

**Town of Brookline
Advisory Committee Minutes
Wednesday, May 24, 2023 at 6:00 pm**

Brookline High School, 115 Greenough Street, Room 203

Present: Harry Bohrs, Clifford Brown, John Doggett, Dennis Doughty, Katherine Florio, Harry Friedman, David-Marc Goldstein, Neil Gordon, Kelly Hardebeck, Amy Hummel, Janice Kahn, Pamela Lodish, Joslin Murphy, Donelle O’Neal, Markus L. Penzel, David Pollak, Stephen Reeders, Carlos Ridruejo, Alok Somani, Christine Westphal

Absent: Patricia Correa, Carol Levin, Ben Birnbaum, Carolyn R. Thall, Susan Granoff, Lee Selwyn, Linda Olson Pehlke, Anita Johnson, Alisa Jonas

Also Attending: Deputy Town Administrator Melissa Goff, Town Counsel Joe Callanan, First Assistant Town Counsel John Moreschi, Perry Grossman TMM P5, Ian Roffman CTOS, Hugo Limonta, Abbas Alnaw, Ade Ijanusi

The meeting was called to order at 6:00 PM.

Announcements – There were no announcements.

6:00 pm Public Comments – There were no public comments.

6:15 PM Possible reconsideration, further review, and votes on the Committee’s recommendations on other Warrant Articles for the 2023 Annual Town Meeting and Special Town Meeting including but not limited to:

WA 1 STM 1 to Amend Article 6.6 [Discharging Firearms] of the Town’s General Bylaws (Ishak, Kahn, Bignami)

Katherine Florio gave an overview of the version of Article 1 STM 1 offered/amended by the Advisory Committee. Section (a) did not change. We moved some of the clauses around (b) now refers to the whole section. Removed language about parks and playgrounds because it is covered elsewhere (Property owned by the Town of Brookline). “Property” does not exclude anything that is a “building.”

Section (b) talks about locations. Section (c) talks about who.

Added “For the purposes of this subsection (b) “property” shall not include public ways, streets or sidewalks.” This is because presumably people who carry should be able to walk from place to place.

Janice Kahn, speaking for the petitioners, for permitted events, and people are on the sidewalk or in the road, that should be an area where we do not want firearms.

Neil Gordon gave the example of an event on Memorial Day – stand on Washington Street and there are speeches and a small “parade” – not permitted event. So is it outside the scope of the article. Included in the limitation or not?

Petitioner Anthony Ishak was not familiar with the version that was amended by the Advisory Committee

A **MOTION** was made and seconded for to TABLE this discussion until May 30, 2023.

Request to get information as to what events the Town issues permits for, specifically if Town-sponsored events need to have a permit.

By a **VOTE** of 11 in favor, 5 opposed, and 2 abstentions, the Advisory Committee voted to table further discussion until May 30, 2016.

WA 19 Create a Brookline Black N Brown Commission (Ijanusi)

Neil Gordon gave background on the Black and Brown Club Newsletter, and comments on Town-wide Facebook as it relates to WA 19.

Mark Penzel commented: The newsletter has some “horrible stuff” in it and attacks on community members and others. Think it would disqualify anyone who wrote that from serving on the Black and Brown Commission. Don’t throw the baby out with the bathwater. The WA is for the establishment of a commission that is necessary.

Town Counsel Callanan noted that you could refer this Article to the Select Board but be clear about why – the language is hateful, racist and unacceptable but not illegal. Don’t base your referral on someone exercising their freedom of speech. Areas of first amendment speech that are not defended and some are just political commentary.

Harry Friedman asked, do we need commissions for every perceived aggrieved group? What is the role of CODICR? None of these questions were addressed thoroughly.

John Doggett added reason to refer to sort out if this should be within or part of DICR Commission.

Donelle O’Neil added that we have had discussions already about why this needs to be a separate entity. DICR is stretched.

Amy Hummel: Why is CDICR against this? What was their reasoning? What particular separate purpose would it serve or fill? Neil responded – nothing in the combined report. Janice watched the tape of the meeting

Mark Penzel noted that Harry Friedman’s argument was made previously at other meetings.

Stephen Reeder added that we have to respond to what the community wants. We don’t have to be perfectionist about it. A massive crime was perpetrated on a group of people over 100 years ago and we simply have to let them have this.

The Chairman noted that we voted this nearly unanimously previously so if we are going to reconsider now, we have to explain that in terms other than something was said we didn’t like.

Mark Penzel: Difficult to make any other argument that we are changing our vote other than speech.

We have learned that there will be a motion to refer to a Select Board Committee. Melissa Goff shared the motion which will be posted tomorrow.

Janice Kahn: Opposed to referring this to a governmental body that was against it for the start. This is an issue about governmental structures and how we address the needs of different groups in our Town. Maybe the Commission model is not the correct solution. I would recommend sending it to CTOS.

Harry Friedman: Thinks the Select Board doesn’t make good choices in their appointments so to refer this back to them makes no sense.

A **MOTION** was made and seconded for referral to CTO&S.

Stephen Reeders spoke against referral. He noted AC voted overwhelmingly in favor of Article 18. Someone published an obnoxious newsletter. This should not influence our decision and AC should not be swayed by this writing.

Kelly Hardebeck: Is there anything to prevent CTO&S to take this up (how we structure boards and commissions) after the Black and Brown Commission is established? A: Harry Bohrs noted the petitioners are from the same group that issued this newsletter, it was intentional and malicious and showed an abrogation of responsibility and lack of leadership, as well as a misunderstanding of what it means to be in a leadership role in a Commission – you are an advocate and a steward. You can't use a Commission against others. It is still the Select Board that will determine who gets to be on this Commission. Can't imagine how anyone who behaved this way would be appointed to the Commission.

In response to Kelly's question on CTOS taking this up after the commission is established, CTOS can if it is after the fact look at the structure of the Commission, but we will not be able to go back and change the structure. Difficult to untangle that.

A **MOTION** was made and seconded to **TABLE** until May 30, 2023. By a **VOTE** of 12 in favor, 3 opposed and 3 abstentions, the motion to **TABLE** carries.

6:45 PM Other business

Upon a **MOTION** made and seconded to adjourn, and voted unanimously, the meeting was adjourned at 7:08 p.m.

Documents Presented

<https://www.brooklinema.gov/DocumentCenter/Index/4215>

- BNBN Newsletter May PDF
- Brookline Town wide FB Page Posting WA19
- WA1 STM1 CR Post Scope Review 5 15 JM proposed changes
- WA1 STM1SBclean as voted by AC

VOTES

Vote Tally Sheet - 05/23/2023			
	Vote 1	Vote 2	Vote 3
# Votes Yes	11	0	12
# Votes No	5	0	3
# Votes Abstain	2	0	3
Vote Description:	MAIN MOTION: TABLE STM1 to 5/30/2023	MAIN MOTION: REFERRAL of WA19 to CTOS	MOTION TO TABLEWA 19 TO 5/30
	<i>Enter Y, N or A</i>	<i>Enter Y, N or A</i>	<i>Enter Y, N or A</i>
Ben Birnbaum			
Harry Bohrs	Y		A
Cliff Brown	Y		Y
Patty Correa			
John Doggett	Y		N
Katherine Florio	N		A
Harry Friedman	Y		N
David-Marc Goldstein	A		A
Neil Gordon	Y		Y
Susan Granoff			
Kelly Hardebeck	Y		Y
Amy Hummel	Y		N
Anita Johnson			
Alisa Jonas			
Janice Kahn	N		Y
Pam Lodish	Y		Y
Joslin Murphy	N		Y
Donelle O'Neal, Sr.	Y		Y
Linda Olson Pehlke			
Markus Penzel	Y		Y
David Pollak			
Stephen Reeders	N		Y
Carlos Ridruejo	N		Y
Lee Selwyn			
Alok Somani	Y		Y
Carolyn Thall			
Christine Westphal	A		Y
Dennis Doughty			