



## Brookline Annual Town Meeting, May 2023 Recommendations

Article 2	<b>Favorable Action</b>	Crossing Guard contract
	<i>No recommendation</i>	Police contract
Article 6	<b>Favorable Action</b>	
Article 7	<b>Favorable Action</b>	Item 68 Robinson Playground
	<b>Favorable Action</b>	Item 69 Murphy Playground
	<b>No Action</b>	Item 70 Pierce Amendments
	<b>Favorable Action</b>	Pierce Main Motion for fully funded Pierce
	<b>No Action</b>	Pierce Main Motion if amount is reduced
Article 9	<b>Favorable Action</b>	Advisory Committee amendment
	<b>Favorable Action</b>	Main Motion
Article 10	<b>Favorable Action</b>	
Article 11	<b>Favorable Action</b>	
Article 13	<b>Refer</b>	to a Select Board committee
Article 14	<b>Favorable Action</b>	
Article 15	<b>Favorable Action</b>	
Article 16	<b>Favorable Action</b>	
Article 20	<b>Favorable Action</b>	
Article 21	<b>Favorable Action</b>	
Article 22	<b>No Action</b>	
Article 23	<b>Favorable Action</b>	
Article 24	<b>Favorable Action</b>	
STM Article 1	<b>Favorable Action</b>	

### **2. Approval of Collective Bargaining Agreements. (Human Resources)**

(i) Bargaining issues have been resolved between the Town and the School Traffic Supervisors (i.e., crossing guards), and **PAX recommends FAVORABLE ACTION** to approve that contract.

(ii) In the case of the police contract, the Town and the union didn't agree at the bargaining table, and differences went to arbitration. The Select Board plans to appeal about \$800,000 of the arbitrator's award, while the Advisory Committee recommends approval of the full amount. We'd need more time to understand the implications of one version vs. another, and reluctantly can't offer a recommendation on that contract. We are thoroughly disappointed in the Select Board's ongoing, adversarial posturing against our police department. Morale was given a boost with the well-deserved promotion of Chief Paster, only to be deflated days later by choosing a path of litigation. The arbitration panel concluded that our officers are "the lowest paid of the five [jointly agreed as "comparable"] communities," e.g., about \$20,000 less than Newton. For this and other reasons, we've been losing younger but experienced, and often diverse officers, to other departments.

### **6. Acceptance of legislation to increase certain property tax exemptions. (Assessors)**

Routinely passed unanimously or nearly so, this would double the property tax exemptions for various low-income and/or low asset property owners, e.g., disabled veterans, blind, or elderly. **PAX recommends FAVORABLE ACTION.**

## **7. Annual (FY24) Budget Appropriations Article. (Advisory Committee)**

**PAX recommends FAVORABLE ACTION** on the following, voted separately as bonding items (requiring a two-thirds vote):

**Items 68 and 69 – Improvements to Robinson Playground and Murphy Playground** An aggregate of just over \$600,000. Brookline's parks and playgrounds are important community centers, offering socialization, recreation, and more. As we continue to encourage more density in transit rich zones, investing in our green spaces becomes even more important.

**Item 70 – Appropriation and Bonding of the Pierce School** Ballot Question 1 passed. Town Meeting isn't a rubber stamp, but voters rightfully expect that Town Meeting will support the outcome of a free and fair election. There's no direct impact to the Town's operating or capital budgets from the Pierce project; voters have told us they want a new Pierce School and they're willing to pay for it. Without reservation, **PAX recommends NO ACTION on post-election amendments** (that remind us of the sore losing in November 2020), and **FAVORABLE ACTION on the main motion**. Should an amendment reducing the amount of the appropriation pass, **PAX recommends NO ACTION on a main motion with a reduced amount**.

**On the budget as a whole**, the AC laudably pushed for funds for the Council on Aging and for public safety training. They were misguided, though, in their attempt to balance the budget at the expense of our schools. A better solution was found by the Town Administrator and staff, i.e., leave the school budget intact while using other available funds to balance the budget. **PAX recommends FAVORABLE ACTION** on the overall FY24 budget.

## **9. Amend Article 2.1.13 of the Town's General By-Laws to increase the number of registered voters required for petitioned warrant articles from 10 to 50. (Gordon)**

A steady increase in petitioned warrant articles has stressed the Select Board, Advisory Committee and Town Meeting. Articles 9, 10 and 11, were brought, at least in part, to relieve some of that stress. The Advisory Committee is offering an amendment to increase the signature requirement from 10 to 25, which seems a reasonable compromise. **PAX recommends FAVORABLE ACTION on the Advisory Committee amendment, and FAVORABLE ACTION on whichever version becomes the main motion**.

## **10. Amend Article 2.1.13 of the Town's General By-Laws to define and require lead petitioners for warrant articles. (Gordon)**

A straightforward change that is strictly administrative. Second in a series of articles; this one will hopefully make the warrant review process just a bit more efficient. **PAX recommends FAVORABLE ACTION**.

## **11. Amend Articles 2.5.2 and 3.22 of the Town's General By-Laws to revise the process for Select Board and Advisory recommendations and hearings on warrant articles. (CTOS)**

Article 11 is CTOS' response to Fall '22 Special Town Meeting Article 5, which sought to define the Select Board's responsibility to hold public hearings on warrant articles, and to issue reports and recommendations to Town Meeting. The CTOS proposal recognizes the public's right to be heard on the subject matter of ALL warrant articles, and it sets pragmatic recommendations (without being overly prescriptive) on criteria the Select Board might use to decide which articles to take up. The Select Board is opposed to doing what PAX, CTOS and the Advisory Committee consider to be important elements of its job, i.e., to give the public a right to be heard, and to provide Town Meeting with meaningful reports and recommendations from the Town's executive board. **PAX recommends FAVORABLE ACTION**.

## **13. Create a new Article 3.12A of the Town's General By-Laws to establish an Office of Housing Stability. (Wu)**

The Town can play a critical role helping individual Brookline residents facing a housing emergency, and PAX believes that our local government *should* provide formal assistance in those gut-wrenching

situations. That said, Town Meeting is asked to adopt an organizational solution that may invest more in infrastructure, i.e., an “office,” than on helping those in need. A list of suggestions, things the proposed office *might* do, isn’t sufficiently developed to include in the Town’s bylaws. Let’s (quickly!) study this, better define issues residents are facing and the Town’s most effective role in providing support, and craft a viable, pragmatic solution (with details on budget and organizational structure) that can come back to Town Meeting in November. Referred warrant articles die when petitioners let them; we’re confident that won’t happen in this case. **PAX recommends FAVORBLE ACTION on REFERAL to a Select Board committee, and in any case to a body subject to the Open Meeting Law.**

**14. Amend Article 4.08 of the Town’s Zoning By-Laws (Inclusionary Zoning) to lower the unit threshold for developments that must include onsite affordable housing units. (Blood)**

With limited exceptions, PAX has supported inclusionary zoning over trust fund payments, and continues to do so. Joining unanimous votes of the Planning Board, Select Board, and the Advisory Committee, **PAX recommends FAVORABLE ACTION.**

**15. Amend Article 5.9 of the Town’s General By-Laws to clarify and update votes previously taken regarding the Stretch Code and Specialized Energy Code, and add fossil fuel free restrictions in accordance with the MA DOER Demonstration Project. (Department of Planning and Community Development)**

The Select Board said it well: “[Article 15] continues the theme of energy efficiency and the transition to electrification to aid with climate change mitigation and the Town’s climate action energy goals, in very much the same way as previous votes by Town Meeting regarding the Stretch Energy Code and Specialized Energy Code. **PAX recommends FAVORABLE ACTION.**

**16. Amend the Zoning Map and Articles 3 and 5 of the Town’s Zoning By-Laws to create a new zoning district to set forth building massing requirements in two existing T-5 (two-family) zoning districts north of Beacon Street to encourage reuse and deter demolition. (Department of Planning and Community Development)**

It’s frustrating and antithetical to economic diversity in Brookline when buildings with lower-priced units are replaced by buildings with the same number of higher-priced units. **PAX recommends FAVORABLE ACTION.**

**17. Amend Article 8.37.2 of the Town’s General By-Laws to change “marijuana” to “cannabis” and to permit two additional Storefront Cannabis Retailers licenses for Equity Applicants. (O’Neal)**

PAX has been outspoken in its support of cannabis legalization, and especially in the context of the long, ugly history of the wars on drugs. We’re also obviously cognizant of the strong voter support for Ballot Question 3, which caps the Town’s cannabis dispensary licenses at four, all of which have already been issued, and none of which are social equity licenses. We don’t take the will of the voters lightly, but neither do we take equity lightly. Unable to reconcile these opposing forces PAX makes no recommendation. We urge Town Meeting Members to listen carefully to the arguments.

**19. Create a Brookline Black N Brown Commission. (Ijanusi)**

As printed in the warrant, Article 19 raised constitutional and other issues, which through the work of the Advisory Committee have been resolved. (We note that the Select Board’s recommendation of No Action was taken before these issues were resolved.) Petitioners argue a need for a better forum for raising issues relating to Black and Brown residents of Brookline than currently exists, a point on which PAX agrees. Unfortunately, we have not seen the (heavily amended) version of Article 19 that will come before Town Meeting. PAX reluctantly can’t offer a recommendation on this Article.

**20. Amend the Menstrual Hygiene Product Access By-Law of the Town's General By-Laws, currently Article 8.39, to change the Article's duplicative numbering and add provisions relative to reproductive and gender health care. (Stone, et. al)**

Reproductive rights are under attack, and both state and local action is appropriate in response. Petitioners concede that the proposed bylaw may be of little legal consequence, but better to adopt protections we may not need than vice versa. **PAX recommends FAVORABLE ACTION.**

**21. Create a new Article 8.XX.1 of the Town's General By-Laws to establish training, notice and reporting requirements for Innholders to prevent human trafficking. (Davis, et. al)**

Human trafficking in hotels often goes unnoticed, and vulnerable victims, including immigrants, and especially those without documentation, can't easily self-report. Training and other measures to create hotel staff awareness are appropriate measures. **PAX recommends FAVORABLE ACTION.**

**22. Home Rule petition to establish ranked choice voting in Town elections. (Rank Choice Voting Committee)**

Read the warrant article, then raise your hand if you can explain how the ranked choice voting system proposed by the petitioners would actually work in Brookline, where most of our elections are for multiple seats. What's proposed clearly isn't what we commonly perceive as RCV, which works well enough in single winner elections. RCV goes downhill from there, and does so rapidly: can you rank multiple School Committee candidates? How about Library Trustees or Constables? How about Town Meeting candidates, and especially in post-redistricting years when you might face a ballot with fifteen open seats and two dozen candidates. Article 22 is a complicated and questionable solution in search of a non-existent problem. **PAX recommends NO ACTION.**

**23. Resolution requesting the Select Board, Town Administrator and Human Resources Director to work with the Police Department to adopt and implement an in-car and body worn camera policy for the Police Department. (O'Neal)**

PAX has supported body worn and dash cams for a long time. Implementation in Brookline is moving forward. Let's send a clear message that this is something we want. **PAX recommends FAVORABLE ACTION.**

**24. Resolution requesting the Select Board and the Town's legislative delegation to initiate or continue efforts to modify Department of Housing and Community Development guidelines promulgated pursuant to the MBTA Communities Act, requesting the Moderator to appoint a committee on compliance with the Act and requesting the Select Board to direct the Planning Department to staff the committee. (Gordon, et. al)**

Much has changed since this warrant article was filed, most significantly the appointment by the Select Board of a committee to study alternatives to a flawed plan to upzone Harvard Street without safeguards for our retail storefronts. Town Meeting will vote on an updated resolution (no longer calling for appointment of a Moderator's committee) supporting actions of the Select Board that encourage the development of viable alternatives to the Harvard Street plan, so that Town Meeting has multiple compliance pathways this fall. **PAX recommends FAVORABLE ACTION.**

**Special Town Meeting Article 1. Gun Control. (Ishak et. al)**

With limited (and logical) exceptions, STM Article 1 would prohibit the carrying of guns on Town property. Perhaps this is a symbolic gesture; there's no easy way to identify someone carrying a concealed weapon (legally or otherwise), and our local authority limits penalties for non-compliance to modest fines. Nonetheless, this article will establish a community standard of disapproval of carrying of guns in public settings. **PAX recommends FAVORABLE ACTION.**