~a member of any standing Board or Committee having charge of the expenditure of money; but, this restriction shall not disqualify from appointment to the Committee, members of special committees, which may be created from time to time by Town Meeting, the Moderator or the Select Board to report on specific matters.~~

Or act on anything relative thereto.

ARTICLE 11

Submitted by: Rebecca Stone, TMM 3; Kelly Hardebeck, TMM 7; Alec Lebovitz, TMM 8; Kim Smith, TMM 6; and Marissa Vogt, TMM 4

To see if the Town will amend Article 2.3: Committee on Town Organization and Structure, to require a regular, periodic review of government organization and structure, and institute shared appointment authority for its seven members. [Deleted language is ~~crossed-out~~, and new language is in ***bold italics***]

ARTICLE 2.3
COMMITTEE ON TOWN ORGANIZATION AND STRUCTURE

SECTION 2.3.1 APPOINTMENT OF MEMBERS

There shall be a Committee on Town Organization and Structure (CTO&S) to consist of seven members appointed ~~by the moderator~~ *as follows* for three-year staggered terms: ***In Fiscal Year 2027 (and each third year following), one (1) shall be filled/appointed by the Moderator, and one (1) by the Select Board; in Fiscal Year 2028 (and each third year following), two (2) shall be filled/appointed by the Moderator, and one (1) by the Select Board; and in Fiscal Year 2029 (and each third year following), one (1) shall be filled/appointed by the Moderator and one (1) by the Select Board.***

SECTION 2.3.2 GENERAL DUTIES

CTO&S shall be responsible for reviewing and reporting its recommendations on all proposed changes in the organization and structure of municipal government in the Town. ***In addition, beginning with Fiscal Year 2028 and thereafter in every year ending in 3, CTO&S may also review, from time to time, shall conduct, and/or contract for, a review of the organization and structure of municipal government in the Town and make recommendations concerning modification and/or propose action to modify and change the organization and structure of the Town's government, including operating departments and committees.***

SECTION 2.3.2.i PERIODIC REVIEW OF GOVERNMENT

Each periodic review of the organization and structure of municipal government per Section 2.3.2 shall commence by September of the relevant fiscal year, include no fewer than two public hearings over the course of the review, and deliver a final report no later than the Annual Town Meeting in the following fiscal year.

SECTION 2.3.3 VACANCIES

Whenever a vacancy occurs in CTO&S, the ~~moderator~~ ***relevant appointing authority*** shall fill the vacancy for the unexpired term.

Or act on anything relative thereto.

ARTICLE 12

Submitted by: Mike Toffel (TMM-8) and Alec Lebovitz (TMM-8)

To see if the Town will add Article X.X “XXX” of the Town's General By-law as follows

ARTICLE X.X

SECTION X.X.X Transparency of Public Record Request and Responses

The Town shall ensure that all Public Record requests made of the Town of Brookline as well as all responses — except those subject to a statutory exclusion — are made publicly available via the Town's website as soon as practicable but no later than 14 days after either the Town receives a request or the Town issues a response.

or act on anything relative thereto.

ARTICLE 13

Submitted by: Regina Frawley, TMM16

To see if the Town will amend its By-Laws by adding: “Section 3.4A 7 as follows: “The Town Clerk’s office will offer at least two additional office hours, weekly, in addition to its usual schedule.”

or act on anything relative thereto.

ARTICLE 14

Submitted by: Jonathan Klein, Kelly Hardebeck, Alex Krieger, Tommy Renkes

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

1 – By amending Section 4.00, Applicability of Regulations, so that Sec. 4.05.3, Accessory Dwelling Units, would apply to the Harvard Street Main Street Corridor zoning districts (strike-through indicates deletion and underline indicates new text):

Section 4.00 APPLICABILITY OF REGULATIONS

1. Except as provided by law or in this By-law, in each district no building, structure, or land shall be used or occupied except for the purposes permitted in the district in the section of this Article applicable thereto. For districts in the Harvard Street Main Street Corridor (H-MS, H-MS-O, H-MST, H-MSN), Article XI Chapter 7 supersedes § 4.01 through § 4.05 (except for Sec. 4.05.3, Accessory Dwelling Units), and § 4.07 in their entirety.

2 - By amending Use 51B, Accessory Dwelling Units (ADUs) of Section 4.07 - Table of Use Regulations – for consistency with the Affordable Homes Act (strike-through indicates deletion and underline indicates new text):

Accessory Uses	Residence					Business			Ind.
	S	SC	T	F	M	L	G	O	I

<p>51B. Within a detached single-family dwelling <u>On the same lot where at least one Principal Dwelling Unit exists in all zones zoning districts as a Protected Use Accessory Dwelling Unit as further defined and limited in § 4.05, paragraph 3.</u></p>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
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3 - By amending Section 4.05.3 – Accessory Uses in Residence Districts; Accessory Dwelling Units - to comply with the Affordable Homes Act by adding terms, and notably the term Protected Use Accessory Dwelling Units (ADUs), as they are defined under 760 CMR 71.02; making the dimensional requirements for Protected Use Accessory Dwelling Units (ADUs) no more restrictive than the state law allows; no longer requiring minimum parking spaces for Protected Use Accessory Dwelling Units (ADUs); revising the certification requirement to ensure that Protected Use ADUs maintain facilities separate from the Principal Dwelling; adding a paragraph that alerts owners who discontinue use of the Protected Use ADUs; deleting sections that are not consistent with the Affordable Homes Act; and make it easier to read. Subparagraphs are renumbered accordingly (strike-through indicates deletion and underline indicates new text):

3. Accessory Dwelling Units (ADUs)

a. Intent and Definitions: ADUs are an allowed accessory use where they are, by design, clearly subordinate to the Principal Dwelling unit and meeting the requirements of this Section. ADUs are intended to advance the following:

1. To provide flexibility for families as their needs change over time and, in particular, provide options for older adults to be able to stay in their homes and for households with persons with disabilities;
2. To increase the diversity of housing choices in the Town while respecting the residential character and scale of existing neighborhoods;
3. To provide a non-subsidized form of housing that is generally less costly to produce and more affordable than similar units in multifamily buildings;

4. To add housing units to Brookline's total housing stock with minimal adverse effects on Brookline's neighborhoods.

5 – Definitions

a) - Principal Dwelling: A structure, regardless of whether it, or the Lot it is situated on, conforms to zoning, including use requirements and dimensional requirements, such as setbacks, bulk, and height, that contains at least one Dwelling Unit and is, or will be, located on the same Lot as an ADU.

b) - Accessory Dwelling Unit (ADU): A self-contained housing unit, inclusive of permanent sleeping, cooking, and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the Building and Fire Code for safe egress. ADUs may be detached, attached, or internal to the Principal Dwelling.

c) - Protected Use Accessory Dwelling Unit: An attached, detached or internal ADU that is located, or is proposed to be located, on a Lot in a Single-Family Residential Zoning District and is not larger in Gross Floor Area than ½ the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller, provided that only one ADU on a Lot may qualify as a Protected Use ADU. For the purposes of Section 4.05 only, the definition of Dwelling Unit is a single housing unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

d) - Gross Floor Area: For the purposes Section 4.05.3 only, Gross Floor Area is defined as the sum of the areas of all stories of the building of compliant ceiling height pursuant to the Building Code, including basements, lofts, and intermediate floored tiers, measured from the interior faces of exterior walls or from the centerline of walls separating buildings or dwelling units but excluding crawl spaces, garage parking areas, attics, enclosed porches, and similar spaces. Where there are multiple Principal Dwellings on the Lot, the GFA of the largest Principal Dwelling shall be used for determining the maximum size of a Protected Use ADU.

b. Protected Use ADUs shall conform to all the following provisions:

1. Maximum square footage. ~~An~~ A Protected Use ADU may be created with up to 50 percent of the existing habitable space Gross Floor Area of the Principal Dwelling on the property or 900 square feet of habitable space Gross Floor Area, whichever is

less.

- a) ~~An ADU which exceeds 900 square feet of habitable space or 50 percent of the existing habitable space of the Principal Dwelling on the property, whichever is less, may be approved by Special Permit, provided that it does not exceed 950 square feet of habitable space.~~
- b) Additional square footage resulting from the creation of a Protected Use ADU shall not count towards the minimum Open Space requirements.

2. Maximum Height and Minimum Setbacks

- a. ~~An ADU attached to or within a new or an existing detached single-family Dwelling shall comply with the dimensional requirements of Table 5.01.~~
The maximum allowed Height of a Protected Use ADU may be the most permissive maximum height allowed in the subject zoning district for the Principal Dwelling or Single-Family Residential Dwelling or Accessory Structure whichever is greater, but for any Protected Use ADU proposed with a height of more than 22 feet the applicant shall submit evidence to the Building Commissioner that such height is necessary for the use of the space as a Protected Use ADU. Such evidence may include but not limited to calculations for Gross Floor Area, height of the pitched roof designed to be compatible with that of the Principal Structure, dimensions of dormers to allow for Habitable Space, or floor-to-floor heights designed for the addition to connect to or be consistent with those of the Principal Structure Dwelling.
- b. ~~A new detached ADU or the expanded areas of a detached ADU shall comply with the side yard setback and half of the rear yard setback prescribed for the principal Dwelling, and shall not be permitted within required front yards.~~
 - 1. ~~The side yard setback may be reduced by a special permit to no less than 10 feet, except in S-0.75P, S-4, S-7, SC-7, SC-10, T, F and M districts where side yard setbacks shall be no less than 7.5 feet.~~
 - 2. ~~The rear yard setback may be reduced by special permit no less than 15 feet in S-15 and S-0.5P districts, and 20 feet in S-25 and S-40 districts.~~The minimum required Front Yard Setback shall be no less than that required for the Principal Dwelling or Single-Family Residential Dwelling or Accessory Structure, whichever is less.
- c. ~~A new or expanded area of a detached ADU may be up to 22 feet in~~

~~height and one and a half Stories as defined under § 2.19. In S-0.75P, S-4, S-7, SC-7, T, F, and M districts, the maximum allowed ADU footprint shall be no more than 600 square feet, and in S-10 and SC-10 districts no more than 700 square feet. The minimum required Side Yard Setback shall be the most permissive requirement applicable for the Principal Dwelling or Single-Family Residential Dwelling or Accessory Structure, whichever is less.~~

- d. ~~An Accessory Building may be converted into a detached ADU not in conformance with the setbacks, height, and footprint requirements of this section if the Accessory Building envelope (including without limitation footprint, height and volume) is not expanded. A special permit may be granted to expand an Accessory Building to be converted into an ADU, provided that any exterior additions comply with the provisions of 4.05.3.b.2. The minimum required Rear Yard Setback shall be the most permissive requirement applicable for the Principal Dwelling or Single-Family Residential Dwelling or Accessory Structure, whichever is less.~~
- e. ~~Detached ADUs that do not meet the required by right height and setbacks shall provide screening from the side and rear lot lines in the form of a strip of densely planted shrubs or trees of a type that may be expected to form a year-round dense screen at least 7 feet high within three years, walls, fences, or a combination. Setbacks, including but not limited to setbacks in Sections 5.63 and 5.72 specific to accessory structures in zoning districts where such sections apply, shall be those that are applicable to the portion of the Lot where the Protected Use ADU is located.~~
- f. ~~For a façade of a new detached ADU or an ADU converted from an existing Accessory Building, where any part of such façade is less than 10 feet from the abutting property line and faces the abutting property, the total length of such façade shall not exceed 30 feet (not including the depth of any recesses), and such façade shall not contain windows that are transparent or operable (except by special permit when required by the Building Code and no design alternatives complying with this provision are available). The provisions of subsection 1.a. and e. of Section 5.22, Section 5.43, Section 5.63, Section 5.72, and Section 4.04 shall not apply to the creation of ADUs.~~
- g. ~~An existing Accessory Building any part of which does not meet a setback distance allowed by special permit permitted in this Section 4.05.3.b.2 shall not be converted to ~~an~~ a Protected Use ADU if such Building has a footprint of less than 200 square feet.~~
- h. ~~In the event that a Building deemed significant pursuant to Article 5.3 (including Sections 5.3.5 or 5.3.8) of the Town's General By Laws has been subject to demolition to allow or facilitate the creation of an~~

~~ADU, and such demolition has not been authorized under Town General By Law Section 5.3.11, the ADU shall not be eligible for special permit relief under this Section 4.05.3 or otherwise.~~

~~i. A building permit or Special Permit to convert or expand a Building to create an ADU shall not issue unless the Building has been constructed five or more years prior to the date of application for a permit to create an ADU as evidenced by an original building permit or other documentation satisfactory to the Building Commissioner.~~

j-h. As provided in 760 CMR 71.03(3)(b)(9), a Protected Use ADU may be created as of right in a nonconforming existing structure or Principal Dwelling where such pre-existing nonconforming structure or Principal Dwelling could be used for or converted into a Protected Use ADU in conformance with the Building Code, Fire Safety Code, and state law. Expanded areas of an existing nonconforming structure or Principal Dwelling shall comply with the dimensional requirements of the Zoning By-Law including this Section. A Protected Use ADU developed in a pre-existing nonconforming structure or Principal Dwelling that ~~do~~ does not meet the required ~~by right~~ as-of-right height or setbacks shall provide screening from the side and rear lot lines in the form of a strip of densely planted shrubs or trees of a type that may be expected to form a year-round dense screen at least 7 feet high within three years, walls, fences, or a combination.

3. Exterior appearance. A ~~single family~~ Principal Dwelling containing a Protected Use ADU shall have no more than two means of access/egress facing ~~the~~ each street lot line upon which the property faces.

4. Exterior alterations are permitted, provided they are in keeping with the architectural integrity of the structure, including but not limited to:

a) The exterior finish material should be the same or visually consistent with the exterior finish material of the remainder of the building;

b) The roof pitch should be consistent with the predominant roof pitch of the remainder of the building;

c) Trim should be consistent with the trim used on the remainder of the building;

d) Windows should be consistent with those of the remainder of the building in proportion and orientation.

5. Parking. ~~A single family property with a by right ADU will conform to parking requirements as applicable to single family homes with no~~

~~accessory dwelling unit. Existing setback requirements will apply to all parking. Off-street parking is not required for Protected Use ADUs.~~

~~6. Conversion of garage space. An ADU that is created by conversion of a pre-existing garage, including an existing garage in a separate structure from the primary residential building, shall provide an off-street parking plan subject to the approval of the Building Commissioner.~~

~~7.6. Allowable means of egress shall be consistent with the State Building Code. If a required means of egress from a Protected Use ADU requires an exterior stairway, any such stairway may not exceed two stories in height nor be visible from a public way.~~

~~8.7. One Protected Use ADU per lot. No more than one Protected Use ADU shall be allowed per lot. No ADU that fails to meet the requirements of a Protected Use ADU shall be permitted by special permit, variance or otherwise, except ADUs lawfully in existence prior to February 2, 2025, shall not be subject to the requirements of Protected Use ADUs and shall be permitted.~~

~~9.8. No separate ownership. No Protected Use ADU shall be held in separate ownership from the ~~Principal structure~~ Dwelling unit; at no time shall ~~an a Protected Use ADU, or the building of which it is a part,~~ be deeded as a condominium unit or transferred as a cooperative unit.~~

~~10.9. Curb cut limit. ADUs may not be located on any lot which is accessed from any public or private street by more than one curb cut, except for lots having more than one pre-existing curb cut for a period of at least five years. The Protected Use ADU shall be accessed by the curb cut(s) serving the Principal Dwelling.~~

~~11.10. Minimum rental period. No Short-Term Rentals, as defined in MGL c. 64G, § 1, shall be allowed in ~~primary dwelling unit or the Protected Use ADU. Nothing shall prohibit the rental, other than the short term rental, of the Principal dwelling unit, the ADU, or both. Rental of Protected Use ADUs shall be allowed for a term not more than 27 consecutive calendar days and shall be subject to a written rental or lease agreement. Rental of either the ADU or its associated primary dwelling unit shall be for a term of not less than six (6) months and shall be subject to a written rental or lease agreement. No Short-Term Rentals, shall be allowed in the primary dwelling unit or the ADU. No Short-Term Rentals shall be allowed in the primary dwelling unit or the ADU.~~~~

~~12.11. Historic districts. Where a building is located within a local historic district and therefore subject to the procedures required under Article 5.6 of the General By-Law, any decisions of the Brookline Preservation Commission shall take precedence over the criteria and procedures set forth above, but the Preservation Commission may be guided by the provisions of this Section in addition to its own criteria and procedures.~~

~~13.12. Recording at Registry of Deeds. Before a Certificate of Occupancy is issued, the property owner of any ADU shall record with the Norfolk County Registry of Deeds or with the Land Court a certified copy of the approval, in a form prescribed by the Building Commissioner or, if required, the Special Permit. Certified copies of the recorded documents shall be filed with the Building Department. Before a building permit is issued, the property owner of the Protected Use ADU shall certify to the Building Commissioner that the proposed Protected Use ADU will maintain permanent sleeping, cooking, and sanitary facilities separate from the Principal Dwelling Unit.~~

~~14.13. Change of ownership and/or discontinued use.~~

~~(a) When ownership of any residential property containing an existing Protected Use ADU changes, the new property owner shall within 30 days of the title transfer, file with the Building Commissioner a sworn affidavit attesting to continued compliance with the requirements of this section and all applicable public safety codes, at which time the Building Commissioner shall conduct a determination of compliance with this Section.~~

~~(b) When the owner of a Protected Use ADU discontinues its use, resulting in a structure that does not comply with the Zoning By-law, the addition, alteration, or construction shall be subject to enforcement action for non-compliance.~~

~~15.14. Termination. A property owner who chooses to discontinue ~~an accessory dwelling unit~~ a Protected Use ADU shall notify the Building Commissioner in writing within 30 days following such action.~~

~~16.15. Enforcement. A property owner who fails to comply with all provisions of this ~~s~~Section shall be subject to regulatory enforcement by the Building Commissioner. The Building Commissioner shall seek advice and counsel from the Director of Planning and Community Development when there is any question in the application of the criteria contained in this Section and in the approval of any permit for a Protected Use ADU. ~~approval~~~~

The Building Commissioner may re-inspect the property for compliance with the Zoning By-Law and health and safety regulations, including but not limited to when there is a change of ownership.

~~17.16. Public listing of approved units. The Building Department will maintain A listing of all permitted Protected Use ADUs ~~shall be maintained by the Town in such a manner as to be~~ publicly accessible on the Town of Brookline website.~~

4 - By amending Section 4.05.3.c to expressly state that ADUs lawfully in existence prior to February 2, 2025, the effective date of the Affordable Homes Act, shall not be subject to this by-law (strike-through indicates deletion and underline indicates new text):

- c. Pre-existing unauthorized ADUs may be approved by the Building Commissioner subject to the following requirements:
1. The property owner shall submit an application request in a form prescribed by the Building Commissioner;
 2. The pre-existing ADU ~~must~~ shall comply with all requirements of the Protected Use ADU section of the Zoning Bylaw; ~~however, provided all other provisions of such section are met, the Building Commissioner may approve an ADU with habitable space not exceeding the lesser of 950 square feet or 50 percent of the floor area of the principal building.~~
 3. Before approval of ~~an~~ a pre-existing ~~accessory dwelling unit ADU,~~ the Building ~~Department-Commissioner~~ shall conduct an on-site inspection for compliance with all applicable Building Code requirements and ~~other~~ all applicable provisions of this Section.
 4. ADUs lawfully in existence prior to February 2, 2025, shall not be subject to the requirements of Protected Use ADUs.

Or act on anything relative thereto.

ARTICLE 15

Submitted by: Alec Leibovitz, TMM P8, 401-793-6279; Deborah Brown; David Lescohier P11

To see if the Town will amend Section 4.08, Paragraph 4, Subsection (d) of the Brookline Zoning Bylaw (Inclusionary Zoning) as follows (Deleted Language is ~~crossed out~~, added language is in ***bold italics***):

d. For Projects that upon completion will create fewer than ~~11~~ ***20*** additional Dwelling Units and are not located in the Harvard Street Main Street Corridor districts (H-MS, H-MS-O, H-MST, H-MSN), the applicant may choose to make a Cash in Lieu of Units Payment to the Affordable Housing Trust Fund as provided in the Affordable Housing Standards and Guidelines in lieu of providing units on-site.

or act on anything relative thereto.

ARTICLE 16

Submitted by: Jeffrey P. Allen

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

1. **By adopting the following map change, the Town hereby establishes a new overlay district entitled the *Pleasant Street Multifamily Overlay District* (“PSMOD”).**

The PSMOD shall consist solely of Assessor’s Parcel ID 046-20-00, known as 26 Pleasant Street, currently located in the M-1.0 zoning district. The boundaries of the Pleasant Street Multifamily Overlay District shall be as described above and depicted in **Figure A** below. Figure A is for illustrative purposes only and is intended to identify zoning boundaries; dimensional requirements and compliance shall be governed exclusively by the Zoning By-Law.

FIGURE A: Proposed Pleasant Street Multifamily Overlay District Map



2. **By amending Section 3.01.4 of the Zoning By-Law by adding the following new subsection after the existing last subsection to incorporate the Pleasant Street Multifamily Overlay District into the list of recognized overlay districts:**

“r. Pleasant Street Multifamily Overlay District.”

3. **By amending Section 4.07, Table of Use Regulations, to modifying Use 6E – Multifamily Housing by adding the following sentence at the end of the use description:**

“Within the Pleasant Street Multifamily Overlay District, Multifamily Housing shall be permitted by Special Permit, subject to compliance with Section 5.06.4.r.”

4. By amending Section 5.06.4 of the Zoning By-Law to add the following new subsection to establish governing standards, dimensional flexibility, and permitting authority for development within the Pleasant Street Multifamily Overlay District:

“r. Pleasant Street Multifamily Overlay District

1. Purpose and Intent

It has been determined that 26 Pleasant Street represents an appropriate location for multifamily residential development due to its proximity to transit and established infrastructure. The purposes of this Overlay District are to:

- *Encourage transit-oriented residential development;*
- *Provide flexibility in height and density while maintaining oversight by the Planning Board and Zoning Board of Appeals;*
- *Ensure high-quality site planning, architectural design, and neighborhood compatibility.*

2. Applicability

The provisions of this Section shall apply to all development within the Pleasant Street Multifamily Overlay District, notwithstanding the requirements of the underlying M-1.0 district or any other provision of this By-Law to the contrary, except as expressly stated herein. All other applicable provisions of the Zoning By-Law, including provisions allowing dimensional or other relief by Special Permit, shall continue to apply.

3. Permitted Use

Multifamily dwellings containing three (3) or more dwelling units shall be permitted by Special Permit granted by the Zoning Board of Appeal and subject to Design Review as set forth in Section 5.09 of the By-law.

4. Dimensional Standards

Notwithstanding the Dimensional Requirements set forth in Table 5.01, within the Pleasant Street Multifamily Overlay District:

- *The maximum Floor Area Ratio (FAR) may be permitted up to **4.0**;*
- *The maximum building height may be permitted up to **85 feet** and shall be measured pursuant to § 5.30; and*
- *The minimum Usable Open Space may be reduced to **10%**.*

5. Parking

Notwithstanding any provision of the Coolidge Corner Overlay District or any other section of this By-Law to the contrary, above-ground parking located within a structure or at grade shall not be counted toward Floor

Area Ratio calculations within the Pleasant Street Multifamily Overlay District.

All parking shall otherwise comply with Article 6 of the Zoning By-Law, and any reductions or modifications otherwise permitted by Special Permit shall remain available.

6. Affordable Housing

All residential development within the Pleasant Street Multifamily Overlay District shall comply with Section 4.08 (Inclusionary Zoning)."

5. **By amending Table 5.01, Table of Dimensional Requirements, by adding Footnote 22, which footnote shall read as follows:**

"See Section 5.06.4.r, Pleasant Street Multifamily Overlay District, with respect to applicable dimensional standards and permitted modifications."

...or act upon anything else relative thereto.

ARTICLE 17

Submitted by: Chi Chi Wu, Town Meeting Member Pct.7; C. Scott Ananian, Town Meeting Member Pct. 10; Alec Lebovitz, Town Meeting Member Pct 8; Amy Newell, Town Meeting Member Pct. 7; Marissa Vogt, Town Meeting Member Pct. 6; Jessica Chicco, Chair, Immigrant Advancement Committee of the Commission on Diversity, Equity, Inclusion, and Community Relations

To see if the Town will adopt the following as a new Article 6. __ of the Town By-laws:

Article 6. __

CIVIL IMMIGRATION ENFORCEMENT ACTIVITIES ON TOWN PROPERTY

No person shall use any Town facilities, including but not limited to parking lots, parks, public school grounds, and police stations, as a staging area, processing location, operations base, or other supporting location for civil immigration enforcement in the absence of a valid judicial warrant or court order authorizing such uses. Prohibited uses include but are not limited to assembling, mobilizing, or deploying vehicles, equipment, materials, or personnel for the purpose of carrying out federal civil immigration enforcement operations or disrupting the lawful exercise of rights granted by the Massachusetts and United States Constitutions.

Nonpublic spaces of public buildings shall be off-limits to civil immigration enforcement officials in the absence of a valid judicial warrant or court order authorizing their presence therein. Access to public buildings remains solely to provide specific services to members of the public, or to conduct Town operations, and access to such buildings shall be for those purposes only.

Or act on anything relative thereto.

ARTICLE 18

Submitted by: Andrew Fischer

To see if the Town will amend the General By-law by adding the following Chapter:

Chapter 8.XX

SECTION 1: DEFINITIONS

- (A) "Town" shall mean the Town of Brookline, including but not limited to its agencies, departments, divisions, boards, committees or commissions.
- (B) "Surveillance Data" shall mean any electronic data collected, captured, recorded, stored, retained, processed, intercepted, analyzed, or shared by Surveillance Technology.
- (C) "Surveillance Technology" shall mean any electronic surveillance device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, or similar information or communications associated with, or capable of being associated with, any specific individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance device, hardware, or software.
- (D) "Surveillance Activity" shall mean the gathering of personal or private data through surveillance in public places.

SECTION 2. SELECT BOARD APPROVAL AND PUBLIC HEARING REQUIREMENTS

- (A) No person or entity gather Surveillance Data on streets, ways, sidewalks, in public buildings or at any other place open to the general public without first obtaining Select Board approval following a properly-noticed public hearing with a minimum of two weeks prior notice, by the Select Board or its designee, at which the public shall be afforded an opportunity to provide written and oral testimony.
- (B) As a part of the process of seeking Select Board approval, pursuant to Section 2(A), the applicant shall first prepare a Surveillance Impact Report ("Report") and Surveillance Use Policy ("Policy") concerning the technology at issue. Such Report and Policy, shall be made available to the public on the Town website no later than two weeks prior to the mandated public hearing.
 - (1) In the event revisions are made to the Report or the Policy less than two weeks prior to the mandated public hearing, the Select Board or its designee shall hold

another properly-noticed, public hearing. A copy of the revised Report and/or Policy shall be publicly released by the Select Board, in print and on its public website, at least two weeks prior to such public hearing.

- (C) A Report submitted pursuant to Section 2(B) shall include, at a minimum:
- (1) Information describing the Surveillance Technology and how it works;
 - (2) Information on the proposed purpose(s) for the Surveillance Technology;
 - (3) If the Surveillance Technology will not be uniformly deployed or targeted throughout the town:
 - (a) What factors will be used to determine where the technology is deployed or targeted; and
 - (b) What geographical location(s) may receive a disproportionate level of deployment or targeting;
 - (4) An assessment identifying with specificity any potential impacts the Surveillance Technology, if deployed, might have on civil liberties and civil rights, including but not limited to potential adverse impacts on any communities or groups, whether used or deployed, intentionally or inadvertently, in a viewpoint-based manner, any and all potential disparate or adverse impacts, and what affirmative measures will be taken to mitigate any potential adverse impacts.
 - (5) Data Collection:
 - (a) What types of Surveillance Data are capable of being collected, captured, recorded, intercepted, or retained by the Surveillance Technology.
 - (b) What Surveillance Data may be inadvertently collected during the authorized uses of the Surveillance Technology, and what measures will be taken to minimize the inadvertent collection of data; and
 - (c) How any data inadvertently collected will be expeditiously identified and deleted.
 - (6) Data Access:
 - (a) How the applicant intends to use the data collected, whether the data will be distributed or disseminated and to whom, under what circumstances the data will be available to other persons or entities and what limitations will be imposed to protect any private or personal information contained in the surveillance data.
 - (b) Under what circumstances an individual or other entity may request access to Surveillance Data, either their own data or the data belonging to others; who will be responsible for authorizing access to the surveillance data; what rules and processes must be followed prior to

- accessing or interacting with the Surveillance Data, and what the acceptable grounds are for requesting access to the Surveillance Data;
- (c) Under what circumstances an individual or other entity could obtain access to Surveillance Data, either their own data or the data belonging to others; who will be responsible for authorizing access to the surveillance data; what rules and processes must be followed prior to accessing or interacting with the Surveillance Data, and what the acceptable grounds are for requesting access to the Surveillance Data;
 - (d) What type of log or other comparable method will be used to track viewings of any Surveillance Data and what information it will track;
 - (e) A description of who will have the authority to obtain copies of the Surveillance Data;
 - (f) A description of who will have the ability to obtain copies of the Surveillance Data;
 - (g) What procedures will be put in place to prevent the unauthorized distribution any Surveillance Data; and
 - (h) What safeguards will be used to protect Surveillance Data from unauthorized access
- (7) Data Retention: What rules and procedures will govern the retention of Surveillance Data.
- (8) What steps will be taken to protect individual and institutional privacy.
- (9) Target/Defendant Access: How, to what extent, and when Surveillance Data, in accordance with applicable law, will be accessible to targets of criminal or civil investigations, criminal or civil defendants, and their attorneys.
- (10) Training: What training, including training materials, will be required for any individual authorized to use the Surveillance Technology or to access Surveillance Data.
- (11) Maintenance: How the security and integrity of the Surveillance Technology will be maintained.
- (12) Auditing and Oversight: What mechanisms will be implemented to ensure the Surveillance Use Policy is followed, including what internal personnel will be assigned to ensure compliance with the policy, what independent persons or entities will be given oversight authority, and what legally enforceable sanctions will be put in place for violations of the policy.
- (13) Complaints: What procedures will be put in place by which members of the public can register complaints or concerns or submit questions about the deployment or use of a specific Surveillance Technology, and what personnel will be assigned to receive, register, track, and respond to such communications.

Section 3. APPLICABILITY

This bylaw shall not apply to shopkeepers, victualers, vendors, commercial retail or service businesses or others using surveillance cameras or recording devices solely to protect their merchandise or property from theft or vandalism.

SEVERABILITY

If any portion or provision of this By-Law is declared invalid or unenforceable by a court of competent jurisdiction or by the Office of the Attorney General, the remaining provisions shall continue in full force and effect.

or act on anything relative thereto.

ARTICLE 19

Submitted by: Andrew Fischer

To see if the Town will amend the General Bylaw by adding the following Chapter:

Chapter 8.XX

SECTION 1: DEFINITIONS

- (E) "Town" shall mean the Town of Brookline, including but not limited to its agencies, departments, divisions, boards, committees or commissions.
- (F) "Surveillance Data" shall mean any data collected, captured, recorded, stored, retained, processed, intercepted, analyzed, or shared by Surveillance Technology.
- (G) "Surveillance Technology" shall mean any electronic surveillance device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, or similar information or communications associated with, or capable of being associated with, any specific individual or group; or any system, device or vehicle that is equipped with an electronic surveillance device, hardware, or software.
 - (1) Surveillance Technology does not include routine office devices, such as televisions, computers, and printers, that are in widespread public use and not used for any surveillance or surveillance-related functions, handheld digital cameras, audio recorders, video recorders, municipal agency databases that do not contain data or other information analyzed by Surveillance Technology; and manually-operated devices that are used primarily for internal municipal communications and are not designed to surreptitiously collect Surveillance Data, such as radios and email systems.

SECTION 2. SELECT BOARD APPROVAL AND PUBLIC HEARING REQUIREMENTS

- (D) The Town shall obtain Select Board approval, following a properly-noticed public Select Board hearing with a minimum of two weeks prior notice, at which the public is afforded an opportunity to provide written and oral testimony, prior to:
- (1) Seeking funds for the acquisition of Surveillance Technology, including but not limited to applying for a grant, and soliciting or accepting state or federal funds or in-kind or other donations;
 - (2) Acquiring or borrowing Surveillance Technology, whether or not that acquisition is made through the exchange of monies or other consideration, or for no consideration;
 - (3) Using Surveillance Technology for a purpose or in a manner not previously approved by the Select Board in accordance with this Chapter; or
 - (4) Soliciting proposals for or entering into any agreement with any person or entity to acquire, share or otherwise use Surveillance Technology or Surveillance Data.
- (E) In seeking Select Board approval pursuant to Section 2(A), the Town shall prepare a Surveillance Impact Report (the "Report") and Surveillance Use Policy (the "Policy" concerning the technology at issue. Such Report and Policy, shall be made available to the public on the Town website no later than two weeks prior to the mandated public hearing.
- (1) In the event revisions are made to the Report or the Policy less than two weeks prior to the mandated public hearing, the Select Board shall hold another properly noticed, public Select Board hearing. A copy of the revised Report and/or Policy shall be publicly released by the Select Board, in print and on the Town's public website, at least two weeks prior to such additional public hearing.
- (F) Any Report submitted pursuant to Section 2(B) shall include, at a minimum:
- (1) Information describing the Surveillance Technology and how it works;
 - (2) Information on the proposed purpose(s) for the acquisition and use of the Surveillance Technology;
 - (3) If the Surveillance Technology will not be uniformly deployed or targeted throughout the town:
 - (a) What factors will be used to determine where the technology is deployed or targeted; and
 - (b) What geographical location(s) may receive a disproport level of deployment or targeting;
 - (4) The fiscal impact of the Surveillance Technology, including but not limited to:
 - (a) Acquisition costs;

- (b) Ongoing operational costs;
- (c) Any cost savings that would be achieved through the use of the technology;
- (d) Any current or potential sources of funding; and

(e) An assessment identifying with specificity any potential impacts the Surveillance Technology, if deployed, might have on civil liberties and civil rights, including but not limited to potential adverse impacts on any communities or groups, whether used or deployed, intentionally or inadvertently, in a viewpoint-based manner, any and all potential disparate or adverse impacts, and what affirmative measures will be taken by the Town to mitigate any potential adverse impacts.

(5) Data Collection:

- (a) What types of Surveillance Data are capable of being collected, captured, recorded, intercepted, or retained by the Surveillance Technology.
- (b) What Surveillance Data may be inadvertently collected during the authorized uses of the Surveillance Technology, and what measures will be taken to minimize the inadvertent collection of data; and
- (c) How any data inadvertently collected will be expeditiously identified and deleted.

(6) Data Access:

- (a) Under what circumstances an individual or other entity may request access to Surveillance Data, who will be responsible for authorizing access to the Surveillance Data, what rules and processes must be followed prior to accessing or interacting with the Surveillance Data, and what the acceptable grounds are for requesting access to the Surveillance Data;
- (b) What type of log or other comparable method will be used to track viewings of any Surveillance Data and what information it will track;
- (c) A description of who will have the authority to obtain copies of the Surveillance Data;
- (d) What procedures will be put in place to prevent the unauthorized distribution any Surveillance Data; and
- (e) What safeguards will be used to protect Surveillance Data from unauthorized access.

(7) Data Retention: What rules and procedures will govern the retention of Surveillance Data.

- (8) Public Access: How Surveillance Data will be accessible to members of the public, and how the municipal agency intends to comply with public records law(s)
- (9) What steps will be taken to protect individual and institutional privacy.
- (10) Target/Defendant Access: How, to what extent, and when Surveillance Data, in accordance with applicable law, will be accessible to targets of criminal or civil investigations, criminal or civil defendants, and their attorneys.
- (11) Surveillance Data Sharing: If the Town intends to share access to Surveillance Technology or Surveillance Data with any other governmental agencies, departments, bureaus, divisions, or units, it shall detail how it require from such other government entities that the collection, retention, and storage of Surveillance Data be conducted, in compliance with this bylaw and 28 C.F.R. Part 23 and any other applicable laws, regulations or statutes.
- (12) Training: What training, including training materials, will be required for any individual authorized to use the Surveillance Technology or to access Surveillance data.
- (13) Maintenance: How the security and integrity of the Surveillance Technology will be maintained.
- (14) Auditing and Oversight: What mechanisms will be implemented to ensure the Surveillance Use Policy is followed, including what internal personnel will be assigned to ensure compliance with the policy, what independent persons or entities will be given oversight authority, and what legally enforceable sanctions will be put in place for violations of the policy.
- (15) Complaints: What procedures will be put in place regarding how members of the public can register complaints or concerns, or submit questions about the deployment or use of a specific Surveillance Technology, and what Town personnel and/or Town board, committee or commission will be assigned to receive, register, track, and respond to such communications.

Section 3. SEVERABILITY

If any portion or provision of this By-Law is declared invalid or unenforceable by a court of competent jurisdiction or by the Office of the Attorney General, the remaining provisions shall continue in full force and effect.

or act on anything relative thereto.

ARTICLE 20

Submitted by: Elizabeth Childs (TMM-04), Ariel Gruzman (TMM-05), Jarred Alexandrov, and Nancy O'Connor

A Resolution to Establish an Official Annual Town-wide Commemoration of September 11 and a Memorial to all those from Brookline, Massachusetts, who died on September 11, 2001

To see if the Town will adopt the following Resolution:

WHEREAS: In years past, the remembrance of September 11, 2001 has been organized by different groups who were aware of the significance of September 11, 2001 because of the heroism of fallen and sickened fire fighters, police officers, first responders and ordinary civilians, who were willing to fight and die to save others on the day of the deadliest terrorist attack in world history, which claimed the lives of 2,997 Americans, including at least eight from Brookline. Among those groups were a group of firefighters and their families, who established the Manuel Del Valle Jr. Memorial bench and garden at Brookline Fire Station 5 on Babcock Street with an annual celebration since 2011, the Brookline Fire Department's annual Fireman's Solemn Ceremony held each September 11, and the citizen-led 9/11 Remembrance organizers since 2020 with broadcast by Brookline Interactive Group.

WHEREAS: Many cities and towns have established permanent September 11, 2001, memorials through committee processes, including Boston, Cambridge, Natick, Needham Newton, and Wellesley. Many cities and towns hold annual 9/11 Remembrance ceremonies, including Boston, Cambridge, Lexington, Milton, Natick, Needham, Newton, and Wellesley.

WHEREAS: This year (2026) is the twenty-fifth anniversary of the terrorist attacks of September 11, 2001, nationally recognized as Patriot Day, a National Day of Service and Remembrance. Formalizing the September 11 Remembrance Ceremony as an official Town-sponsored event and assigning the 9/11 Memorial Advisory Committee responsibility to coordinate the logistics of the event assures continuity, institutional support, and coordination with relevant Town departments, independent of individual organizers.

WHEREAS: We should remember September 11, 2001, as "a day when all Americans from every walk of life unite in our resolve for justice and peace." (President George W. Bush on September 11, 2001) Ordinary Americans performed extraordinary selfless acts to defend the values of a free and open society against Al-Qaeda terrorists acting on an extremist ideology that justified the deliberate murder of civilians. Among them were Daniel C. Lewin, a Brookline resident and the first casualty of September 11, 2001, who attempted to stop the hijackers on American Flight 11, which hit the North Tower in New York City at 8:46 a.m., and the 40 passengers and crew of United Flight 93 who, with no hope for their own survival, fought the terrorists successfully, averting a hit on the White House or US Capitol that day and saving hundreds of lives.

WHEREAS: September 11 reminds us of the courage each day that first responders bring to their work in protecting our Town and its residents, our gratitude for their presence, and

the honor we bestow on the 343 firefighters who died that day, including Brookline's Manuel Del Valle, Jr. of NYC Engine 5 and NYC Ladder 3 firefighter Gerard P. Dewan, brother of Brookline firefighter Jack Dewan, the 60 NYC police officers who died in the Towers, and the 125 United States Department of Defense workers who died in the Pentagon hit by American Flight 77 with its 64 casualties of passengers and crew.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Town honors all those who gave their lives on September 11, 2001, one of the most important days in American history, by committing to erect a physical memorial so all will know of the sacrifices, heroism and bravery of our Town's residents, especially our children and young people born after September 11, 2001, and to create a place of solace for all in Town who grieve for the loss of life on that day.

BE IT FURTHER RESOLVED THAT: Town Meeting urges the Select Board to:

Establish an Official Annual Town-wide 9/11 Remembrance Ceremony to be held on the morning of September 11, and to sponsor and fund the organization and logistical support, including the use of Town facilities, for the ceremony, which is to be planned and coordinated by the 9/11 Memorial Advisory Committee.

Establish a 9/11 Memorial Advisory Committee comprised of 9 members appointed for three-year terms to include:

- Five (5) Brookline citizens appointed by the Select Board
- One (1) Select Board member, designated by the Select Board
- One (1) representative of the Brookline Fire Department, to be the Chief or the Fire Chief's designee
- One (1) representative of the Brookline Police Department, to be the Chief or the Police Chief's designee
- One (1) representative designated by the Brookline Historical Society

Charge the 9/11 Memorial Advisory Committee to study, consider, and make recommendations to the Select Board regarding the creation of a permanent physical memorial in the Town of Brookline commemorating the victims of the terrorist attacks of September 11, 2001, and deliver a report by May 2027, unless extended by a vote of the Select Board, to recommend location, design, historical context, inclusion criteria, community engagement, and funding.

Charge the 9/11 Memorial Advisory Committee to plan and coordinate the annual 9/11 Remembrance Ceremony.

Receive, consider, and act on the report by the 9/11 Memorial Advisory Committee with regards to the establishment of a permanent physical marker in the Town commemorating the Town's victims of the terrorist attacks of September 11, 2001.

or act on anything relative thereto.

ARTICLE 21

Submitted by: Frances Labaree

To see if the Town will adopt the following resolution:

Whereas: access to health care has become one of the biggest political issues of the day and is of great concern to ourselves and our neighbors; and

Whereas: the U.S. remains one of the few countries that does not provide universal publicly funded health care: and

Whereas: the cost of health care keeps increasing thereby creating a burden and a concern to us all; and

Whereas: the number on people who do not have affordable access to quality health care increases, the health of our communities decreases; and

Whereas: the cost of health insurance increases and the policies include up-front costs of co-pays and deductibles that are a burden for employers and employees; and

Whereas:, in particular, the money spent by Cities and Towns to cover their employees is a burdensome cost to both the employer and the employees; and

Whereas: these funds could be better spent to improve the overall quality of life and to increase wages and salaries and other benefits; and

Whereas: Massachusetts has been a leader in providing coverage for quality health care for its people; and

Whereas: there is an alternative means of providing health care for all that also provides better coverage, without co-pays and deductibles, and includes medical, dental, long-term, and preventative care; and

Whereas: An Act Establishing Medicare for All in Massachusetts creates that alternative and has been introduced in the Legislature as HD.1228 and SD.2342; and

Whereas: this Act would save the Town of Brookline an estimated \$35,415,168.24 million dollars in the first year alone;

Therefore, be it Resolved:

That the Town of Brookline endorses An Act Establishing Medicare for All in Massachusetts and will communicate its support to our State Representative(s) and State Senator(s).

Or act on anything relative thereto.

ARTICLE 22

Submitted by: Rob Schoen TMM P1 and Bradford Kimball TMM P1

To see if the Town of Brookline will adopt the following resolution:

WHEREAS, Proposition 2½ limits annual growth in municipal property tax levies to a fixed nominal rate of 2.5 percent, plus new growth; and

WHEREAS, municipalities routinely experience structural erosion of real purchasing power, and the ability to maintain adequate levels of services; and

WHEREAS, reliance on overrides as the primary mechanism for maintaining such services subjects municipalities to fiscal volatility, uncertainty, and potential voter fatigue; and

WHEREAS, the Massachusetts Municipal Association has identified the rigidity of the current levy growth framework as a contributing factor to long-term fiscal strain across municipalities and has recommended voter-driven reforms, including mechanisms such as multi-year overrides and inflation-indexed adjustments to the levy growth framework to provide greater flexibility while preserving taxpayer protections; and

NOW, THEREFORE, BE IT RESOLVED that Town Meeting recommends the modernization of Proposition 2½; and

BE IT FURTHER RESOLVED that Town Meeting calls upon the Governor and the General Court to enact legislation that addresses the structural limitations of the current fixed nominal cap; and

BE IT FURTHER RESOLVED that the Town Clerk is directed to transmit this resolution to the Governor, the Town’s state legislative delegation, and the Massachusetts Municipal Association.

or act on anything relative thereto.

ARTICLE 23

Submitted by: Marissa Vogt TMM P6, Jonathan Golden TMM P11, Tal Kenet

To see if the Town will adopt the following resolution:

WHEREAS Select Board members carry heavy, time-demanding responsibilities, particularly the Select Board Chair; and

WHEREAS though the stipend increased in 2011 to \$4,500 for the Chair and \$3,500 for other members, those amounts do not adequately compensate Select Board members for the typical amount of work involved; and

WHEREAS offsetting the cost of serving the Town may allow more experienced professionals to serve, and the 2020 BFAC report identified areas where added expertise would aid Town decision-making processes; and

WHEREAS the heavily reliance on volunteer Town board and committees in the Town's governmental structure can be exclusionary because it may preclude participation from excellent candidates who cannot afford to freely provide their time to the required level; and

WHEREAS the Brookline community will benefit from an inclusive Select Board elected from competitive races; now therefore

BE IT RESOLVED that the Town should raise the annual stipends of the Select Board for the Fiscal Year beginning July 1, 2027 to an amount that more accurately compensates for the time commitment, expertise, and costs associated with Select Board service while also considering the Town's financial challenges; and

BE IT FURTHER RESOLVED that no later than the Fiscal Year beginning July 1, 2029 the Town should provide annual stipends to the Select Board with a total cost of compensation of \$35,000 (members) and \$40,000 (chair); and

BE IT FURTHER RESOLVED that following the Fiscal Year beginning July 1, 2029, such stipends should increase annually in a manner consistent with increases in Town Department Head salaries pending an affirmative action by Town Meeting to ratify that increase, as stated in the budget Conditions of Appropriation.

or act on anything relative thereto.

To see if the Town will adopt the following resolution:

WHEREAS School Committee members carry heavy, time-demanding responsibilities, particularly the School Committee Chair and Vice-Chair; and

WHEREAS there is no stipend currently paid to the Chair, Vice-Chair, or other members; and

WHEREAS offsetting the cost of serving the Town may allow more experienced professionals to serve, and the 2020 BFAC report identified areas where added expertise would aid Town decision-making processes; and

WHEREAS the heavily reliance on volunteer Town board and committees in the Town's governmental structure can be exclusionary because it may preclude participation from excellent candidates who cannot afford to freely provide their time to the required level; and

WHEREAS the Public Schools of Brookline and wider Brookline community will benefit from an inclusive School Committee elected from competitive races; now therefore

BE IT RESOLVED that the Town should provide annual stipends to all School Committee members for the Fiscal Year beginning July 1, 2027, at an amount that provides meaningful compensation for the time commitment, expertise, and costs

associated with School Committee service while balancing the need to realistically address the Town's financial challenges; and

BE IT FURTHER RESOLVED that no later than the Fiscal Year beginning July 1, 2029 the Town should provide annual stipends to the School Committee with a total cost of compensation of \$20,000 (members) and \$25,000 (chair); and

BE IT FURTHER RESOLVED that following the Fiscal Year beginning July 1, 2029, such stipends should increase annually in a manner consistent with increases in Town Department Head salaries pending affirmative actions by Town Meeting and the School Committee to ratify that increase, as stated in the budget Conditions of Appropriation.

or act on anything relative thereto.

ARTICLE 24

Submitted by: Mike Toffel (TMM-8) and Alec Lebovitz (TMM-8)

To see if the Town will adopt the following resolution which advocates public bodies' usage of a Town email address to archive electronic communication when generating public records

PUBLIC ACCESS TO PUBLIC RECORDS

WHEREAS the *Select Board-Appointed Public Bodies Handbook* (Aug. 2025) states that the Massachusetts Public Records Law establishes a right of public access to "public records" that includes any document made or received by a public official or employee to serve a public purpose, unless expressly exempted by statute. Government records generated, received, or maintained electronically, including electronic mail, are public records.

WHEREAS the Massachusetts Public Records Law "applies to all local officials, elected, appointed, and employed, when they are conducting town business," according to Town Counsel Joe Callanan, which includes Select Board Members, School Committee Members, the Town Moderator, the Assistant Town Moderator, the chairs and members of all committees, boards, and commissions appointed by the Select Board and/or the Moderator or established by statute or bylaw including the Advisory Committee, Audit Committee, Moderator Committees, Transportation Board, and the Zoning Board of Appeals.

WHEREAS the Town does not require or even offer most of these elected and appointed individuals a Town-issued email address accessible to Town departments to respond to public records requests, although the Select Board-Appointed Public Bodies Handbook encourages members of those bodies to copy the Town's "Board Archives" email address (boardarchives@brooklinema.gov) when conducting official business. When elected and appointed individuals fail to do so, public records requests made of the Town require the Town's Records Access Officers to request documents from those individuals, who might not have retained them or maintained access to them as required by the Public Records Law. Moreover, the Town has no way to confirm that public records requests involving non-Town emails are comprehensively fulfilled to the extent the law requires.

STORAGE REQUIREMENTS OF PUBLIC RECORDS

WHEREAS the Massachusetts Public Records Law requires that “Whenever original public records are created outside the government offices, they shall be transferred on a regular and frequent basis to secure storage by the entity.”⁶

WHEREAS the Town currently has no mandatory procedure to implement this storage requirement for email correspondence involving appointed or elected individuals who use non-Town email addresses to generate public records, jeopardizing the public’s access to the public records of their government in accordance with state law.

THE CURRENT APPROACH IS LIMITED IN SCOPE AND ADHERENCE

WHEREAS [*The Select Board-Appointed Public Bodies Handbook*](#) requests those members to copy all board- and commission-related email correspondence to the Town’s “Board Archives” at boardarchives@brooklinema.gov.

WHEREAS the Town’s IT Director reported that this email address during January 2026 included 327 messages, representing at least 26 board and committees.

WHEREAS elected and appointed members of other (non-Select Board-appointed) public bodies who are not using Town-issued email addresses—including Assistant Town Moderators and members of all committees, boards, and commissions appointed by the Moderator or established by statute or bylaw, such as the Advisory Committee, Audit Committee, Moderator Committees, Transportation Board, and the Zoning Board of Appeals—face no such requirements to ensure their committee-, board-, and commission-related emails are copied or otherwise stored on a Town-issued email address.⁷

WHEREAS the Town has more than 55 active boards, committees, and commissions, suggesting that many public bodies are not routinely using the Board Archives email.

WHEREAS the Town Administrator and IT Director believe that the Handbook procedure could be more comprehensively used if public body members were better trained, usage were routinely monitored, and reminders were more regularly sent, and that the same Archives email address could be used by all boards, committees, and commissions generating public records, and not just Select Board-appointed ones.

NOW THEREFORE BE IT RESOLVED THAT:

Town Meeting supports *requiring* Select Board-appointed public body members not using Town-issued email addresses to copy the Archive email address when generating public records, and that, beginning in July 2026 and on a quarterly basis going forward, that the Town should (a) pull data from the Archives email address to learn which committees are using it, and (b) send reminders to all members, commending compliance

⁶ A Guide to the Massachusetts Public Records Law (updated December 2022), page 9.

⁷ Select Board Members, School Committee Members, and the current Town Moderator use Town-issued email addresses.

and asking those whose emails were not found in the archival inbox to certify that they conducted no official correspondence using their personal accounts.

Town Meeting encourages the Select Board to (a) adopt these changes in the forthcoming update of the *Select Board-Appointed Public Bodies Handbook*, (b) communicate these changes to all board and committee members, and (c) ensure training is offered on this policy at least annually.

Town Meeting encourages the Select Board to view noncompliance with this rule to be grounds for the Select Board to deny reappointment or ask a member to step down.

Town Meeting encourages members of all other committees, boards, and commissions, including those appointed by the Moderator or established by statute or bylaw, such as the Advisory Committee, Audit Committee, Moderator Committees, Transportation Board, and the Zoning Board of Appeals to similarly adopt requirements to copy the Archive email address when generating public records.

Town Meeting asks the Town Administrator and IT Director to provide a report in December 2026 to update Town Meeting on the extent to which their training, monitoring, and reminders have affected adherence to the Select Board's Archive email rule.

or act on anything relative thereto.

ARTICLE 25

Submitted by: Alec Lebovitz, Town Meeting Member Pct. 8; Chi Chi Wu, Town Meeting Member Pct.7; C. Scott Ananian, Town Meeting Member Pct. 10; Amy Newell, Town Meeting Member Pct. 7; Marissa Vogt, Town Meeting Member Pct. 6; Jessica Chicco, Chair, Immigrant Advancement Committee of the Commission on Diversity, Equity, Inclusion, and Community Relations

To see if the Town will adopt the following resolution:

WHEREAS, Brookline is home to a thriving community of immigrants, with nearly one in three residents who are foreign-born, forming an integral part of the Brookline community; and

WHEREAS, Brookline values the contributions that immigrants provide to our community, and seeks to treat them with dignity and respect; and

WHEREAS, the Trump administration has indicated it will continue to use federal agents and troops to terrorize immigrants, communities of color, protesters, and communities whose elected officials oppose Trump or his policies; and

WHEREAS, the Trump administration has carried out indiscriminate operations targeting Latino and other immigrant communities in Massachusetts, including major operations in May and September 2025;

WHEREAS, during the course of these operations, agents of Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) repeatedly committed acts of violence against Massachusetts residents, which included: the kidnapping of Rümeyşa Öztürk, a PhD student at Tufts University for exercising her First Amendment rights; illegally kidnapping an 18-year old with no warrant and detaining him for a week with no access to showers or sufficient food in Worcester County; illegally kidnapping and assaulting a lawful permanent resident in Essex County, stealing his belongings, and threatening his legal status; assaulting a resident of Middlesex County, smashing his car's windows and dragging him from it; detaining a first-year college student at Boston Logan Airport and forcing her out of the country in defiance of a court order; and repeatedly using unlawfully excessive force in encounters with Massachusetts residents; and

WHEREAS, section 287(g) of the Immigration and Nationality Act authorizes ICE to delegate to local police the authority to enforce civil immigration policy, but the use of section 287(g) agreements has diverted taxpayer resources away from public safety and to immigration enforcement, and has led to civil rights abuses across the nation, including abuses against Massachusetts residents across the Commonwealth; and

WHEREAS, every entity that held 287(g) agreements in Massachusetts, except the Massachusetts Department of Corrections, has terminated those agreements and Governor Healey's Executive Order 650 prohibits state agencies from entering into any new 287(g) agreements unless there is a public safety need; and

WHEREAS the Select Board passed a Policy on Federal Immigration Enforcement on April 25, 2017, also adopted as General Order 43.0 of the Brookline Police Department (BPD), which prohibits BPD from inquiring about a person's immigration status or taking any policing action against a person based solely on the person's real or suspected immigration status, and prevents any funds, resources, facilities, property, equipment, or personnel of BPD to be used for federal immigration enforcement, except for the forwarding of fingerprints; and

WHEREAS BPD is part of the Boston Regional Intelligence Center (BRIC), which targets Black, Latino and immigrant Muslim communities with 97.7% of people in its database being people of color; and

WHEREAS BRIC shares information with the Department of Homeland Security, including in one case falsely accusing a high school student of being a gang member, resulting in the detention and deportation of this student; and

WHEREAS currently the BPD shares the fingerprints of individuals arrested or booked into custody with the FBI to see if those individuals have a criminal record and outstanding warrants, and such fingerprints are made available to ICE under the Secure Communities program; and

WHEREAS the Mayor of Boston has in her Executive Order directed the City, through its public safety agencies, to ensure that its established de-escalation protocols are used to protect peaceful protestors and to issue guidance communicating that, consistent with its statutory authority and longstanding practice, the Boston Police Department shall investigate all violence, property damage, and allegations of criminal conduct, including by federal officials; and

WHEREAS General Order 51 of the BPD set protocols for the BPD for managing crowds and preserving the peace during demonstrations and General Order Number 50 of the BPD sets forth a duty by police officers to intervene and report the use by another law enforcement officer of physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances; and

WHEREAS the Town of Brookline had previously applied for and received grants under the Urban Areas Security Initiative (UASI) program offered by the Federal Emergency Management Agency, but such UASI grants now require that 10% of the funds be dedicated to supporting collaboration between local law enforcement and ICE.

NOW THEREFORE, BE IT RESOLVED:

1. That Brookline Town Meeting condemns the unconstitutional actions of President Trump, his appointees, and federal agents engaged in unlawful operations to attack people in Massachusetts communities on the basis of their perceived race, ethnicity, language, or political preferences, and calls on other communities and public officials to join in this condemnation.
2. That Brookline Town Meeting calls upon Governor Maura Healey and Lieutenant Governor Kim Driscoll to immediately cease all cooperation agreements with ICE, including ending the 287(g) agreement with the Massachusetts Department of Corrections and any informal agreements that may be in place, and to refrain from entering into any new 287(g) agreements.
3. That Brookline Town Meeting calls upon the Massachusetts Legislature to pass, and Governor Healey to sign, legislation similar to General Order 43.0 of the BPD preventing any cooperation between state and local law enforcement and federal civil immigration authorities.
4. That Brookline Town Meeting calls upon the Select Board to order the BPD, and BPD to withdraw from BRIC.
5. That Brookline Town Meeting calls upon the Select Board to order the BPD, and the BPD to cease forwarding fingerprints to the FBI when individuals are arrested or taken into custody for misdemeanors or when the individual is a minor, so that such fingerprints are not shared with ICE.
6. That Brookline Town Meeting calls upon the Select Board to order the BPD, and the BPD apply the protocols in General Order 51 to preserve the peace when there are peaceful demonstrations and legal observers to ICE actions and to investigate allegations of excessive use of force and criminal conduct, including by federal officials, pursuant to General Order 50.

7. That Brookline Town Meeting calls upon the Select Board and Town personnel to cease applying for grants under the UASI Program.
8. That the Town Clerk shall cause this resolution to be submitted to Governor Maura Healey, Lieutenant Governor Kim Driscoll, Attorney General Andrea Campbell, Norfolk County District Attorney Michael Morrissey, the Brookline Select Board, and Brookline Police Chief Jennifer Paster.

Or act on anything relative thereto.

ARTICLE 26

Reports of Town Officers and Committees

AND YOU ARE DIRECTED TO SERVE THIS WARRANT IN ACCORDANCE WITH THE BY-LAWS OF THE TOWN OF BROOKLINE.

HEREOF FAIL NOT, and make due return of this WARRANT, with your doings thereon, to the Select Board at least FOURTEEN DAYS before the day of said meeting.

Given under our hands and the seal of the TOWN of Brookline, Massachusetts, this 6th day of March, 2026.

SELECT BOARD



BY VIRTUE OF THIS WARRANT, I THIS DAY NOTIFIED AND WARNED THE INHABITANTS OF SAID TOWN TO MEET AT THE HIGH SCHOOL AUDITORIUM IN SAID TOWN ON TUESDAY, May 26, 2026 AT 7:00 P.M. BY POSTING TRUE AND ATTESTED COPIES OF THE WITHIN WARRANT IN TEN (10) PUBLIC PLACES. ALL OF THIS WAS DONE AT LEAST FOURTEEN (14) DAYS BEFORE SAID MEETING.

CONSTABLE

DATE