Town of Brookline
Advisory Committee Minutes
October 15, 2019


Absent: Ben Birnbaum, Lee Selwyn

Also Attending: Petitioner for WA 4 C. Scott Ananian, TMM Pct. 10; Co-Petitioner for WA 6 Nicole McClelland, TMM Pct. 11; Petitioners for WA 16 Paul Warren, TMM Pct. 1 and Heather Hamilton, Select Board Member; Acting Superintendent Ben Lummis; Deputy Superintendent for Administration and Finance Mary Ellen Normen.

The Chair called the meeting to order at 7:30 PM.

7:30 pm WA 4 – 4-Section Driscoll School (C. Scott Ananian, TMM Pct. 10)
John Van Scoyoc gave an overview of the joint Capital and Schools subcommittee hearing and their report. Article 4 is the return of an Article that had previously been on the May Town Meeting warrant. It wasn’t voted then due to failure of override. It has returned in anticipation of an override ballot by the end of the year. The Article currently asks the Town to appropriate, borrow, or transfer from available funds up to $108,800,000. Discussion included whether Brookline spends too much on new construction.

C. Scott Ananian noted that the “up to $108,800,000” is a friendly amendment the Campaign for Driscoll is in favor if debt exclusion is voted.

Ben Lummis, Acting Superintendent –

“As you know the School Committee has re-affirmed the vote that they, the Select Board and the Ad Hoc Subcommittee to this body made in June 2018 to pursue a three school approach to address the overcrowding, substandard spaces, and schools whose useful lifecycle has been reached. That plan continues to be a 4 section school at Driscoll that will increase the district’s enrollment capacity by 150 students and get three BEEP classes out of rental space; a 5 section Pierce School to replace the existing 5 section school that exists today; and a 2 section PK-8 school that has districtwide special education and English Language Education programs.

It will take time to meet the needs that we have been putting band-aids on for some years now. We need to get started. The first project out of the gate is Driscoll. It has successfully completed the Feasibility and Schematic design processes. It serves the need of the Driscoll community by addressing the overcrowding
and substandard spaces in the school. It serves the need to relieve overcrowding in North Brookline by adding space for 150 to 200 PK-8 students. And it is the community’s next step on replacing a very out of date school that is well past its useful life and, frankly is well below what anyone would expect Brookline’s standards would be for its school buildings.

Some are trying to tie the fate of Driscoll to that of Newbury. Newbury is in the very initial stages of site exploration. Think Cottage Farm or Stop & Shop from years ago. We are far from acquiring this land with town votes to come and even further from the town even deciding if it wants to build a school there, or a swimming pool, or a park, or an ice rink, or administrative offices, or a DPW site. To link or bundle Driscoll with Newbury would put Driscoll on hold for likely years.

It is more appropriate to link Pierce and Newbury because they are likely on a much similar timeline. So, if Pierce is a five section school with MSBA then Newbury, if it ever happens, could be a 2 section PK-8 with special education and English language programs. If MSBA decides we can build a 4 section school, then it is likely we would need a 3 section school at Newbury. That decision will be made in the years to come based on information that we will have in the future. For now, we know we need Driscoll. The time for Driscoll is now. If we don’t move now, we will only be postponing the inevitable and delaying the much needed cycle of long term school building improvements that we must get going on.”

Capacity for 201 students that aren’t there now would be added to a new Driscoll.

**Comment:** Regarding the cost of the project – Some people claim that the current proposal is for a platinum-plated school but the Driscoll School Building Committee reviewed 6 possible scenarios and the one we selected is the least expensive of all. Pierce and Coolidge have been built to MSBA standards and as a manner of policy we need to be looking at that standard as a point of equity for all future builds and construction.

**Q:** Will we have the 2019 enrollment figures by the time of Town Meeting? **A:** Yes – expect those numbers around November 1st. It is in process. The MSBA process for Pierce is doing its own projections, meeting with MSBA on October 21 and there is a possibility that we will have their enrollment by Town Meeting; projected enrollment report is expected by the first of the year.

**Q:** Driscoll is key to both plans about moving forward – Plan A and Plan B, why then is there an impediment to moving this forward? **A:** Yes there is a plan and no further speculation.

**Comment:** $108M cost is based on estimate of a very expensive architect but it is not a reasonable cost for a building. We don’t build anything in this Town for $40M (Harry Friedman gave an example from another community). We look at these things in silos as if this is the only one we are ever going to build ever again.

**Comment:** Email from Pierce parent shed light on how various precincts voted on the debt exclusion question. Concerned that we didn’t have sufficient information as to why it failed. Only so much money to go around, and a very costly Driscoll project might jeopardize other school projects.
Caution to accept data from just one precinct.

**Comment:** We have used MSBA funding and by using it we have had to stick to their standards. But we haven’t and don’t always use MSBA funding, as with the high school and as a result it is not built to MSBA standards. I am not aware of any written set of guidelines that reflect the building standards for our schools – no actual written statement of what class size, offices, lab sizes, number and size of gyms, etc. Communities around us have those standards written down. While I appreciate the idea of equity, it has to start with a written set of policies so the community knows what the standards are. Also, want to counter the notion that construction costs are going up at 8% per year and they will continue to go up every year. Increase in demand for construction materials and construction costs are back to where they would have been from pre-recession to now. They don’t go up all the time. Concerned that we hear sound bites and we don’t think beyond what is being said and try to understand the fundamental issues that make some of these things happen. Also concerned about timing of an override vote – need sufficient amount to get word out to voters.

**Comment:** Newton has a facility plan where they compare MSBA standards to what they want to do along with a rationalization for why they are varying from MSBA standards. Important step to ensure that they’re not making their existing schools obsolete. This is a disciplined approach for setting parameters for a design, an approach that we are lacking. There are no cost estimates assigned to the School’s Capital Plan – it is more a facilities plan but we have no cost and we have no basis or context then for evaluating this proposal or any other one. We have a finite amount of money and being able to understand one project in an overall context helps to ensure that we will spend that money wisely. Concerned also about this idea of value engineering – engineering to a budget is one thing where you know how much you can spend and you make the decision so you come in close; value engineering is different than that.

**Comment:** If we want to go to the voters, I would like to know first what can we accomplish, get or not get for $40, $50, and $60 million. There are so many other things in the pipeline. Before we go to the public, I would like us to understand what we can get for different amounts.

**Comment:** We have the kids, they are there. We delay and wind up in the same place because those driving this are in a “this is how we build it” mode. Those that drive the process may not be looking at all options.

**Comment:** Suggest adding a few words in the language ....insert, “as a four section school” – that way we know what we are getting.

That the Town appropriate, borrow, or transfer from available funds up to $108,800,000 to be expended under the direction of the Building Commission, with any necessary contracts over $100,000 to be approved by the Select Board and the School Committee, to reconstruct the Driscoll School*, with the understanding that the final stages of project design, which follow voter and Town Meeting approval, will include efforts to further optimize the project’s design in terms of both program delivery and cost efficiency, including the evaluation of the feasibility of providing office space for district-wide staff of the Brookline Public Schools,
provided that such appropriation shall be contingent on the approval by Town voters of a debt exclusion to fund the debt service on said borrowing.

**Comment:** I was part of the site selection and planning. I like the design, wowed by the design, going forward with this project is not contingent upon Newbury. I will vote yes and will encourage my colleagues to vote yes and let the voters decide.

**Comment:** All schools are on a physical plan system – all buildings have a life cycle and things need to change – windows, mechanical systems, etc. – Driscoll is there now. Either renovate or rebuild. Least sustainable way to renovate a building is a tear down because it all goes into a landfill. Value engineering is changing the quality of flooring (stone to tile), use cars as an example – what type of tire are you putting on, remove a tire and the car no longer works. We take the atrium out, the building doesn’t work anymore. If we want to remove it and we do remove it, we must redesign it. Atriums are nice because they provide open space but beyond 2 floors the code forces you to change how fire protection is done, how noise is controlled, but the biggest issue with this design is you are putting noisiest, busiest, smelliest place (cafeteria) in the atrium where you can’t control these different things. There are too many distractions. No other lobby or entrance. Public walks right into this space. I support this Warrant Article but I think the most important part is that we “optimize the project’s design in terms of both program delivery and cost efficiency…”

The money being released will allow us to begin this work.

Q: What plan are we going with? A: Nothing about that in this resolution but may ask the Superintendent about how this will be envisioned.

**Comment:** These decisions about design were revealed over time – the point at which we vote the override is not the last point in the process.

Ben Lummis noted that the School Committee has voted to move forward with Driscoll as designed. he noted that he can’t get out ahead of the School Committee and say they will do X, Y and Z. He acknowledged the request for the School Committee to go back to the design with the commitment to reduce cost, but the School Committee and the Building Committee will have to sort this out. Looking at design and making alterations – open to it – and it typically happens in all such cases.

Worry was expressed that the School Committee gets swayed by shiny, pretty and cutting edge. If the School Committee has voted on and committed to that plan then I don’t want to go forward.

**A MOTION** was made and seconded to table the matter until we have someone from the School Committee here to answer questions. **By a VOTE** of 5 in favor, 19 opposed, and 2 abstentions the motion to table fails.

Only one School Committee member would probably be limited in answering questions just as the superintendent has been limited. We have included optimizing design in the language of the article and we need to stress this.
A MOTION TO AMEND was made (add Steve Kane’s language),
By a VOTE of 25 in favor, none opposed, and no abstentions the MOTION CARRIES.

A MOTION TO AMEND was made to add after “exclusion” - **Vote to be held no earlier than January 15, 2020 no later than 90 days after the dissolution of November First Special Town Meeting.
By a VOTE of 14 in favor, 9 opposed, and 2 abstentions the MOTION CARRIES.

A MOTION TO AMEND was made (add Harry’s dollar amount – how much less they have to spend 20% reduction is reasonable and not arbitrary), $87,040,000 instead of $108,800,000.
By a VOTE of 8 in favor, 12 opposed, and 5 abstentions the MOTION FAILS.

A MOTION was made and seconded for favorable action on the final amended language
By a VOTE of 18 in favor, 3 opposed, 4 abstentions the Advisory Committee recommends favorable action on the amended language.

That the Town appropriate, borrow, or transfer from available funds up to $108,800,000 to be expended under the direction of the Building Commission, with any necessary contracts over $100,000 to be approved by the Select Board and the School Committee, to reconstruct the Driscoll School as a four section school, with the understanding that the final stages of project design, which follow voter and Town Meeting approval, will include efforts to further optimize the project’s design in terms of both program delivery and cost efficiency, including the evaluation of the feasibility of providing office space for district-wide staff of the Brookline Public Schools, provided that such appropriation shall be contingent on the approval by Town voters of a debt exclusion vote to be held no earlier than January 15, 2020 no later than 90 days after the dissolution of November First Special Town Meeting to fund the debt service on said borrowing.

8:00 pm     WA 16 - E Scooter Resolution (Paul Warren, TMM Pct. 1 and Heather Hamilton, Select Board Member)

Susan Granoff provided a summary of the Public Safety Subcommittee’s review of Warrant Article 16 the substance of which is thoroughly captured in the report.

The petitioner offered a few comments.

This is an example of a resolution that didn’t have to happen, the Select Board could have just come out and said this and avoided all the trouble. This is an easy thing for the Select Board to do and they should have done it.

Q: What do they hope the State Legislature will do to regulate scooters? I’m concerned about the littering of the scooters on sidewalks everywhere.  A: That is something that the Transportation Board would regulate or look into.  That would be for local control.

There are 9 different bills in the State House right now about scooter regulation.
This started as an executive order and should have been handled as an executive order. However, the petitioner noted up front that the article doesn’t take a position but is just meant to evaluate the program. Every municipality can set the rules and requirements. Most people supported waiting for better regulations.

Q: Is there a timetable to the legislation? A: If I knew I’d be governor. There are a number of pieces of legislation working their way through but not sure when they will vote, but hope in the spring. Everyone is waiting on this. Cambridge, Boston, perhaps Newton. There is a pent up pressure for them to act.

Q: On November 16 the current pilot program will stop (all rental scooter contracts will end). Where was the select board going on November 16 on scooters? A: The lack of clarity and leadership on a decision of where the Select Board was going.

All legislation needs to be voted before the end of the session or the bills die. Part of a much larger transportation bill, including hands free cell phones, etc.

A MOTION was made and seconded for favorable action on WA 16. By a VOTE of in 24 favor, 0 opposed, and 1 abstention the Advisory Committee recommends favorable action on WA 16.

8:30 pm WA 6 – Select Board Stipends (Nicole McClelland, TMM Pct. 11, Mariah Nobrega, TMM Pct. 4, Neil Wishinsky, TMM Pct. 5)

Dennis Doughty explained that the intent of the article is to seek to expand participation and diversity of Select Board members by increasing the stipend. He gave an overview of the A&F subcommittee’s consideration of three main questions. Discussion was limited to the Select Board. Three question – 1) do you believe there are significant economic barriers to participation on the Select Board” 2) if yes, do you believe that they result in a less diverse Select Board and produces a less diverse and effective body? And, 3) if you agree in increasing stipends how much and how do you roll it out?

Comment: While one motivation is to focus on diversity – trying to attract a more diverse group of people to the role and task, another motivation was thinking about the pressures of the role, this is $300M enterprise that we are asking volunteers to be responsible for. Seems unfair to expect what we expect from Select Board members – we have grown too big and complicated and a completely volunteer government isn’t practical anymore.

Looked a comparable municipalities by budget and population, other towns have paid leadership / mayors. The reality has outstripped the model we were founded upon.

Q: Why not a warrant article that proposes we look into becoming a City? A: The vehicle would be a ballot initiative to start a city charter commission and collect just under 4,000 signatures (or 15% of the
number of registered voters in Brookline) to accomplish this. Beginning to consider this ballot charter initiative, have been looking at Framingham. Town Manager option would require legislative change.

**Comment:** This doesn’t seem to address the larger problem of Town versus City.

**Comment:** You can’t be involved in a City as much as you can in our current model but interested in tweaking it a little bit. I am supportive in maintaining our Township but insuring that we have sufficient numbers (making it more accessible) to run for the job and do the work and compensate them appropriately.

**Comment:** No credence to the argument that people will be supplementing their income with a Select Board gig; also the positions will never be “paid professionals” which is antithetical to the idea of volunteer.

**Comment:** Who are you attracting if this is part time money? If you want to professionalize this then hire them and give them benefits.

**Comment:** Where are we finding this money? We are a $300M enterprise that volunteers are responsible for – the retirement board filed a warrant article a few years ago seeking to be paid because of their responsibility to make sure that pension funds are appropriately invested and we turned them down. To be an effective select board member requires experience in some aspect of town government. So how do encourage more diversity in Town Meeting and on our Boards and Commissions so people begin to get an idea of how the Town works and use that experience as a stepping stone for running for the Select Board. We have seen what happens when someone who doesn’t have a lot of experience gets elected to the Select Board. They have to spend a considerable amount of time figuring out how own government works. Maybe after 18 months or so they get their sea legs. If we offer a stipend, for someone with no previous experience in Town government, not experience on a board or commission, this would be a paid internship of sorts until they are fully prepared to accept their responsibilities.

**Comment:** Have leadership being paid as if we are a city when we have none of the benefits of a city. Also some concerns with the language of the resolution.

**Comment:** Confusion around goals and objectives – this is trying to solve a lot of issues indirectly. By raising the pay you are not guaranteeing you will attract people with the skill set – agree with increasing recruiting to all Boards and Committees. Finally, there is also an equity question for other boards where people give so much of their time.

**Comment:** We want a better select board and this is an effort to improve it? If this were to pass everyone gets a raise and they haven’t even run for office! If you are going to do this, it should be an incentive to bring in people so it should only apply to newly elected members and not a reward for just having been here.
Comment: The way this town is working now Mel gets direction from Select Board and honors that relationship. He is the person with the expertise. We need to flip it so the Select Board without the expertise should value the guidance that Mel provides. So if you want to transition us, I would like to use the professional expertise we have in place, we pay for that level of expertise and work towards home rule petition to codify it and make it a Town Manager position. We need to evolve again. We need to rethink how we use the expertise we have right now.

Comment: Back to subcommittee discussion - by having a compensated Select Board we would get better members – a diverse pool, more people running for office. Day job – there is no equivalent position in Town government that puts in as much time as the Select Board. If you are not retired, and you are building your career and you are spending your obligatory 40 hours and then some to be on the Select Board, it will impact your career in myriad ways – and people would be willing to make that change, provided they are adequately compensated. We found no way to test this other than by doing it.

Q: What do you mean by “more diverse” given the current degree of diversity on both School Committee and Select Board? A: Lack of economic diversity.

Comment: Running a campaign is costly. Unintended consequence, people who have no knowledge will say 3 nights a week for $40K! If you volunteer for any of the other boards and commissions, you already know that you are not getting monetary rewards. Money could have better uses, custodian at Senior Center, for example. Don’t see this money solving anything.

Comment: Newton had done this and voted in giving themselves raises. Has this done anything to change the diversity? Newton went through a charter commission. They changed alderman to city councilors and reduced size of alderman and they wanted to make everyone run city-wide which did not pass. No town that has done this where we could compare. Stipend has no benefits or pension.

Q: No Town in Massachusetts or no town in New England? A: Greenwich, Connecticut has a very well compensated “first selectman” who works a full-time job, two other “selectmen” with smaller stipends and a full time Town Manager.

Comment: If full time commitment we should pay that amount, but if it isn’t full time we need to get a Town Manager to devote their time and expertise.

I think it will attract people, retirees who see this as an opportunity to supplement their pension and social security so are these the folks we mean to attract?

A MOTION was made to AMEND to replace “for the Fiscal Year beginning July 1, 2020” to “who are elected after May 1, 2020”
By a VOTE of 1 in favor, 24 opposed and 1 abstention, the MOTION FAILS.
The petitioner added a perspective that the representation that is lacking in the town is parents of small children. People choose not to run for Select Board because of small child and other volunteer work, being on the SB is a difficult prospect without compensation. There are other aspects of diversity that need to be represented. We have heard from a social worker who is involved in Town Meeting and told us that if being a SB member were a paid job, she could consider it. A professor who works extra jobs so she can afford to live in Brookline.

**Comment:** I don't understand why certain expenses couldn’t be covered for the Select Board.

A **MOTION** was made and seconded for favorable action on WA 6 as amended in the report. By a **VOTE** of 9 in favor, 16 opposed and 2 abstentions, the Advisory Committee recommends No Action on WA 6.

**WARRANT ARTICLE 6, AMENDED**

WHEREAS Select Board members carry heavy, time-demanding responsibilities, particularly the Select Board Chair, and

WHEREAS though the stipend increased in 2011 to $4500 for the Chair and $3500 for other members, those amounts do not represent the true effort involved, essentially demanding an average of 20+ hours per week of time, and

WHEREAS many town residents who might otherwise be interested cannot afford to provide their time to this level and therefore the current system is exclusionary and eliminates potentially excellent candidates, and

WHEREAS all Brookline inhabitants and employees will benefit from an inclusive Select Board elected from competitive races.

**THEREFORE BE IT RESOLVED THAT:**

1. The Town is encouraged to raise the annual stipends of the Select Board to $40,000 (members) and $60,000 (chair) effective for the Fiscal Year beginning July 1, 2020, and

2. Such stipend should increase annually by an amount equal to the general increase granted to Department Heads pending an affirmative action by Town Meeting to ratify that increase as stated in the budget Conditions of Appropriation.

3. This experience will be used to inform a future review of the compensation status of other committees, with a focus on the School Committee.

**Announcement:** Next Meeting Thursday, October 17.
There will also be a meeting on October 30th.
Upon a **MOTION** made and seconded to adjourn, and voted unanimously, the meeting was adjourned at 9:59 pm.

**Documents Presented:**

- Schools and Capital Subcommittees Report on WA 4
- Public Safety Subcommittee Report on WA 16
- A packet of information related to E Scooters from co-Petitioner Paul Warren
- A packet of emails related to E Scooters from the public
- Admin and Finance Subcommittee Report on WA 6