

Town of Brookline
Advisory Committee Minutes – WITHOUT EXECUTIVE SESSION
Monday, June 12, 2023

Room 103, Brookline Town Hall

Link to Meeting Recording Open Session:

https://brooklinema.zoomgov.com/rec/share/Plr6XTE9lwRGQgVeT_dSRhft3bEb64DTBVU0kxV7YSr-mOGPNolZRwkyHzBXjy4.uoOOJSdYHOyhbFj5?startTime=1686605417000

Present: Ben Birnbaum, Clifford Brown, Harry Bohrs, Patricia Correa, John Doggett, Dennis Doughty, Katherine Florio, Harry Friedman, David-Marc Goldstein, Neil Gordon, Susan Granoff, Kelly Hardebeck, Amy Hummel, Alisa Jonas, Janice Kahn, Pamela Lodish, Joslin Murphy, Linda Olson Pehlke, Donelle O’Neal, Markus L. Penzel, David Pollak, Stephen Reeder, Carlos Ridruejo, Carolyn R. Thall, Christine Westphal

Absent: Carol Levin, Anita Johnson, Alok Somani

Also Attending: Assistant Town Administrator for Finance Charles Young, Town Moderator Kate Poverman, Director of Public Buildings Charlie Simmons, Town Counsel Joe Callanan, Associate Town Counsel John Buchheit, John VanScoyoc, Perry Grossman, Ben Dubin, Trish Harrelson, and other members of the public.

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

Announcements: Pursuant to this Board’s Authority under 940 CMR 29.10 (8), all of the committee members will be participating remotely via telephone or video conferencing due to emergency regulations regarding the Corona virus. The Chairman has reviewed the requirements of the regulations. There is a quorum physically present and all votes taken will be recorded by roll call so all above listed Advisory Committee members will be allowed to vote.

1. Review, discuss and possibly approve Reserve Fund Transfer and Appropriation Transfer Requests:
 - Reserve Fund Transfer - School Buildings Utilities \$743,000
 - Reserve Fund Transfer - Library Utilities \$25,200

Charlie Young provided an analysis of how costs were calculated, where the costs are coming from and answered the question whether it was a usage issue or rate increases regarding School Building Utilities Budget FY2023. (It was due to rate increases which had not been anticipated when calculating the rate to use when the budget was originally prepared.) See linked documents below.

Director of Public Buildings Charlie Simmons shared additional technical details on the boilers and ground heat source pumps.

Group Health Savings (GIC) – many higher cost plans are no longer available and they brought on new plans and based on employee use, there has been a savings of about a million dollars. On the Town side, the savings was used in large part to fund the recent fire contract. On the School side, it will be used to reduce the utility ask for the the reserve fund transfer.

FY23 APPROPRIATION	2,930,043
APPROVED	
DPW Snow and Ice	447,141
Town Clerk VOTES Act and Special Election	90,000
Town Meeting	25,000
TOTAL APPROVED	562,141
TOTAL BALANCE (\$\$)	2,367,902
TOTAL BALANCE (%)	80.8%
REQUESTS	
Building School Utilities	743,000
Library Utilities	25,200
TOTAL REQUESTS	768,200
BALANCE (\$) IF APPROVED	1,599,702
BALANCE (%) IF APPROVED	54.6%
Fire Overtime (estimate)	525,000
TOTAL POTENTIAL REMAINING	525,000
BALANCE (\$) IF APPROVED	1,074,702
BALANCE (%) IF APPROVED	36.7%

Comments, Questions, Discussion

Q: Energy use in Driscoll and 22 Tappan? A: Charlie Simmons explained there will be a new engineering group to look at a fix for a design flaw in 22 Tappan. For Driscoll, reviewing numbers with the engineers but it is a fully electric building but it will be costly to run it in the summer months. Final numbers will be subject to final schedule of use.

Much depends on operational use. Difficult to estimate accurately but will continue to look at utilities throughout the year and how we can build cushions on usage.

Comment: Noticed a cost reduction in 2020-21 – If there is a surplus they will ask to have the funds allocated to other school expenses.

Q: Do they project what the usage would be based on size of buildings and is increased size of Driscoll considered? A: Yes. Charlie Simmons and his staff track usage and pay utilities bills. We take the 3-year average of the schools and use it to predict the next year's usage.

Comment: Seems we can do a better job of estimating. In terms of Driscoll we had a built-in seasonal contingency. Did we see a decrease in use of Town properties as well?

Comment: We need to figure out a way to save energy. We have to step in and find a way to reduce the energy bill. Are schools being warmed in the weekends, or are there other cost savings and ways to tighten energy consumption?

New building at 22 Tappan did not come under same fuel contract Dave Geanakakis negotiated. When is the new contract starting? A: When you bid out your fixed prices supply contract the utility company will want to know anticipated usage. It is possible maybe they didn't want to build speculation into the contract. Not sure of the duration of the contract.

Charlie Simmons – Two contracts. One for electricity and gas. Gas is over in the summer. Next one is for 3 years. We use UGI. Town Counsel is working with this company's corporate offices to resolve issues. One that begins and ends soon and one that ends in 3 years. Electricity is going great. In a better condition and we can add Driscoll.

Assistant Town Counsel John Buchheit confirmed that he is working with corporate counsel to resolve these issues and clear up contract ambiguity.

Comment: Next 3-5 years will still be filled with unknowns.

Q: Isn't the Town supposed to be moving towards buying "green" energy? Where are we with our % green and is that movement adding to our costs or saving money? A: Our contract does include green and it is being phased in over a few years. Green energy does cost more than regular energy but meeting goal of the vote and will be 100% green by 2030.

Q: We burn about 750K therms of gas in the School System (18 buildings) and it costs \$1.1 million. If we convert that gas to electric, we would be spending \$4.5 million. Cost future will be significant. What is the plan to bring us closer to net zero and how will we get off of the gas we are burning? A: Can't convert an existing building because it wasn't designed originally for that. We will be remodeling buildings for a number of years. Not planning to convert all buildings to full electricity because of the costs. There was a vote on some ARPA money and will use that to convert Senior Center and Health Department to fossil-free in the next few years. Sort of a hybrid solution that will get us to the goal. Still need a boiler to supplement the heat in the winter and that will increase costs.

Q: What about repairing the design flaw at 22 Tappan, understand we will claw back some of the costs, A: If it were possible to have the current engineer at their cost fix the issue we would go that route. Other option is to pay another engineer to redesign and fix it. Tried to work with the original engineer and cost was about \$240K and would have only dropped the temperature down by 2 degrees. They

wanted the Town to sign a release that if they did the work they wouldn't have to come back. We didn't sign the release because they need to stand behind their work.

Q: Have we looked at what it would cost to seal more buildings to keep energy costs down? A: We have been doing it when we do a new roof and new windows. Some insulation in the walls would be difficult, but it does get looked at when we do an envelope project.

Comment: I do not believe we should grant the RFT for utility cost overruns for the School department. When they had savings, they turned funds back to other school costs and not back into the reserve fund. We have no decision-making role for the Schools and if they made decisions that resulted in a cost overrun, that is on them. Inconsistent with the way we budget.

Comment: Aware many have issues with the Town School Partnership. But we cannot choke them around heating and cooling. Whether we like what they do or not, the School Committee is elected by the community and if they are not doing their job, it is for others to vote them out. But we shouldn't use this as a lever.

Q: Where would funding come from if they don't get these funds? Does the School have unspent funds in their budget like our free cash? A: Assumes the School would come up with it or the Town would. We did not check with them about other funds. This was partly due to our not estimating correctly.

Q: When they are putting together their budget do they rely entirely on the Town's projections or do they have someone on their side? A: That is Charlie Simmons. He meets with School Committee and asks those questions and then discusses with Town Administrator to come up with the estimates. This is seen as a cost control measure.

Comment: We should expect them to monitor their usage monthly and be able to notice any increases.

Q: Is there any incentive for the Schools to care about what the utility bill is because it always ends up being paid from an RFT anyway? A: Back in November if I had foreseen this level of a deficit – the Schools would have inevitably had to include a larger cut in their override and they would have kept the Group Health savings.

Group Health Savings are perennial savings. On the Town side we are funding part of the Fire contract year after year. The potential windfall you expected to receive will now go somewhere else, needs to go to the School to offset utilities to lower the costs. That is the incentive to work with us.

Schools or Town cannot control costs that much. Usage has gone down in schools but not the same in other Town buildings. Cost and usage increase as they are coming out of the pandemic. Not commensurate drops. Town buildings have very set schedules whereas school building schedules are more variable.

Comment: Like idea of an energy audit of buildings to make sure we are doing everything possible to be energy efficient and keeping costs low. BFAC has discussed energy costs and the suggestion has been made that when we are building new schools that we need to think about potential increases in energy

costs and maintenance costs and we need to build them into the overrides. Building maintenance wasn't being done by the schools so it was the best way forward to simply inform them about what they would get. There are not mirror roles on the Town/School side. Given the best information had is this an unexpected expense, and then if yes, a reserve fund transfer is exactly the way this type of overrun is handled. Not appropriate to say sorry we can't give you the money because you should have thought of this previously.

Comment: Object to Senior Center going all electric and would like to discuss this at some future date.

Comment: Tax payers are already funding teacher contracts through the override. Savings need to default to the Town side.

Comment: Piggyback on previous comments. Shared 963 CMR Mass Regulations regulating Mass School Building Authority:

963 CMR: MASSACHUSETTS SCHOOL BUILDING AUTHORITY

Please note that this is an unofficial version of the Massachusetts School Building Authority's Regulations, 963 CMR 2.00, and is intended for informational purposes only.

administration or success of the Approved Project.

(l) All Eligible Applicants shall certify that Total Facilities Grants awarded by the Authority pursuant to M.G.L. c. 70B and 963 CMR 2.00, if any, shall be used in conformance with M.G.L. c. 70B and St. 2004, c. 208, the provisions of the Project Funding Agreement and any other documents, contracts, forms, statements, certifications or other documents required by the Authority, to achieve the grant objectives and to insure that the purposes set forth in M.G.L. c. 70B and 963 CMR 2.00 are fully executed.

(m) All Eligible Applicants shall submit documentation supporting the anticipated impact on operating costs of implementing the project in such detail and format as required by the Authority, including but not limited to, an estimate of the costs of additional maintenance spending required of the Eligible Applicant, the costs of additional instructional or support staff spending, additional utility costs, the costs of additional transportation, if any, and the estimated revenue, if any, from the sale or lease of any school facility decommissioned as a result of implementing the project.

(n) All Eligible Applicants shall use the standard forms, standard format for local votes or

With MSBA this is required, why it wasn't done for Pierce, is anybody's guess.

A **MOTION** was made and seconded for Approval on the Reserve Fund Transfer of \$25,200 for Library Utilities. By a VOTE of in 23 favor, 0 opposed and 0 abstentions, the Advisory Committee approves the Reserve Fund Transfer of \$25,200 for Library Utilities.

A **MOTION** was made and seconded for Approval on the Reserve Fund Transfer of \$743,000 for School Buildings Utilities.

Recommend we add a caveat that if there is a surplus in the School Budget it goes back to free cash if it doesn't get spent.

An **AMENDMENT** was made to require that if there is any surplus in the utilities fund it comes back to free cash. If there is going to be a deficit we can't tell them how to spend it but we can cut their budget in the future which would then reimburse the Town for whatever RFT we vote for. The Amendment failed for lack of a second.

A **MOTION** was made to **TABLE** this vote until some future date TBD.

A **MOTION** was made and seconded for a Reserve Fund Transfer of \$500K.

A **MOTION** was made to **AMEND** back to the original amount of \$743,000. By a **VOTE** of 18 in favor, 3 opposed, and 4 abstentions, the Advisory Committee approves the **AMENDMENT**.

MAIN MOTION to approve a reserve fund transfer of \$743,000 for School Buildings Utilities. By a **VOTE** of 18 in favor, 2 opposed, and 5 abstentions, the Advisory Committee approves a Reserve Fund Transfer of \$743,000 for School Utilities.

Executive Session: Question of entering executive session under G.L. c. 30A, s. 21(a)(1) for the purpose of discussing the May 18, 2023 OML Complaint brought by Elizabeth Schafer against individual members of the Advisory Committee.

A **MOTION** was made and seconded to enter Executive Session for the purpose of discussing the May 18, 2023 OML Complaint brought by Elizabeth Schafer against individual members of the Advisory Committee. By a **VOTE** of 24 in favor, 0 opposed, and 0 abstentions, the Advisory Committee went into Executive Session.