

## MEMORANDUM

From: Sandy Gadsby, Town Moderator

To: TMMs and other participants in the Annual Town Meeting

Re: 2020 Annual Town Meeting

Dated: May 7, 2020

As most if not all of you are aware, we are planning to have a virtual 2020 Annual Town Meeting using the Zoom videoconferencing platform. The conduct of the meeting will differ in several respects from the procedures applicable to in-person meetings as set forth in the Town Meeting Handbook. In this memorandum, I will describe in some detail how I anticipate that the meeting will be conducted so that you will be better able to plan for your participation. As a preliminary matter, please note that **all presentations at the meeting will be limited to three minutes** unless I have granted a speaker prior permission to exceed that limit.

### **Preparation and Training**

The virtual Town Meeting committee that I appointed to advise all of us about this type of meeting will be engaging in the following pre-Town Meeting activities in order to help prepare you for the meeting. As a public service Boston University (BU) is providing generous technical support, including access to its IT Helpdesk.

- The committee and the BU and Town IT Departments will be working with each of you to assure that you are positioned to the extent possible, given the technological resources available to you, to participate in the meeting as fully as you would be able to participate in an in-person meeting. For those of you who are equipped with a home computer, tablet or smartphone that permits this, you will be coached through the process of downloading the Zoom app, a condition to your being able to participate electronically most fully. Those of you who do not have access to such equipment at home will have two alternatives: the first is to attend the meeting in the High School gym, where you will be able to remain socially distanced and use properly configured BU loaner computers to participate in the meeting. The second alternative is to attend the meeting via conference call from a touchtone phone. If you choose the latter, you will be able to hear all presentations, present comments and questions of your own, and cast your vote by phone. However, in order to view the meeting, you will need to watch the proceedings being streamed by the Brookline Interactive Group's live video feed on Comcast's or RCN's local cable channels.
  
- In order to familiarize you with Zoom's video conferencing system, we will be conducting a series of precinct-by-precinct practice sessions on Zoom at 7:00 PM in accordance with the following schedule:
  - Precincts 1&2 – May 26
  - 3&4 – May 27
  - 5&6 – May 28

- 7&8 – June 1
- 9&10 – June 2
- 11&12 – June 3
- 13&14 – June 4
- 15&16 – June 8
- Make-up session – June 15

These meetings should not last more than an hour and a half. Please mark your calendars accordingly.

The participants in each of these sessions will consist of the TMMs from the relevant precincts and six or so other members of Town staff or others who will be participating in the ATM itself. Each session will include an opportunity for the participants to become familiar with, and use, the features available on the Zoom platform, including the ability to use the Zoom Chat Line as a stand-in for coming to the microphone and to practice voting and have an opportunity to ask questions.

### **Agenda for the Annual Town Meeting**

Sessions of the meeting are scheduled June 23, 24, 25 and 30. Here is a chronological list of the events that will take place at the meeting, to the extent that these can be predicted at this point:

#### **A. Prior to Consideration of the Articles**

- Check-in for all participants - 6:15-7:00 P.M. The BU Helpdesk will be available for those needing assistance in joining the meeting. Its number is **(617) 353-HELP (4357)**.
- Pledge of Allegiance – at approximately 6:50 I will recite the pledge; participants will be on mute but may join in the pledge if they so desire.
- Determination of a quorum and call to order – as soon as possible after 7 PM.
- Acknowledgement by the Moderator of the proper publication of the warrant etc.
- Star Spangled Banner – led by TMM Slayton. Participants will be unmuted so that we can all join in singing the anthem remotely.
- Moment of silence for deceased TMMs, if the Town Clerk’s office has been able to compile this.
- Announcements by the Moderator – including special procedures for the meeting.
- Practice vote - The practice motion to be voted on is likely to be a confirmation that the meeting may proceed virtually.

## **B. Voting Procedure**

All votes will be first conducted electronically through the voting system incorporated in the Zoom platform, then by a roll call of those present by conference call. Those with difficulty voting can obtain assistance from the BU Helpdesk, (617) 353-HELP (4357).

We will have recorded votes on all debt appropriations (article 7 and the budget article) and all Newbury articles, without motions from the floor. Town Meeting Members can call for another recorded vote through use of the Zoom Chat Line. Because of the difficulty of the voting process, I would encourage TMMs to limit their requests for a recorded vote to controversial or particularly important issues. If a recorded vote is requested, I will likely proceed with such a vote without polling those present, given that a request for a recorded vote has never failed to obtain the necessary TMM support.

Voting results will not be available at the time of the vote; we cannot replicate the precinct-by-precinct scroll-through that you are used to at an in-person meeting.

I will announce the preliminary results of a vote. For unrecorded votes with no question as to the outcome (unanimous or near-unanimous votes), my announcement will be final. All recorded or close votes will be subject to the following verification process.

Results of recorded or close votes will be posted on the Town website the morning after the session at which they were taken. TMMs should review these postings to make sure that their votes were properly recorded, and any changes must be reported to the Town Clerk or me at or prior to the next session of Town Meeting.

In the event of a very close vote, I may recess Town Meeting for such amount of time as it may take for me to review the electronic records and be assured that I announce the correct result.

There will be no opportunity for TMMs to review the results of votes cast at the last session of this Town Meeting. However, none of the articles that are likely to be voted on at that session is at all controversial.

## **C. Warrant Articles and Voting Sequence**

The following is my anticipated sequence of debates and votes on the articles in the warrant. It does not take into account any amendments that might be on the table when we reach the meeting or any special motions (points of order, questions of privilege, motions for the question) that may be offered from the floor.

### **1. Motion to reduce the meeting agenda.**

This motion will consist of a referral of all articles on the warrant other than nos. 3-15, 18, 19 and 25 to the Select Board or Planning Board, as appropriate, with all citizens' petition articles to be put on the warrant for the next Town Meeting without the necessity of obtaining new signatures. The SB will provide Town Meeting with its verbal commitment to make sure this occurs. After any debate, a majority vote will be taken. The purpose of this vote is to eliminate all articles that have been considered non-

essential by the Select Board and Advisory Committee from the huge present agenda for the meeting, in recognition of the difficulties inherent in conducting a virtual meeting with 200+ participants. All Massachusetts towns that have made serious plans to hold their Annual Town Meetings in the near future have taken or are expected to take this action.

## **2. Special Town Meeting.**

At approximately 7:30, I will adjourn the Annual Meeting and convene a Special Town Meeting within the Annual Meeting. In this STM, we were originally to vote on a home rule petition requesting legislation to ratify and validate the actions taken at both the Annual Town Meeting and this Special Meeting, since neither meeting is authorized under current law. However, it has since been determined that this would not cure the legality issue, and I anticipate that no action will be taken at the STM other than to dissolve it and reconvene the Annual Meeting.

4. **Articles 3-6.** These are routine articles that appear on every Annual Town Meeting warrant and are almost always passed unanimously. There will be a brief explanation of each article by either the SB or AC, followed by a single majority vote to approve the main motions under all four articles.
5. **Article 7.** This article calls for an increase in the amount necessary to complete the High School construction project, to be funded by bonding. After the debate, a single two-thirds vote will be taken. [Note that this bonding does not require a Town-wide debt override vote, since an override was already approved that will cover it.]
6. **Article 8. The Town budget.**

According to the Advisory Committee chair, a draft of the proposed FY '21 budget, taking into account the fiscal effects of the current fiscal crisis, should be available on the Town website around June 1, and will be included in the Combined Reports that will be mailed on June 6. The following are the procedures that I will apply during the budget discussion:

We will first have approximately 10-minute presentations by each of the SB chair, the AC chair and the Acting Sup't. of Schools, as we usually do.

We will then consider the capital items, which I will read through one by one, as I usually do, and will call on those who have comments or questions about any particular item. We will conduct two-thirds majority votes on each of the bonding appropriations as we reach them, otherwise will separately vote only on items in the main motion that are sought to be amended.

We will next consider the following sets of budget items, and I will take comments from participants on each set, in order: the Conditions of Appropriations (which may precede the capital budget items); the Town departmental budgets; the School budget; and non-departmental expenditures.

**NOTES:**

- Contrary to my usual procedure, I will not read each operating budget item and its appropriated amount.
- If at all possible, TMMs should submit their questions in advance of the meeting to me and to the relevant Department Head, and I will call on those who have submitted such advance questions in the order of the relevant budget item.
- Those who have not signed up in advance may “come to a microphone” (i.e. utilize the Chat Line feature of the Zoom platform) after I have called on the advance submitters. **The Chat Line will be limited during the entire meeting to requests for recognition by the Moderator; there will be no comments, questions or chitchat of the type for which so-called “chat lines” are often utilized.**
- Finally. **contrary to our usual custom, questions and comments will be limited to fiscal matters. I will not allow questions that are not directly related to a budget item**, such as whether a particular street could be plowed sooner.

After we have completed all items in the budget, we will have a single majority vote approving the budget as a whole (including the bonding items on which we voted separately).

#### **7. Articles 9-15. The Newbury articles.**

We will have a single debate on all seven of these articles, since it is important for TMMs to understand how they interrelate.

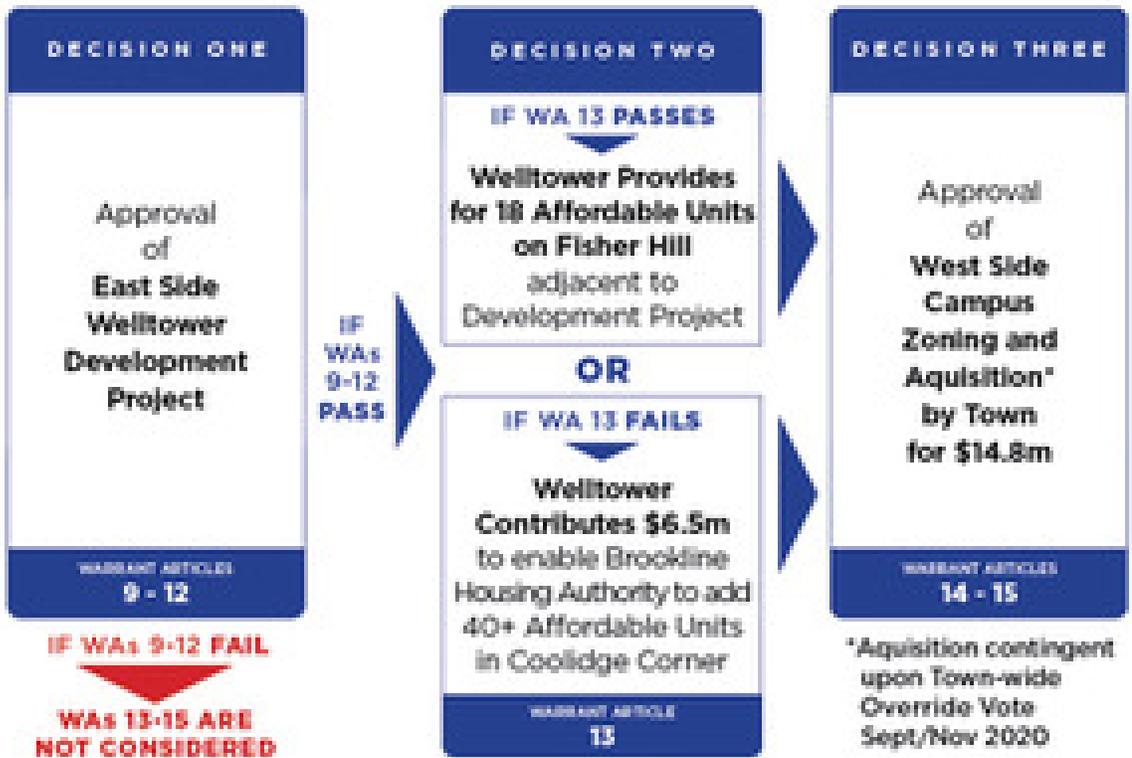
The main motions under these articles will be made by the proponents of the project. They will have a 40-minute time block to present their case, and the opponents will then have up to 40 minutes to rebut.

We will then alternate pro and con speakers until I think that all issues have been adequately aired, at which point I will call for questions and comments from the floor. Those participating in this part of the debate will be called on in approximately the order in which they have requested to speak via the Chat Line feature of the Zoom platform. It will not be possible to alternate pro and con comments during this portion of the debate.

After all or a significant number of those so requesting to speak have been heard, and questions adequately responded to, we will resume with pro/con speakers until debate is terminated, either by our having heard everyone wishing to speak or by a motion for the question (which may occur earlier in the proceedings).

We will then have a single two-thirds vote on articles 9-12 (the Welltower Memorandum of Understanding (MOU) and related zoning). The following is a graphic illustration of the voting sequence that will ensue depending on the success of the vote on articles 9-12:

## Newbury Warrant Article Decision Process



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In accordance with the above, if the vote on articles 9-12 fails, we will terminate the Newbury proceedings entirely and not vote on articles 13-15. However, if articles 9-12 are approved we will proceed to vote on article 13, which consists of a zoning change to the Welltower property at 125 Holland Road. The new zoning would enable Welltower or as assignee developer to construct 18 units of mixed-income housing on that piece of property as required by the MOU.

If article 13 is defeated, Welltower will be obligated under the MOU to transfer \$6.525 million to the Town's Affordable Housing Trust Fund. These funds are planned to be used to finance a Brookline Housing Authority proposal to construct 100 senior housing units at the BHA's Colonel Floyd housing complex near Coolidge Corner. Sixty units will replace outmoded housing units now on the site, and the BHA will also build 40 new units which will be added to the Town's affordable housing inventory.

Regardless of what happens to article 13, we will next take either one or two 2/3 votes on articles 14 (zoning for West side of Fisher Avenue) and 15 (the Town's acquisition of that property). There will be a single vote on both articles unless the moving party recommends (or Town Meeting votes) that they be voted on separately.

**NOTE:** *This is a very complicated project, and TMMs would be well advised to review carefully the relevant warrant articles and the accompanying explanations, which include the MOU. I would advise that you sign up well in advance to speak if you wish to have any kind of priority in the speakers' list. In order to reduce the number of comments and questions during the Q&A session, I encourage you to ask your questions prior to the meeting to the following members of the proponents' team: Neil Wishinsky ([wishinsky.neil@gmail.com](mailto:wishinsky.neil@gmail.com)) or Paul Saner ([paulsaner@comcast.net](mailto:paulsaner@comcast.net)) for questions relating to the MOU and the overall Welltower project; Roger Blood ([bloods@rcn.com](mailto:bloods@rcn.com)) for questions relating to article 13; and Nancy Heller ([nancyhellerbrookline@gmail.com](mailto:nancyhellerbrookline@gmail.com)) for questions relating to the Town's acquisition of the property on the West side of Fisher Avenue.*

8. **Articles 18 and 19. Affordable Housing Trust Fund articles.** These will be debated and voted on together, by majority vote. They are apparently non-controversial.
9. **Article 25. Transfer of liquor licenses.** Majority vote. Also apparently non-controversial.
10. **Vote to dissolve the meeting.**

**NOTE:** Anyone who wishes to speak at the meeting but who has not signed up to do so in advance can request to be recognized by the Moderator by using the Chat Line feature of the Zoom platform. Any such request will be communicated to the Moderator as soon as possible after it has been made. Passing along requests to speak will be the responsibility of a designated monitor. This would be the case during the budget debate or Newbury Q&A session, as noted above, but would also apply at any time at which TMMs would ordinarily come to a mike during an in-person meeting, to address questions to the Moderator or to make special motions such as points of order, questions of privilege or motions for the question.

I will be re-publishing, supplementing and probably amending this memorandum as we get closer to the meeting date.