

ARTICLE 8

ADVISORY COMMITTEE'S SUPPLEMENTAL RECOMMENDATION

By a vote of 19-2-1 the Advisory Committee voted on the following amendment to their earlier motion.

Moved: To amend the Advisory Committee motion under Article 8 as follows (deleted language is struck):

SECTION 3.13.2 MEMBERSHIP

The Housing Advisory Board shall consist of nine trustees who shall be residents of the Town, six appointed by the Select Board for two year staggered terms, and a member each of the Select Board, Planning Board and Brookline Housing Authority Board of Commissioners. Vacancies shall be filled for unexpired terms. Of the Select Board appointees, two should be low or moderate income tenants who reside in subsidized housing units as defined by the Comprehensive Permit Law (Massachusetts General Laws Chapter 40B, Sections 20-23, and Massachusetts regulations thereunder) or who receive state or federally sponsored rent subsidies and who demonstrate a knowledge of tenant issues. At least one of the low or moderate-income tenants shall be a resident of a Brookline Housing Authority apartment or a recipient of BHA-administered rent subsidies. The other Select Board appointees should have knowledge or experience in one or more of the following areas: government housing programs, housing or real estate finance, affordable housing development, design or urban planning including sustainability, and real estate law. The Select Board should ensure that all these areas of expertise are represented on the Housing Advisory Board. The Select Board shall endeavor to assure that the Housing Advisory Board members are racially and ethnically diverse and are committed to community engagement.

~~Alternate Member: The Select Board shall further appoint one Alternate non-voting member who shall meet the same criteria as the low or moderate income voting members. The Alternate non-voting member may participate in Board meetings and deliberations. In the event that a scheduled Board meeting fails to achieve a quorum, the Alternate member may be designated by the Chair as a substitute voting member in order that the meeting may proceed with the required quorum.~~

ARTICLE 10

TECHNICAL AMENDMENT MOVED BY ADVISORY COMMITTEE

MOVED: To amend Section 5.11.4 (1) (d) so that it reads as follows (new text is bold and deleted language is struck):

d. Where a Short-Term Rental Unit is part of a **four (4) unit or less** condominium association **and the condominium association applicable documents, bylaws or other governing documents do not explicitly prohibit Short-Term Rentals**, certification by **all unit owners in the Short-Term Rental Operator's condominium association that they consent to the operation of a Short-Term Rental.** ~~the Short-Term Rental Operator's condominium association board that the operation of the Short-Term Rental complies with all applicable leases and/or condominium documents, bylaws, or other governing documents.~~

Explanation:

Paragraph (d) is a technical amendment to clarify when members of a condo associations of 4 or less must provide permission when an owner wants to operate a short-term rental.

ARTICLE 12

ADVISORY COMMITTEE'S SUPPLEMENTAL RECOMMENDATION

Upon reconsideration of its previous vote, by a vote of 12-2-12, the Advisory Committee recommends FAVORABLE ACTION on the following:

The Town hereby accepts Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purposes permitted by said Act, including the acquisition, creation and preservation of open space, the acquisition, preservation, rehabilitation and restoration of historic resources, the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use, the acquisition, creation, preservation and support of community housing, and the rehabilitation and restoration of such open space and community housing that is acquired or created as provided under said Act; that the amount of such surcharge on real property shall be 1.0% of the annual real estate tax levy against real property commencing in fiscal year 2022; and that the Town hereby accepts the following exemption from such surcharge permitted under Section 3(e) of said Act: property owned and occupied as a domicile by any person who would qualify for low income housing or low or moderate income senior housing in the Town, as defined in Section 2 of said Act. ~~The first \$100,000 of taxable value of residential real estate shall be exempted from the CPA surcharge. This exemption shall be automatically applied to residential property taxes prior to bills being issued by the city or town.~~

ARTICLE 13

CORRECTED ADVISORY COMMITTEE MOTION

Upon reconsideration of its previous vote, by a vote of 18-1-8, the Advisory Committee recommends FAVORABLE ACTION on the following:

Additional language in **boldface and underlined** (see below):

To see if the Town will authorize and empower the Select Board to file a petition, in substantially the following form, with the General Court for a special act authorizing the Town of Brookline to establish a means-tested senior citizen property tax exemption similar to the Town of Sudbury's Means-Tested Senior Citizen Tax Exemption but which is restricted to qualifying seniors who do not also qualify for the Town of Brookline's Senior Tax Deferral Program.

AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO ESTABLISH A MEANS-TESTED SENIOR CITIZEN PROPERTY TAX EXEMPTION

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. With respect to each qualifying parcel of real property classified as Class one, residential in the town of Brookline, there shall be an exemption from the property tax equal to the total amount of the tax that would otherwise be assessed without this exemption less the sum of (i) 10 percent of the total annual qualifying income for purposes of the state's "circuit breaker" credit income tax credit under subsection (k) of section 6 of chapter 62 and (ii) the amount of the state's "circuit breaker" credit the applicant was eligible to receive in the year prior to the application being filed. The percentage of total annual qualifying income may be raised by section 3. In no event shall this exemption reduce property taxes by more than 50 percent of the property taxes due after the application of the town's residential exemption. The exemption shall be applied to the domicile of the taxpayer only. For the purposes of this act, "parcel" shall be a unit of real property as defined by the assessors under the deed of the property and shall include a condominium unit.

SECTION 2. The board of assessors may deny an application if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act. Real property shall qualify for the exemption under section 1 if all of the following criteria are met:

(a) the qualifying real property is owned and occupied by a person whose prior year's income would make the person eligible for the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws;

(b) the qualifying real property is owned by a single applicant age 65 or older at the close of the previous year or jointly by persons either of whom is age 65 or above at the close of the previous year and if the joint applicant is 60 years of age or older;

(c) the qualifying real property is owned and occupied by the applicant or joint applicants as their domicile;

(d) the applicant or at least one of the joint applicants has been domiciled in the town of Brookline for at least 10 consecutive years before filing an application for the exemption;

(e) the maximum assessed value of the domicile is no greater than the prior fiscal year's average assessed value of a Brookline residential parcel assigned state use codes 101 (single-family home) and 102 (condominium) plus 10 percent; and

(f) the board of assessors has approved the application.

For the purposes of this act, what constitutes "excessive assets" shall be determined by guidelines set by the select board.

SECTION 3. The exemption under section 1 shall be in addition to any other exemption allowable under the General Laws, except that there shall be a dollar cap on all the exemptions granted by this act equal to 0.25 percent of the fiscal year's total residential property tax levy for the town of Brookline with the total exemption amount granted by this act allocated proportionately within the tax levy on all residential taxpayers. After the first year of such exemption, the total cap on the exemptions granted by this act shall be set annually by the select board within a range of 0.25 to 1 percent of the residential property tax levy for the town of Brookline. In the event that benefits to the applicants may be limited because the percentage established annually by the select board would otherwise be exceeded, the benefits shall be allocated by raising the total annual qualifying income percentage as required in section 1 as necessary to not exceed the cap. In the event the cap exceeds the need for the exemption, any undistributed amounts collected shall be returned to the town.

SECTION 4. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of the applicant's income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 5. No exemption shall be granted under this act for any year if an applicant otherwise meets all the qualifications in sections 1, 2, 3, and 4 of this act and also meets all the qualifications of the town of Brookline's Senior Tax Deferral Program for that year, including obtaining the written approval by all persons having a legal interest in the applicant's parcel as required by the town's Tax Deferral and Recovery Agreement. Applicants shall, in good faith, seek to qualify for the town's Senior Tax Deferral Program. A finding that an applicant has not done so, **or has during the sixty months prior to**

applying for the property tax exemption, affirmatively taken steps so as to not qualify for the town's Senior Tax Deferral Program. shall be grounds for denying the property tax exemption provided by this act.

SECTION 6. This act (or only section 5 of this act) may be revoked by an affirmative vote of a majority of Town Meeting at any annual or special Town Meeting. Revocation of sections 1 to 5, inclusive, and sections 6 and 7, or section 5 only, shall take effect 30 days after an affirmative vote of Town Meeting.

SECTION 7. No exemption shall be granted under this act until the department of revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy.

SECTION 8. The Board of Assessors shall report back to Town Meeting and provide an assessment of the program established by the act after it has been in operation in the town for twenty-four months.

The General Court may make such amendments as are within the scope of the general public objectives of this petition. Or act on anything relative thereto.

ARTICLE 21

ADVISORY COMMITTEE'S SUPPLEMENTAL RECOMMENDATION

Based on revised information that was received from the Office of Town Counsel, the following correction of a sentence should be made to the Advisory Committee Report on WA 21, in the fourth paragraph on page 21-5 (with the deleted sentence in strike-through and the replacement sentence in bold underline):

During the past ten years, the Town has entered into a total of ten (10) settlement agreements having to do with discrimination, retaliation, or harassment claims against it, an average of one per year. Two were settled in 2018, none since. The Town departments against which the ten claims were made are: Police (3), School (2), Parks & Recreation (1), Council on Aging (1), Public Works (1), Fire (1), and Information Technology (1). The settlement amounts ranged from \$3,000 to \$250,000. Two of the claims settled for \$25,000 or less. Two of the claims settled for more than \$200,000. The average settlement amount was \$108,600. ~~During the past ten years, the Town has not entered into any settlement agreements of claims alleging police misconduct.~~ **During the past ten years, the Town has entered into a total of one settlement agreement of a Section 1983 claim alleging police misconduct, in the amount of \$157,000.**

ARTICLE 32

ADVISORY COMMITTEE’S SUPPLEMENTAL RECOMMENDATION

Additional language in blue boldface and underlined

Upon reconsideration of its previous vote, by a vote of 20-0-3, the Advisory Committee recommends FAVORABLE ACTION on the following:

VOTED that the Town adopt the following resolution:

WHEREAS, The Town of Brookline suffers from racial and other disparities in health outcomes, food and nutrition security, educational access, and housing security that negatively impacts especially people of color and other vulnerable people (the “Disparities”);

WHEREAS, The COVID-19 pandemic has accelerated the Disparities in the Town;

WHEREAS, Brookline’s Disparities are similar to those in many similar municipalities in America

WHEREAS, Brookline, through its Select Board, School Committee, Town Meeting, and Town Staff, is committed to repairing the Disparities and continues to devote Town resources to that end.

THEREFORE BE IT RESOLVED:

1. That the Town of Brookline commits to undertake robust but prudent steps to address the Disparities.
2. That the Town of Brookline, by the Director of the Office of Diversity, Inclusion, and Community Relations (the “Director”) and a working group of the Commission for Diversity Inclusion & Community Relations (the “Working Group”), prepare a report on ways to repair the Disparities in Brookline (the “Report”).
3. That, in preparing the Report, the Director and Working Group shall work with other Town departments, including the Schools Department, the Health and Human Services Department, the Planning Department, the Finance Department, and Town Counsel — and shall consult with non-Town agencies, including the Brookline Center, the Brookline Community Foundation and other relevant agencies. The Director and Working Group should also seek to include experts and individuals with lived experience in areas salient to the Disparities.
4. That ~~the~~ **an** initial Report be submitted to the Select Board **before the opening of the Warrant for the Annual Town Meeting in the spring of 2021, an interim Report be submitted to the Select Board before March 31, 2021 and a final Report submitted to the**

Select Board by September 2021.

5. That the Report include (i) a description of each aspect of the Disparities, (ii) a list of the private agencies and programs in Brookline and elsewhere and the Town departments and bodies that are currently addressing the Disparities and are available for further ongoing work to repair the Disparities, (iii) a list of non-Town funding sources, including private sources and state and federal government sources, that can be utilized to repair the Disparities, (iv) any recommended allocations in the Fiscal Year 2022 Town budget and beyond that intentionally target the Disparities, (v) a list of concrete actions that can be taken by the Town or that private agencies or programs can take to repair the Disparities.
6. The Report shall also specifically include ways in which the Town of Brookline can:
 - a. Continue to use its CDBG block grants, but in more robust and creative ways, (i) to support social programs for vulnerable populations and (ii) to fund repairs, maintenance, and improvements to BHA facilities,
 - b. Work with the BHA to identify additional sources of funding for the needs of the BHA, including, where appropriate and authorized, Town funds for the needs of BHA residents and other vulnerable populations,
 - c. Generate additional funds from, for example, economic development, government and private grants, operating overrides, budget reallocations, or other sources to fund the foregoing with minimal conflict with other priorities of the Town.
7. The Director and other Town staff shall pursue private grants or other non-Town moneys for any necessary consultant time or support services in addition to Town resources devoted to the preparation of the Report.

ARTICLE 33

ADVISORY COMMITTEE'S SUPPLEMENTAL RECOMMENDATION

Upon reconsideration of its previous vote, by a vote of 19-1-6, the Advisory Committee recommends FAVORABLE ACTION on the following:

Resolution (1) Urging the Select Board and the School Committee to Adopt Certain Changes Regarding the Town/School Partnership (TSP), (2) Urging the Select Board to Re-Examine the 'Waterfall' Governing the Allocation of Free Cash, and (3) Urging the Select Board, and Town Administrator to Evaluate the Possibility of Creating a Formal Participatory Budgeting Process in Brookline.

That the Town shall adopt the following resolution:

Part 1:

Whereas on May 16, 1995 the Town Administrator and the Superintendent of Schools recommended the Board of Selectmen and the School Committee adopt a formula-based approach to allocating *marginal surpluses/deficits* as set forth in the Memorandum of Understanding Town/School Budget Partnership executed on such date; and

Whereas the formula-based method of carrying out the Town/School Budget Partnership was deemed to be in the best interests of the entire community because it codified and simplified the allocation of marginal resources between the Town and the Schools, and was intended to provide year to year stability and facilitation of long-range planning; and

Whereas the Town/School Partnership Memorandum states that "this formula will need to be revisited at intervals in the case of unanticipated state mandates or extraordinary circumstances..."; and

Whereas the Town/School Budget Partnership was expected to provide a collaborative planning framework in which the Town Administrator, the Superintendent of Schools and representatives of the Select Board and School Committee could jointly identify develop planning agendas; and

Whereas, the Brookline Fiscal Advisory Committee (BFAC), in line with its charge, examined the TSP and made recommendations calling on the Select Board, the School Committee and their respective staffs to focus on a redesign that simplified and clarified

the TSP; and

Part 2

Whereas, the Town budgets with an expectation of generating so-called ‘Free Cash’; and

Whereas, the amount of Free Cash generated from year to year is volatile and subject to influences outside the Town’s control; and

Whereas, the Town has a financial policy governing the use (shall not be used for operating purposes) and allocation of Free Cash (the Waterfall); and

Whereas the Town’s Fiscal Policy Review Committee historically has established and revised the Free Cash Policy; and

Part 3

Whereas, Brookline, despite its structure as a Town with representative government, does not have a Participatory Budgeting process which gives residents of Brookline some direct say over a portion of the Town’s capital budget expenditures;

Whereas, the needs of vulnerable populations should be taken into account during the budget process;

NOW, THEREFORE, BE IT RESOLVED that Town Meeting urges the Town of Brookline, Select Board and the School Committee to enhance the Town/School Partnership and the Budgeting process by making recommendations leading to the implementation regarding:

1. Instituting changes to the Town/School Partnership as recommended by BFACⁱ; and
2. Increasing community understanding of and engagement in the annual budget process by creating and holding periodic budget “Summits” which should incorporate periods for public input; and
3. Reconvene the Fiscal Policy Review Committee to review the Waterfall allocation formulae for the overall Free Cash Policy and for the express purpose of determining a policy to fund emergency and/or acute needs of Brookline residents; and

4. Incorporate into the current incremental annual budget process, a process by which the Town ~~to~~ intermittently and more effectively reprioritizes Town operating and/or capital objectivesⁱⁱ; and
5. Evaluate and consider the establishment of a formal Participatory Budgeting process that would allow for direct decision making by the public with respect to a specific allocation of revenue for discrete capital projects; and
6. Consistent with BFAC recommendations, create formal explanations of the goals of budget appropriations, the metrics by which they will be judged, and the time frame over which the metrics will be analyzed and to undertake periodic lookbacks to ascertain their effectiveness;
7. Consider providing additional resources to the finance staffs of both the Town and the School Department to accomplish the tasks outlined herein.

AND BE IT FURTHER RESOLVED that Town Meeting calls upon the Town Administrator, Superintendent of Schools, Select Board and School Committee to report the details of the course of actions hereby urged and their recommendations no later than the end of August, 2021, in advance of the November 2021 Special Town Meeting.

ⁱ Create a Town-School manual that allows current and future employees to understand what is supposed to happen within the Partnership; Eliminate the misperception that the Partnership reflects a fifty-fifty split of revenue; Utilize fully allocated costs and show them; Consider eliminating the focus on marginal revenue and instead use total revenue; Ensure costs allocated to the Schools conform with Department of Elementary and Secondary Education requirements; Agree on how to incorporate changes in student enrollment (increases or decreases); Agree on how to deal with special education costs (taking into account whether any such costs are embedded in the formula for changes in student enrollment); Consider whether the establishment of a reserve for unanticipated special education costs is needed and/or appropriate; Determine the appropriate revenue split recognizing funds for functions performed by the Town on behalf of the Schools must be available to the Town.

ⁱⁱ Examples would be the concepts of outcome-based budgeting and zero-based budgeting.

ARTICLE 34

REVISED PETITIONER MOTION

VOTED that the Town adopt the following resolution:

WHEREAS Brookline’s housing unaffordability negatively impacts low-, middle-, and upper-middle income residents, particularly renters;

WHEREAS Brookline’s housing shortage adds to the unaffordable nature of the market; WHEREAS according to the Brookline assessor’s office Brookline has added only 526 new units from 2010-2019, with an additional 800 to 1,000 units that have received zoning approval from the ZBA via 40B, inclusionary zoning, or special permit processes and are being tracked for completion over the next several years;

WHEREAS approximately 47% of renters in Brookline are cost-burdened (spending more than 30% on housing), and 23% of renters pay more than 50% of income on housing;¹ WHEREAS many economists argue that a key part of solving the housing shortage is building more housing;

WHEREAS the 2016 Housing Production Plan identified 18 strategies to enhance Brookline’s housing supply;

WHEREAS The Brookline Fiscal Advisory Committee recommends changes to zoning to promote economic growth and prosperity;

WHEREAS decreasing car trips by increasing access to walkable, transit-oriented communities via more housing can significantly reduce per capita carbon impact for the Boston region, which is a significant town priority as expressed by Town Meeting during November 2019’s Special Town Meeting;

WHEREAS building more housing in Brookline may allow new residents to live closer to job centers and decrease the amount of time spent driving and idling in traffic;

WHEREAS Brookline is a generally transit connected community via the Green Line and multiple major bus routes traversing the majority of town, and more housing near transit allows current car commuters to shift to greener transportation methods;

WHEREAS the current zoning code in Brookline, both in practice and original intent, exacerbates racial and economic segregation in Brookline and the Boston region;

¹ According to the United States Department of Housing and Urban Development: “Families who pay more than 30 percent of their income for housing are considered cost burdened.” “Affordable Housing,” HUD.GOV, https://www.hud.gov/program_offices/comm_planning/affordablehousing/

WHEREAS studies have shown that “anti-density zoning increases black residential segregation in U.S. metropolitan areas by reducing the quantity of affordable housing in white jurisdictions”²;

WHEREAS businesses struggle to recruit and retain employees due to high housing costs; WHEREAS more people living near Brookline business districts could increase local businesses’ customer base;

WHEREAS housing instability and un-affordability have negative impacts on health outcomes;³

WHEREAS today’s market rate housing can naturally become more affordable as long as additional housing is being built over time;

WHEREAS multiple organizations have studied the question of the relationship between new housing units and school children and have not found evidence that one correlates with the other;

WHEREAS the dramatic rise in housing costs have created financial challenges for seniors and other longtime residents. Addressing affordability will help increase the likelihood of seniors aging in place and downsizing within the community;

WHEREAS creating the zoning and regulatory space for new market rate housing may increase the possibility that Brookline's current stock of moderately priced housing may be maintained, preserving the limited naturally occurring affordable housing that does exist in town;

WHEREAS Brookline has signed the Metro Mayors’ Coalition Regional Housing Task Force compact that calls for major increases in housing units to support our growing population by 2030 – initially estimated at 185,000 housing units across the region;

WHEREAS the 2019 Greater Boston Housing Report Card issued by The Boston Foundation assessed Brookline’s housing production as permitting only 9.6% of the units necessary to contribute our proportional share of regional housing need;

NOW, THEREFORE, BE IT RESOLVED that Town Meeting urges the Select Board, Planning Board, Zoning Board of Appeals, Housing Advisory Board, the Economic Development Board, and any other board or committee that might consider or issue decisions that impact land use and the built environment of Brookline:

² Rothwell, Jonathan, and Douglas S Massey. “THE EFFECT OF DENSITY ZONING ON RACIAL SEGREGATION IN U.S. URBAN AREAS.” Urban affairs review (Thousand Oaks, Calif.) vol. 44,6 (2009): 779-806. doi:10.1177/1078087409334163

³ University of Wisconsin Population Health Institute. County Health Rankings Key Findings 2019. <https://www.countyhealthrankings.org/reports/2019-county-health-rankings-key-findings-report>

1. To engage in a planning process to expand on the specific analyses and recommendations of previous planning and zoning studies undertaken and/ or approved and adopted by the Town, utilizing a new Housing Production Plan process which will include specific Zoning Bylaw recommendations to encourage and incentivize additional housing units, including where and at what levels, would be beneficial to the Town, and to set a numerical target for local housing production.
2. To develop and propose concrete zoning and regulatory changes to implement the recommendations of the aforementioned process and targets to increase the overall supply of housing units in Brookline, with a focus on ensuring a mix of housing priced at different income levels, and consistent with promotion of mixed-use development in commercial corridors that incorporates housing components.
3. To develop strategies that acknowledge and address our historic racial and ethnic exclusionary practices, and proactively undo the damage from the past 100 years of exclusionary zoning.
4. To ask potential appointees to relevant boards, commissions, and study committees their understanding of the housing production goals and targets as developed in the aforementioned process.
5. To support Brookline's Zero Emissions goal by implementing land use and zoning strategies that maximize Brookline's public transportation usage and active transportation options to minimize the need for or length of car trips.
6. To consider providing the necessary budget allocation to execute the studies and reports recommended by this resolution.

ARTICLE 34

**PROPOSED AMENDMENT TO THE ADVISORY COMMITTEE AMENDMENT
OF ARTICLE 34 - MOVED BY JONATHAN DAVIS, TOWN MEETING
MEMBER PCT. 10**

MOVED, that the Advisory Committee amendment of Article 34 be amended by inserting within what in the Combined Reports appears as paragraph numbered “6.” [sic] on page 34-25, the following text immediately between the word “streetscape” and the punctuation mark “.” (period):

“, reductions in street level commercial space, evictions of commercial tenants, non-renewals of commercial leases by lessors or developers, evictions of residential tenants, and non-renewals of residential leases by lessors or developers”

As so amended, the portion of the Advisory Committee amendment of Article 34 that, in the Combined Reports, appears as paragraph numbered “6.” [sic] would read as follows (the text of this proposed Amendment being underlined):

“6. To engage in a planning process to expand on the specific analyses and recommendation of 2016 Housing Production Plan and determine whether making changes to our Zoning Bylaw to encourage and incentivize additional housing units, including where and at what levels would be beneficial to the Town, after considering the impact costs, including the additional costs in public works, parks and open space, education and other infrastructure, that such additional housing would necessitate, as well as its impact on open space and historic streetscape , reductions in street level commercial space, evictions of commercial tenants, non-renewals of commercial leases by lessors or developers, evictions of residential tenants, and non-renewals of residential leases by lessors or developers .”

Explanation of Amendment

Zoning Bylaw sec. 4.07, Table of Use Regulations, sec. 6, allows developers to reduce street level commercial space in G and L districts by as much as 40% in exchange for residential and associated use. Also, at subcommittee and committee hearings this Fall involving micro units members of the public expressed concern about losing their homes to make room for micro units. However, the problem is more far reaching than micro units and, just as Article 34 is not limited to micro units, this proposed Amendment is not limited to micro units. Rather, the purpose of the proposed Amendment is to put on the radar of the committees that consider the built environment of Brookline not just the addition of residential units but, also, the losses of commercial space that additions may cause, losses of small businesses (which fundamentally involve losses of livelihoods), and losses of existing residential units (which fundamentally involve losses of homes). If the relevant

committees do not address such considerations their work will be incomplete and their opinions and recommendations unreliable and untrustworthy.

ARTICLE 1

**REVISED MOTION OFFERED BY DEBORAH BROWN,
 BONNIE BASTIEN, AND AUTHUR CONQUEST**

Moved: To amend the budget adopted by Town Meeting on 6/30/2020:

Fund Transfers

TM 6/30/220	Increase/(decrease)	STM Balance
24. Reserve Fund \$3,620,855	(\$940,922)	\$2,679,933
Unclassified. Selectmen’s contingency fund		
\$15,000	\$940,922	\$955,922

That these funds, an appropriation of \$940,922 transferred from the appropriated reserve fund to the so called selectmen’s or Town Administrator contingency be distributed as follows:

- \$537,422 earmarked for the following projects:
 - \$140,000 to negotiate contracts with internet providers for distance learning for BHA students, and
 - \$350,000 for repairs to kitchens at High Street, Veterans and/or the Egmont Street BHA and
 - \$47,422 to cover unpaid tenant rents

Total for BHA: \$537,422

- \$343,000 earmarked for the following projects in collaboration with the Brookline Food Pantry:

Time Critical Needs

- \$125,000 to purchase additional food for the Brookline Food Pantry who will feed Brookline’s food insecure
- \$108,000 for Brookline Thrives (feeds Brookline school aged children)
- \$40,000 to pay for commercial refrigeration

- \$10,000 for tents and heaters at food distribution sites
- \$60,000 to purchase a 2020 Nissan NV200 refrigerated van to pick up and transfer foods at sites
- Total: \$343,000

Long-term and Operational Needs

- \$15,000 for renovation of new storage space
- \$2,500 for new computers and hot spots to continue to serve clients outdoors with help of our Oasis Client intake system
- \$43,000 for new position of Pantry Manager to cover all additional shifts needed to transport food from each location (to make sure we have enough just to feed 100-150 families that one day) and assist with running the Pantry on site 5 days per week

Total:\$60,500

Total:Brookline Food Pantry:\$403,500

Total \$940,922

Budget Amendment Explanation and Analysis

Funding Source:

We accept that the funding for these new uses has to come from somewhere. The Town's Reserve Fund is one such source. The Reserve Fund is a sum of money appropriated at Town Meeting to be used at the discretion of the AC in conjunction with Select Board to cover extraordinary or unforeseen expenses that arise during the fiscal year. The creation and use of the Reserve Fund is specified in Chapter 40 §6 of the Massachusetts General Laws. More precisely, **the reserve fund is to be used for "...extraordinary or unforeseen expenditures"** as determined by AC. Clearly, a pandemic meets the definition of extraordinary or unforeseen.

The budget amendment moves:\$940,922, which would leave \$2,679,933 in the Reserve Fund.

Speakers:

Brookline Housing Authority

Michael Alperin

Executive Director

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Brookline Food Pantry

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ARTICLE 1

ADVISORY COMMITTEE’S SUPPLEMENTAL RECOMMENDATION

After extensive discussion and significant input from the petitioners, by a vote of 22-0-0, the Advisory Committee voted to recommend Favorable Action on the following:

VOTED: That the Town adopt the following resolution:

WHEREAS the COVID-19 pandemic has imposed financial hardship on many residents of Brookline and on low-income individuals and families in particular; and

WHEREAS food insecurity continues to burden these vulnerable populations, adding even more uncertainty to their lives; and

WHEREAS the Brookline Food Pantry and Brookline Thrives, a program that provides weekend meals to Brookline school families, are the community’s two major providers of food to vulnerable populations in Brookline; and

WHEREAS requests for food have quadrupled from pre-COVID levels and additional funds are needed to respond to the increase in needs; and

WHEREAS demands on the Reserve Fund from now until the end of Fiscal Year 2021 are unknown and unpredictable; and

WHEREAS Article 46 of the Massachusetts Constitution (the “anti-aid amendment”) greatly limits the appropriation or use of public money to aid a charitable undertaking which is not publicly owned and under the exclusive control of public officers or public agents; and

WHEREAS the Town of Brookline has already, in the past nine months, addressed the effects of the pandemic on low-income residents by directing a total of over \$1.3 million in CDBG, CARES, and other funds to such recipients as the Brookline Food Pantry, Brookline Community Foundation Safety Net, and Brookline Housing Authority; and

WHEREAS housing security, food security, economic stability, violence, and access to health care play a substantial role in student achievement; and

WHEREAS approximately 1,800 or 3% to 5% of the Town’s residents are uninsured or underinsured; and

WHEREAS CARES funds could provide grant dollars to provide COVID-19 testing for vulnerable populations; and

WHEREAS CARES grant dollars are still available to address the impact of the pandemic on vulnerable populations;

NOW, THEREFORE, BE IT RESOLVED that Town Meeting strongly urges the Select Board to:

(1) Respond to the increased demands on both the Brookline Food Pantry and Brookline Thrives as well as to other COVID-19-related needs of vulnerable residents by providing a total of up to \$300,000 from CARES funds;

(2) Review with the Public Schools of Brookline (PSB) and the Brookline Housing Authority the current availability of broadband connections for PSB students in Housing Authority properties; the costs of expanding availability if such expansion is needed; and the potential funding sources to support such expansion; and report to the Advisory Committee no later than December 31, 2020 whether a Reserve Fund Transfer is warranted to support broadband accessibility for PSB students;

(3) Review with the Health Department whether the availability of funding COVID-19 testing of uninsured residents is adequate; and

(4) Work with community agencies including the Brookline Food Pantry, Brookline Thrives, and the Brookline Community Foundation to identify needs and possible funding sources for such infrastructure items as refrigeration and a van for food delivery and report the findings to the community no later than December 31, 2020.

ARTICLE 1

**AMENDMENTS TO THE ADVISORY COMMITTEE RESOLUTION OFFERED
BY THE PETITIONERS**

Resolution – WA 1, STM 2 – **Petitioner’s version of** motion voted by the Advisory Committee on Nov. 16 (*deletions in italic strikethrough*)

Whereas the COVID-19 pandemic has imposed financial hardship on many residents of Brookline and on low-income individuals and families in particular; and

Whereas food insecurity continues to burden these vulnerable populations, adding even more uncertainty to their lives; and

Whereas the Brookline Food Pantry and Brookline Thrives, a program that provides weekend meals to Brookline school families, are the community’s two major providers of food to vulnerable populations in Brookline; and

Whereas requests for food have quadrupled from pre-COVID levels and additional funds are needed to respond to the increase in needs; and

Whereas demands on the Reserve Fund from now until the end of Fiscal Year 2021 are unknown and unpredictable; and

Whereas Article 46 of the Massachusetts Constitution (the “anti-aid amendment”) greatly limits the appropriation or use of public money to aid a charitable undertaking which is not publicly owned and under the exclusive control of public officers or public agents; and

Whereas the Town of Brookline has already, in the past nine months, addressed the effects of the pandemic on low-income residents by directing a total of over \$1.3 million in CDBG, CARES, and other funds to such recipients as the Brookline Food Pantry, Brookline Community Foundation Safety Net, and Brookline Housing Authority; and

Whereas housing security, food security, economic stability, violence, and access to health care, play a substantial role in student achievement; and

Whereas approximately 1,800 or 3% to 5% of the Town’s residents are uninsured or underinsured; and

Whereas CARES funds could provide grant dollars to provide COVID-19 testing for the vulnerable populations; and

Whereas CARES grant dollars are still available to address the impact of the pandemic on vulnerable populations; and

NOW, THEREFORE, BE IT RESOLVED that Town Meeting urge transfers and allocations to:

(1) Respond to the increased demands on both the Brookline Food Pantry and Brookline Thrives and other COVID-19-related needs of vulnerable residents by providing a total of up to \$300,000 from CARES funds **and other possible funding including the appropriated budget reserve fund (appropriated to the Advisory Committee "to respond to extraordinary and unforeseen financial obligations")**;

(2) Review with BHA its needs exacerbated by COVID-19 and report to the Advisory Committee no later than December 31, 2020 whether a Reserve Fund Transfer or other funding sources are warranted to maintain safe healthy homes and support reimbursements for unpaid rents;

~~(3)~~ Review with the Public Schools of Brookline and the Brookline Housing Authority (BHA) the current availability of broadband connections for PSB students in Housing Authority properties; the costs of expanding availability if such expansion is needed; and the potential funding sources to support such expansion; and report to the Advisory Committee no later than December 31, 2020 whether a Reserve Fund Transfer is warranted to support broadband accessibility for PSB students;

~~(4)~~ Review with the Health Department whether the availability of funding COVID-19 testing of uninsured residents is adequate; and

~~(5)~~ Work with community agencies including the Brookline Food Pantry; Brookline Thrives; and Brookline Community Foundation to identify needs and possible funding sources for such infrastructure items as refrigeration and a van for food delivery and report the findings to the **Advisory Committee** ~~community~~ no later than December 31, 2020.