



Brookline PAX Recommendations

November 13, 2012 Special Town Meeting

Art. 4: Require hearings on warrant articles by BoS and AC

SUPPORT AC motion

Articles 4 and 5 deal with the public's right to be heard by Town committees, boards and commissions before they take a vote on warrant articles. Article 4, submitted by the Moderator's Committee created in May to study this issue, requires that public hearings be held only by the Board of Selectmen and the Advisory Committee (or its subcommittees). PAX supports this article as a minimal step toward transparency, but prefers the broader reach of Article 5, which closely mirrors the petitioner's original article.

Article 5 as submitted would require that public hearings be held by all committees that intend to vote on a warrant article. It has since been amended to allow the School Committee to have its hearings held by subcommittees, like the Advisory Committee, and to provide that failure to comply with the new requirement would not be grounds to legally challenge any Town Meeting action. PAX supports this amended language but is concerned that requiring petitioners (and citizens) to testify at too many hearings would actually discourage some from filing warrant articles and might be unduly burdensome to small committees that lack the staff to provide appropriate outreach and adequately record testimony.

The Spiegel amendment limits the public hearing requirement to only committees transmitting their positions directly to Town Meeting (as opposed to merely advising and providing input to the Selectmen or Advisory Committee). PAX recommends support of this amendment to avoid excessive public hearings while still requiring that committee recommendations to Town Meeting be made only after members of the public have had an opportunity to voice their opinions.

Art. 5: Require hearings by all committees before votes on warrant articles

See recommendation for Art. 4.

SUPPORT Spiegel amendment, then AC motion

Art. 6: Create a Neighborhood Conservation District in the Ackers Ave area

SUPPORT AC motion

This article concerns a stable and cohesive mixed-income neighborhood in Precinct 14 known as The Settlement (map on page 6-16), which is under siege from developers but worth preserving. Already there have been teardowns and out-of-scale developments; another historic structure on Ackers Avenue is set to be demolished once the Preservation Committee's one-year demolition delay expires next spring; and homeowners are being courted by developers seeking to acquire their property for demolition and gentrification. The Settlement NCD is the only means currently available for preservation of this neighborhood; without it, the Ackers Avenue structure will surely be demolished.

While PAX urges approval of the Settlement NCD right now, we also share the view expressed by numerous TMM's when the NCD bylaw (Article 5), that the prescribed process for creating and managing NCD's had been created in a rush and had major problems. The bylaw contains no process for establishing or changing a district, requires no notices to owners or residents, and does not even require a public hearing. Also, although an NCD can impose land use restrictions at least as severe as zoning, only a majority vote in Town Meeting – not the two-thirds vote required for zoning articles – is needed to establish, change or terminate a district. We urge a prompt and thorough review of the NCD bylaw, with proposed changes to be presented by next May's Town Meeting.

Art. 7: Establish a mediation program for foreclosures for owner-occupied homes

SUPPORT AC resolution

Article 7 has been amended to a resolution that Brookline recognize and address the foreclosure crisis and its impact on families, neighborhoods and the economy across the state and the nation and even in Brookline. While the impact has not been so severe in Brookline as in neighboring communities, foreclosures affect us all. The initial proposal was a bylaw requiring mediation before a lender could proceed with a foreclosure, which has proven to be a successful win/win alternative, since a modified payback plan not only keeps homeowners in their homes, but the lenders are generally better off, as well, as a modified and performing loan is better than owning a vacant foreclosed property. However, the details of how a mediation program would operate – such as Town staffing and resources – still need to be worked out, and the petitioners intend to file a revised proposal in the spring. In the meantime, PAX endorses the current resolution.

Art. 8: Prohibit food service establishments from using polystyrene containers

SUPPORT petitioners' motion

Article 8 would ban polystyrene food and beverage containers. “Polystyrene” includes styrofoam, but also other food and beverage containers bearing a recycle number 6. Polystyrene is not biodegradable and remains forever as solid waste, unless incinerated, eventually entering the water and, as microscopic particles, the food chain. Despite the complaints of the food and beverage industries, a ban poses little impediment to commerce, as is evidenced by the ban in Great Barrington MA, where even Dunkin Donuts has served coffee in paper cups for decades now. While the Selectmen would limit the ban only to styrofoam and the Advisory Committee would exclude the trays in which fresh meat and fish are wrapped, PAX supports the complete ban advocated by the petitioner, Nancy Heller, and the Green Caucus. Details aside, we need to make a loud and strong statement to our many government officials who are moving far too slowly to arrest climate change.

Art. 9: Prohibit large retailers' plastic checkout bags

SUPPORT AC motion

Article 9 would ban non-reusable plastic checkout bags – the lightweight, readily airborne bags that blow along the streets and into the trees and are increasingly being replaced already by cloth or canvas reusable bags. Like polystyrene, the plastic from which these ubiquitous checkout bags are made, polyethylene, is not biodegradable. Instead, it breaks down into particles the size of water molecules, so it can't be filtered out of our water. It then makes its way into the water and up the food chain into our food, where it carries various toxic substances. The ban would affect all pharmacies, all grocery stores, and a small number of other stores over 2,500 square feet.

Over 100 billion bags are thrown away every year in the U.S. – 20 million in Brookline alone. Unlike other fossil fuel products that pollute, plastic bags, like styrofoam containers, are a product we don't need, since they are easily replaced by canvas, cloth or other reusable bags. Thus PAX supports the ban on plastic checkout bags advocated by the Green Caucus. (For those of you worried about having plastic bags for your dog clean-up and other uses, there will still be more plastic bags than you can use, since the ban does not include the plastic bags at the fresh produce counters or those in which newspapers are delivered.)

Art. 15: Resolution urging study of requiring future Town-owned roofs to be made “solar-ready”

SUPPORT petitioners' motion

We don't often use the term “no-brainer,” but here it's appropriate. Especially since Congress is unlikely to do so, municipalities should be taking all available steps – especially any readily available ones – to combat the greatest threat facing us, global warming.

Article 15 is a resolution urging the creation of a committee to prepare a plan for making all Town roofs “solar-ready,” so that when the Town renovates or constructs a new building, the roof will be capable of easily accommodating solar panels in the future. The plan would determine the cost of making existing roofs solar-ready at the time of the renovation and would include such obvious considerations as placing rooftop HVAC and other equipment on the north side rather than the south, and such less obvious ones as ensuring that the roof membrane is of sufficient strength to support solar panels and that wiring and ducting are in place under a new roof to permit solar panels to be connected later without having to remove the roof. PAX supports the article as presented by the petitioner.

Art. 16: Resolution urging Congress to stop funding the Afghanistan War, bring the troops home

SUPPORT AC motion

After eleven years, more than 2,000 U.S. troops killed, many thousands injured and countless thousands of Afghans killed and maimed, it is time to bring our troops home. Our continued military presence does not ensure a peaceful future for Afghanistan; on the contrary, it serves as a major incitement for reorganization of the Taliban and other repressive forces. The only way forward is a political solution that does not require a Western occupation force. So it is time for us to cease military operations in Afghanistan, except for those required to bring our troops home safely. The adoption nation-wide of resolutions such as this will help bring this about. Let's keep in mind the famous FDR quote: “I agree with you. I want to do it. Now make me do it.”

Marty Rosenthal and Frank Farlow, Co-chairs

PAX supports: Excellent public education and services; Respect for public employees and organized labor; and Respect for the environment, diversity and social justice.