

Brookline PAX Recommendations

Annual Town Meeting, May 23, 2006

Art. 7, FY-2007 Budget: SUPPORT, with a Concern & an Amendment

We question two specific items, one much larger, and one relatively minor. The most important yet least likely to be debated item at Town Meeting is our \$180 million budget for FY-2007. The most important budget decisions are determined in advance by rigid adherence to policy "guidelines" which, while often useful, leave TMM's with virtually no significant choices. It seems time to revisit whether these guidelines -- governing school funding, capital expenditures, and fiscal reserves -- should be treated as 'givens'; or should each Town Meeting, Brookline's legislature, fulfill its legal and traditional role in deciding how our community should appropriate the available town funds.

Second, we propose an Amendment for the townhall control of the spending for TRAFFIC CALMING, Special Appropriation #48, C/R p. 7-54, to read: "... \$100,000 to be expended under the direction of the Board of Selectmen, with input from the Commissioner of Public Works " -- instead of the other way around. The reasons will be better explained with the written Amendment; but in essence, there have been both huge ambivalence and long delays, suggesting an issue of leadership.

Further, we always encourage questions to department heads concerning budget items.

Art. 8, Elimination of Refuse Removal Fee: VOTE "NO ACTION"

This fee, unchanged in 12 years, funds less than 2/3 the cost of trash removal. Without it, we'd have a \$2.1 million deficit, devastating services like public safety, schools, affordable housing, etc. If anything, the fee should be increased to more fully pay for this service, as it used to do, to free up tax revenue for other public purposes.

Arts. 9-10, Community Preservation Act (put CPA on ballot): SUPPORT BOTH

We find it unconscionable to suggest that the CPA should not be placed before the voters. A broad-based committee has worked hard and well to fashion an excellent proposal that, if enacted, will serve Brookline well. The modest increase in tax burden will leverage significant state funds to meet pressing Town needs in affordable housing, open space, and historic preservation. Virtually every objection raised about the CPA three years ago has been answered. As a bonus, enacting the CPA may forestall the need for an override for several years. It would be fiscally irresponsible and undemocratic to prevent the voters from deciding this.

Art. 17, Building Procedures: "green technology" cost analyses SUPPORT (referral)

We strongly support the intent of this article, and commend the petitioner for bringing it forward. Climate Change is one of the most profound threats we face. This article offers a significant step we can take, which is fiscally prudent at the same time. We urge FAVORABLE ACTION on whichever motion moves this forward, be it the original motion or the motion to refer.

Art. 18, Training for elected & appointed officials: SUPPORT, with a question

Simple common sense dictates a need for officials to get training, at least including the important and subtle requirements of the Conflict of Interest, Open Meeting, and Public Records Laws. The latter two are even more confusing in the new era of proliferating e-mail. Our question: What's been done to educate town STAFF -- existing staff, including as to changing developments in these laws, and new employees?

PAX supports: Excellent Public Education and Services, Respect for Public Employees & Organized Labor, Respect for the Environment, and Diversity & Social Justice. See brooklinepax.org.

Art. 19, Mandatory evening meetings for committees: SUPPORT

This proposal would maximize public input; and it would honor the spirit, not just the letter, of the Open Meeting Law. The objections of some selectmen and Advisory Committee members are not convincing to us.

Art. 23, Designated off-leash areas for DOGS: SUPPORT, with concerns

This experiment should be made permanent. The Park & Rec. Commission and its staff have put in a Herculean effort for several years, and deserve enormous credit for devising a moderate approach codifying and improving the reality that (a) dog owners live here and (b) many dogs need exercise. This program creates the possibility that dog owners will, in return, be more responsible and respectful of the legitimate concerns of other park users. We hope the Town -- and the dog owners -- will remain vigilant and keep improving it.

Art. 24, Focused picketing OPPOSE MAKING IT PERMANENT

Long concerned about this law, we regret not yet having the reports of the selectmen and others, especially the Selectmen's Committee, including its 3-member "Minority," whose views we shared in 2004 -- that this law unnecessarily and overly restricts peaceful, lawful protests (e.g. labor, political, environmental) — and without a clear-cut or proven need for its marginal utility. While it has not yet been used for any abortion protests, it was used for two Biolab protests against a B.U. official, a helpful reminder of the wide reach of the law. Further, it has no effect on demonstrations in front of several homes rather than one. It would not — and constitutionally could not — prevent the use of pictures or offensive language. And, there are other less constitutionally troublesome measures (see 2004 Minority report), some old and some new, to protect both abortion rights and residential serenity, including other current laws that covered the

Biolab case, and that would have real and substantial impact in protecting the well-being of abortion providers and their families.

Art. 26-27, By-Laws 10.2 & 10.3, Noncriminal Enforcement: SUPPORT, but concerns

These By-Laws, especially 10.3, optional "Noncriminal" enforcement, have an important policy issue that's never been addressed. We proposed, but the Moderator ruled out in addition a:

"RESOLUTION for Non-Binding Guidelines for Discretionary Enforcement Decisions: Town Meeting urges the selectmen to form a committee to study, including with public input, the feasibility of proposing guidelines which preserve, but provide non-binding criteria and guidance for, the exercise of discretion by town officials to choose whether alleged misdemeanor law or by-law violations should be treated as warnings, non-criminal citations, or criminal complaint applications."

Arts. 28-29, Zoning by-laws, Moderator's Committee on FAR: SUPPORT, but concerns

The hard and careful work products of the Moderator's Committee on Floor Area Ratio would allow conversions of basements and attics, but reduce adverse impacts on neighbors. We agree with the reasoning of the Committee; but again we proposed, but the Moderator ruled out in addition a:

"Resolution for Protection of Private Greenspace. Town Meeting urges the selectmen to coordinate the Zoning By-Law Review Committee, the Moderator's Committee on Zoning, the Coolidge Corner IPOD, the Planning Department, and any other town entities the selectmen deem helpful to propose zoning by-law and map amendments to better protect private greenspace, especially in areas where Open Space inventories indicate major deficits thereof. Such amendments should be drafted for either the Annual or Fall Town Meeting of 2007, and should consider including, but not be limited to FAR's, setbacks, open space, lot occupancy or coverage criteria; and/or zoning map changes in border areas."

Art. 31, Resolution supporting impeachment of President Bush: SUPPORT

PAX agrees with the reasons of the petitioner. President Bush led us into a disastrous war, killing thousands, through at best deceit, willful blindness, and reckless disregard for the truth. He's promoted or condoned torture, domestic spying without warrants, and an unprecedented theory of a "unitary presidency," an excuse for him being above the law -- all for a permanent "War on Terror." A message must be sent.