

BROOKLINE TOWN MEETING

NEWSLETTER: Fall 2023 Town Meeting Highlights

by **Jesse Hefter** (Town Meeting Member - Precinct 14)
November 19, 2023

Fall Town Meeting took place over three (3) nights in November 2023. There are a variety of [files on our Town's website](#) related to this Meeting but you really have to be a dedicated analyst to make sense of the information (for example, the document including all the Warrant Article details for the MBTA-Communities Act article extend over several hundred pages in length!).

Accordingly, this Newsletter strives to provide you with the high-level results of what was discussed and how your elected representatives voted (the Town website has published a [master file](#) with how each Town Meeting Member voted if you wish to see the nitty-gritty details).

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Appropriate annual revenue from the assessment on transportation network companies to fund Town transportation projects (Article 1 - Meeting 2)

Approved (Yes-231; No-0; Abstain-3)

The Town received \$126,823 in funds from the State assessment on transportation network companies such as Uber and Lyft. The Transportation Board recommended that \$100,000 be used to support increased access for Brookline seniors to subsidized transportation programs. Such programs address our goal of supporting seniors to Age in Place and align with our designation as a World Health Organization Age Friendly Community. The Board further proposed that \$26,823 be used to support the purchase and installation of up to 10 additional outdoor benches through the Brookline Friendly Community Public Bench Project to support pedestrians in Town.

Brookline compliance with the MBTA-Communities Act (Article 1 - Meeting 4)

Approved (Yes-210; No-33; Abstain-7)

The MBTA-Communities Act (CA) requires that cities and Towns served by the MBTA or adjacent to an MBTA community in the State (including Brookline) to have one or more zoning districts of “reasonable size” within 0.5 miles of public transit that allow for multi-family residential structures “as of right” by December 31, 2023. “As of right” means that no special permits or discretionary design review will be required of developers to build in these areas. Brookline is complying with the MBTA-CA via the use of Multi-family Overlay Districts. The M-District Plus portion of the combined Warrant Article also included a rezoning for a Brookline Housing Authority site to allow for additional 100% affordable housing and allowing multi-family housing in the Emerald Island zoning overlay at River Rd. & Brookline Avenue. Also included was the up zoning of Harvard St. to allow for four-story mixed-use buildings. Along the length of Harvard Street, it is estimated that 3 projects will be completed within the next 10 years, yielding an additional 90 units of housing.

Humane Pet Shops (Article 14)

Approved (Yes-199; No-12; Abstain-20)

This article bans the sale of mammals, birds, reptiles, and amphibians in pet shops located in Brookline (there are none at this time). The ban does not apply to animal shelters. The intent of the by-law is to demonstrate our commitment to help curb the sale of pets bred under inhumane breeding facilities. Several other communities in Massachusetts already prohibit the sale of commercially bred animals, typically cats, dogs, and rabbits, and in some cases, guinea pigs.

Traveling Animal Acts (Article 15)

Approved (Yes-210; No-2; Abstain-15)

This article prohibits the use of certain wild animals including elephants, monkeys, and zebras in traveling animal acts such as circuses and carnivals. The intent of the By-Law is to protect animals from the abuse, neglect, and mistreatment that is common in traveling animal acts. Notwithstanding Federal and State legislation, municipalities across the United States have taken the initiative to address circus animal abuse. Fourteen municipalities in Massachusetts have already implemented various restrictions. While no circuses or carnivals involving such animals have occurred in Brookline in quite some time, the By-Law eliminates the possibility that such a traveling animal event will be held in Town.

Mason Terrace Zoning Change (Article 6)

Approved (Yes-172; No-45; Abstain-19)

The petitioners for this article wish to add a second (single-family) dwelling structure to the rear of a land parcel located at 99 Mason Terrace Road that already hosts a large two-family dwelling. The petitioners want to build a new house on the property to enable a son and daughter-in-law of the existing owners to return to Brookline and live next-door to their aging parents. Two other parcels were included in this rezoning, namely 111, and 117) on Mason Terrace that were zoned as SC-7 (Single Family Convertible) to avoid creating a spot zoning situation. In order to build the small, second dwelling on the 99 Mason Terrace parcel, the request was to convert the zoning designation for the three-parcel group to T-5 (T for Two-Family, 5 for 5,000 square feet parcel).

Creation of a Payroll Division (Article 9)

Approved (Yes-200; No-1; Abstain-5)

The Town Finance Department consists of four Divisions; Accounts, Assessing, Purchasing, and Treasury. The Accounting Division has a subdivision responsible for handling the weekly payroll for the Town's 3,670 employees. The aim of this Article is to create a new Payroll Division in the Finance Department along with a new staff position of a Payroll Director.

Transfer of Surplus Funds (Article 10)

Approved (Yes-225; No-0; Abstain-2)

The Ridley School project is complete and excess funds were identified in the amount of \$3,928,938.35 of unexpended bond proceeds. The aim of this Article is to approve the transfer of these monies from the Florida Ruffin Ridley School Project to the Pierce School Project. In addition, the Article also rescinds \$2,667,886.00 in unissued bond authorizations including \$265 for Sewers and the balance from the Ridley School. The Town's taxpayers will see a savings from the lower interest rate in effect when the bonds were issued for the Ridley project.

Renaming of Preservation Committee (Article 11)

Approved (Yes-225; No-0; Abstain-6)

This Article was proposed to change the name of the existing Community Preservation Committee to the Community Preservation **Act** Committee. The aim of this change is to add more clarity to the work of the group and their direct tie to the Community Preservation Act. For example, the Community Preservation Act Committee makes recommendations to the Town Meeting for the acquisition, creation, and preservation of

open space, support of historic resources, land for recreational use, and support of community housing.

Renaming Heath School (Article 13)

Approved (Yes-208; No-4; Abstain-23)

The Heath School, located in Chestnut Hill, was named after the street along which it was built. The Street was named after the Heath family who owned much of the land in that area and that had relatives in the 19th century, who, consistent with established practice at the time, employed slaves. In order to align the modern vision of the School with its history, a project began in 2021 to consider renaming the School. Following a process that included student, family, and community engagement, the proposed new name is Roland Hayes, an international music star who was the first African-American soloist to appear with the Boston Symphony Orchestra in 1923. He lived in Brookline for nearly 50 years.

Create a water-sewer rate discount program (Article 7)

Referred to Select Board (Yes-134; No-88; Abstain-11)

The Town currently offers a discounted water-sewer rate program for eligible, low-income senior citizens. The annual cost to the Town to run the program is about \$1,000/year. This Article asks for permission for the Town to send a Home Rule Petition (HRP) to the State legislature to develop a new program to continue supporting this vulnerable population and seeking authority to expand the program to all those low-income water users who qualify. . Rather than sending the HRP to the legislature in the current session, the Advisory Committee recommended that the HRP be sent back to the Select Board for further development; that referral was approved by Town Meeting.

Rent stabilization and eviction protection (Article 16)

Approved (Yes-112; No-108; Abstain-13)

Warrant Article 16 asks Town Meeting to request the Select Board to petition the General Court via a Home Rule Petition for a special act authorizing Brookline to implement rent stabilization and tenant eviction protection. The proposed By-Law seeks to improve housing stability by allowing Brookline to regulate via bylaw (i) the rent in multi-family housing with certain exceptions, (ii) the cost recovery of maintenance, capital costs and property tax, (iii) evictions, (iv) conversion to condos or coops and (v) demolitions or substantial renovations.

Avoiding the purchase or use of products containing fluorinated hydrocarbons (PFAS) (Article 17)

Approved (Yes-219; No-2; Abstain-4)

Exposure to “forever chemicals” has been shown to cause negative health effects in humans. In an effort to begin to manage exposure to Town citizens, a resolution was passed that encourages and supports all Town Departments, including the Building, School, Public Works, and Fire to use PFAS-free products to the extent that such products are available. The Town Fire Department has already transitioned to PFAS-Free fire-fighting foam for Class B (oil, gasoline, etc) fires and School Food Services has transitioned to PFAS-free cookware and food containers where possible. The Department of Public Health will continue to educate, inform, and support the Town’s efforts on this issue. Meanwhile, there is current legislation in the state legislature (House Bill 2197) to address the PFAS exposure issue at the state level.

Alternate Forms of Town Government (Article 18)

Approved (Yes-155; No-58; Abstain-10)

Town Meeting approved the creation of a Moderator’s Committee to study various forms of municipal government in Massachusetts, make findings about the positive and negative aspects of each as applied to Brookline, and (possibly) make recommendations. A report would be due by August 31, 2024 or a later date set by the Moderator. In parallel, the Select Board is initiating a community survey to better understand public sentiment on the effectiveness and satisfaction with Town government and services. Meanwhile, signatures are being gathered in Town to place a ballot question before Brookline voters to establish a Charter Commission (an elected body) that would analyze different approaches to Town and City government and propose a charter for Brookline to be put before the voters at a future date.

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