



PAX WARRANT ARTICLE RECOMMENDATIONS Brookline Annual Town Meeting, May, 2022

On behalf of PAX Chair Marty Rosenthal, and myself as PAX Secretary:

PAX welcomes our new Town Meeting Members, and congratulates our newly elected town-wide officials.

We're pleased to share with you Warrant Article ("WA") recommendations of the Brookline PAX Board, as always, by a super-majority of those voting (threshold of 60%). We generally limit our recommendations to Articles expressive of PAX principles (e.g., supporting public education, public services, public employees and organized labor, the environment, and diversity, social/racial justice and peace), which are often subjective calls. See <https://brooklinepax.org/about/> for more.

We've offered only limited descriptions of warrant articles here. Town Meeting Members are urged to consider our recommendations in conjunction with reading the Combined Reports, and especially the reports of the Advisory Committee. Whether we agree with their recommendations or not, their reports are the best available resource for detailed explanations of the matters that will come before Town Meeting and offer a reasonably balanced discussion of the pros and cons, especially of those Articles expected to be contentious.

PLEASE PRINT THESE RECOMMENDATIONS AND KEEP THEM AT HAND DURING TOWN MEETING!

Best regards, Neil

Neil R. Gordon, TMM1 and Secretary, Brookline PAX

PAX WARRANT ARTICLE RECOMMENDATIONS

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Article 2. Collective bargaining – The Town has entered into a Memorandum of Agreement with the Brookline AFSCME Local 1358 which provides for a 1% raise in FY22, and a 3% raise for FY23 and FY24, the addition of Juneteenth as a holiday, and several other non-controversial provisions. Consistent with our support of union labor, and of the collective bargaining process, **PAX recommends FAVORABLE ACTION.**

Article 6. Accept legislation to increase certain property tax exemptions – An article, routinely passed unanimously or nearly so, that doubles the property tax exemptions for various residential low-income and/or low asset property owners, e.g., disabled veterans, blind, or elderly. **PAX recommends FAVORABLE ACTION.**

Article 8. Annual (FY23) budget appropriations – The budget that’s presented to Town Meeting represents months of work by the Town staff and the Advisory Committee, in particular. As we write this, the Advisory Committee budget motion includes funds for additional Planning Department staff, consistent with the vote of November ’21 Town Meeting (see Article 10, below). The Select Board may offer their budget, by amendment, which would remove Planning Department funding. We support the Advisory Committee motion, and otherwise respect the budget process and its outcome. As we write this, we’re not aware of any other proposed amendments, and we’d be especially wary of any that are presented too late in the process to receive adequate analysis and vetting. No budget is perfect, but respecting the process, **PAX recommends FAVORABLE ACTION on the budget overall as moved by the Advisory Committee.**

Article 9. Increase Brookline minimum wage – The Living Wage Bylaw provides wage protection to part-time and temporary employees not covered by collective bargaining. This article adjusts the Brookline minimum wage, in response to an

increase in the state minimum wage to \$15 an hour. Most of the affected employees work in recreation programs and are paid from revolving funds. An increase in payroll costs might result in an increase in fees but we suspect the increase will be modest, if the fees increase at all. **PAX recommends FAVORABLE ACTION.**

Article 10. Comprehensive planning – Good planning is a part of good government. This article appropriates just under \$200,000 to facilitate a community-driven planning and zoning reform process, consistent with a near unanimous vote of November '21 Town Meeting. **PAX recommends FAVORABLE ACTION.**

Article 11. Increase the base for retiree cost of living increases – Raising the base provides a modest but meaningful offset to inflation for those who served this Town well, and sends a positive message to current Town employees, i.e., that we continue to care about those who serve this Town. The increase in the Town's unfunded pension liability (about \$5 million) from this action may eventually result in an increase in the Town's annual payment into the pension fund, but for now it's funded with past gains, which exceeded actuarial estimates. **PAX recommends FAVORABLE ACTION.**

Article 12. CDICR Complaint Committee – Read the Combined Reports and supplements for a more complete understanding of this article. At best, the bylaw amendment offered by Article 12 is, in the words of one PAX Board member, "half baked." Unfortunately, the alternative is the perhaps quarter baked changes adopted by Town Meeting two years ago with known flaws (hence the long-delayed effective date), which, if not amended, will go into effect on July 1, 2022.

While Article 12 is complex, there's just one issue of contention between the petitioners' and the Advisory Committee's versions, i.e., fines. Petitioners want to retain language regarding fines, notwithstanding Town Counsel's position that fines may not be wholly legal. We note that the authority to fine is likely so limited as to make them fundamentally unequitable, e.g., banks and real estate

companies, landlords, and major employers would likely be exempt, while many of our small businesses would not be exempt. We see this as fundamentally focused on the Davids, while the Goliaths remains free to go about their (alleged, discriminatory) business. PAX prefers the Advisory Committee amendment, which removes the fines.

While we support improving this bylaw, in our view it remains flawed. In the course of developing rules, regulations and procedures, we urge ongoing study, including by the Select Board and Town Counsel, of deficiencies in the bylaw, and the complaint process. Should Town Meeting vote No Action or vote to refer the subject matter of Article 12, we also urge further study, including questions relating to the need for a complaint process that extends beyond the Town and its employees, addressing the confusing array of multiple paths complainants might take, and addressing whether a volunteer committee, with minimal training, can be expected to execute the intended provisions included in the proposed bylaw. No matter the outcome, further improvements can and should be made by a future Town Meeting. **PAX recommends FAVORABLE ACTION on the Advisory Committee substitute motion**, which removes fines.

Article 17. EV ready parking – This is a zoning bylaw amendment that increases the requirement for EV ready charging in new construction and major renovations. **PAX recommends FAVORABLE ACTION.**

Article 18. Zoning re: bicycle parking – This is a zoning bylaw amendment that increases the requirement for accessible bicycle parking in multi-family buildings. **PAX recommends FAVORABLE ACTION.**

Article 22. PFAS ban – We support the petitioners’ goal of banning the sale of products containing fluorinated hydrocarbons, but recognize the difficulty of Brookline’s retailers in identifying targeted products that are, unfortunately, not clearly labeled as such. We agree that more study is needed, and therefore **PAX recommends FAVORABLE ACTION on the Advisory Committee motion to refer.**

Article 23. Resolution re: synthetic turf fields study – The issue of synthetic v. grass fields pits environmental and health concerns against the need for weather and use resistant playing fields. Yes, let's give this to a Moderator's committee for study. **PAX recommends FAVORABLE ACTION.**

Article 24. Restrictions on synthetic turf fields – This Article would place a three-year moratorium on creating any new, synthetic turf fields. **PAX recommends FAVORABLE ACTION on a motion to refer the subject matter of Article 24 to the Moderator's study committee.**

Article 25. Ban single use plastic products – A relatively short list of products would be banned. All have readily available, non-single use plastic alternatives. **PAX recommends FAVORABLE ACTION.**

Article 26. Park & Rec programs for those less able to pay – Of course residents who can't afford Recreation Department program fees should be able to participate for free or at reduced rates. That's a budget issue and not one that needs this (extensive and overly detailed) proposed bylaw amendment. Petitioners have yet to have a meaningful conversation on the subject matter of this Article with the Parks and Recreation Commission, which could have been their first stop before picking up their warrant article drafting pen. **PAX recommends FAVORABLE ACTION on a motion to refer the subject matter of Article 26 to the Parks and Recreation Commission.**

Article 27. Leaf blowers – Essentially and eventually, a ban on gas powered leaf blowers. Perhaps leaves actually don't need 100% removal. The environment, on the other hand, needs our 100% attention. It's time. **PAX recommends FAVORABLE ACTION.**

Article 28. 16-17 year old voting – We support lowering the voting age, but don't see where a Home Rule petition will get us there. We support the Advisory Committee's substitute motion, which calls for the legislature to enact enabling legislation that would allow any city or town in Massachusetts to choose to lower the voting age in its local elections. Our conclusion is based on testimony from, and conversations with, the Vice Chair of Election Laws, State Representative (and PAX Board member) Tommy Vitolo. As a more likely path toward allowing 16-17 year olds to vote in our local elections, **PAX recommends FAVORABLE ACTION on the Advisory Committee's substitute motion.**

Article 29 – Non-citizen voting – See our explanation on Article 28. We fully support non-citizen voting in local elections, and see the Advisory Committee's substitute motion as the most likely path toward allowing that to become law. **PAX recommends FAVORABLE ACTION on the Advisory Committee's substitute motion.**

Article 31. Uber/Lyft ballot question – This is a fundamental workers-rights issue that has no business being put to the voters in a ballot question. Uber/Lyft and others will spend millions misleading voters, and will save multi-millions should the ballot question pass, all at the expense of their drivers. There's a bill pending in the legislature that will define these gig workers as employees. That will give them the right to earn at least a minimum wage, provide benefits, and allow them to bargain collectively should they choose to do so. Let the legislature do its job! **PAX recommends FAVORABLE ACTION.**

Article 32. End US embargo of Cuba – Town Meeting has taken this one up before and there's no harm in taking it up again. **PAX recommends FAVORABLE ACTION.**

Article 33. Codify the procedures for Town Meeting – We've heard this referred to as the "point of order" Article, and we agree. Let our duly elected Moderator do her job, which is moderating Town Meeting. Her authority derives from state

law and local custom. This Article is ill-conceived and should be summarily dispatched. **PAX recommends NO ACTION.**

Article 35. Open the TMMA Listserv to public view – There is tension between giving the public access to what their elected representatives are discussing, and Town Meeting’s influencing a quasi-private (but maybe public) association, albeit one whose members are nearly entirely the full set of Brookline’s Town Meeting Members. Respecting the stated desire of some Town Meeting Members to engage in private conversations, noting that they’re not subject to the Open Meeting Law, and recognizing that the petitioners or the Town could sponsor a Listserv that meets their objective, **PAX recommends NO ACTION.**