

## MINUTES OF CTOS MEETING – September 7, 2022

The Brookline Committee on Town Organization and Structure (CTOS) held a duly posted meeting via the Zoom platform on September 7, 2022 to discuss relevant warrant articles coming before the fall Town Meeting.

In attendance were; Jean Berg (CTOS), Dick Benka (CTOS), Harry Bohrs (CTOS), Abby Cox (CTOS), Betsy DeWitt (CTOS), Sean Lynn-Jones (CTOS), Ian Roffman (CTOS), Carla Benka (Advisory Committee), John VanScoyoc (Select Board)

The meeting began at 6:30 p.m.

The committee revisited articles from the spring Town Meeting that might have more activity in the fall and assigned committee members to follow them. The committee noted that the warrant for the upcoming Town Meeting would not be signed by the Select Board until Tuesday, September 13<sup>th</sup>, and that no one had yet seen the text of the actual articles, so deciding which might need CTOS consideration would need to be postponed to the next meeting. However, the committee flagged Articles 34 and 35 (carried over from the last Town Meeting) as likely to require its attention, and assigned discussion leaders.

Committee members who had followed Article 26 from the Spring Town Meeting reported on subsequent developments. Parks & Recreation has set up a study committee with six working groups. The immediate focus is making recreation programs available to low-income families, but one group is studying the relationship between the Commission and the staff, which may have issues that fall within CTOS' purview. Carla Benka, who is part of the study committee, explained that they are seeking Town Counsel's opinion and asking for a review of existing state and town level laws and bylaws to help clarify the Commission's roles and responsibilities. She noted that Article 26 from the Spring Town Meeting had used terms like "Commissioner" and ascribed responsibilities that people who were holding those positions weren't aware of having. Dick Benka put together a memo that sets the background (The memo was circulated to CTOS and posted in advance of the meeting.) Sean Lynn-Jones stated that the study committee is aiming to produce a report for Town Meeting, but it will not be in time for this session's warrant. Harry Bohrs said that CTOS committee members had provided the WA26 Study Committee with historical documents and suggested that they examine the commissioners' roles and how they fit into the larger picture so they can separate strands and figure out who does what.

Jean Berg turned the committee's attention to the Town Administrator Act and asked whether this was work for CTOS's agenda in the coming year. She noted that CTOS crafted the last Town Administrator Act that was accepted. Amendments that were proposed ten years ago were turned down by Town Meeting. She noted that in its most recent meeting, the Select Board had a lengthy and impassioned discussion about moving to a city structure. Harry Bohrs added that there has been lots of talk in the town about a charter commission. A charter commission often can take 3-5 years. John VanScoyoc described a mechanism whereby a request can be made from Town Meeting to the state legislature to approve a "Special Act Charter." The condition of this process is that the Special Act Charter faces approval by the Select Board and must be put to a vote of the town's population. The Special Act Charter route circumvents the need to petition for a charter commission, elect the commission, toil to create the charter, and then vote the charter – a process that can drag on for years. VanScoyoc pointed

out that it would be possible to initiate an article for Town Meeting in May. The Committee noted that Brookline is one of relatively few Massachusetts communities that has no charter (though it was noted that Town Administrator Mel Kleckner likes to say the Town Administrator Act is a “mini charter.”) The committee questioned whether it would be feasible to bring a Special Act Charter to Town Meeting calling for a change to a city form of government as it would require Town Meeting to vote to ultimately make itself obsolete. It was noted that were an article to be brought to Town Meeting to amend the Town Administrator Act, others might propose a city structure and the debate could be had. Jean Berg asked whether CTOS might want to offer a stronger Town Administrator amendment. Betsy DeWitt shared that Plymouth had recently modified its form of Town Meeting, and that a charter commission can be formed and ultimately decide not to choose a city form of government. Harry Bohrs wondered whether it would be good to have a conversation with the new Town Administrator. Because he has not held this role before, it would add a new wrinkle. Ian Roffman wondered about the process Framingham had undergone to move from being a town to a city. Betsy DeWitt offered that it might be instructive to look at Newton. John VanScoyoc said that, in the context of this issue, he often hears the phrase “The Town Administrator could be strengthened” but he wonders what that means. Dick Benka asked whether it might be incumbent on CTOS to lay out alternatives as the Select Board and others engage in more serious discussion of a change in our form of government.

The committee set a meeting schedule for every other Wednesday until the beginning of Town Meeting.

The meeting adjourned at 7:35 pm.