

**IN BOARD OF SELECTMEN**

**March 4, 2008**

**Present: Chairman Nancy Daly, Selectmen Gilbert Hoy,  
Robert Allen, and Betsy DeWitt**

**EXECUTIVE SESSION**

Upon motion duly made and seconded, it was moved that the Board of Selectmen go into EXECUTIVE SESSION.

The Chair then stated the reason(s) for the Executive Session: (SEE THE REASONS CHECKED)

- \_\_\_\_\_ (1) To discuss the reputation, character, physical condition or mental health rather than the professional competence of a particular individual<sup>1</sup>.
- \_\_\_\_\_ (2) To consider the discipline or dismissal of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual<sup>1</sup>.
- X  (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body, to conduct strategy sessions in preparation for negotiations with non-union personnel, and to conduct collective bargaining sessions or contract negotiations with non-union personnel.
- \_\_\_\_\_ (4) To discuss the deployment of security personnel or devices.
- \_\_\_\_\_ (5) To investigate charges of criminal misconduct or to discuss the filing of criminal complaints.
- \_\_\_\_\_ (6) To consider the purchase, exchange, lease or value of real property, if such discussion may have a detrimental effect on the negotiating position of the governmental body with a person, firm or corporation.
- \_\_\_\_\_ (7) To comply with the provisions of any general or special law or Federal grant-in-aid requirements.

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The individual involved in such Executive Session must be notified in writing at least forty-eight (48) hours prior to such session and is (1) entitled to be present (2) to have counsel or other representative present and (3) to speak in his or her own behalf. Upon the request of the individual involved, no Executive Session shall be held and the meeting shall be held in open session. See G.L.c.39, §§23B(1) and (2).

\_\_\_\_\_ (8)        **To consider and interview applicants for employment by a preliminary screening committee or a subcommittee appointed by a governmental body if an open meeting will have a detrimental effect in obtained qualified applicants: provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee or a subcommittee appointed by a governmental body, to consider and interview applicants who have passed a prior preliminary screening.**

\_\_\_\_\_ (9)        **To meet or confer with a mediator, as defined in section twenty-three C of chapter two hundred and thirty-three, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or body, provided that: (a.) any decision to participate in mediation shall be made in open meeting session and the parties, issues involved and purpose of the mediation shall be disclosed; and (b.) no action shall be taken by any governmental body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open meeting after such notice as may be required in this section.**

**The Board of Selectmen, during a properly constituted and noticed meeting:**

**VOTED:        to go into Executive Session**

**Roll Call Vote:        Voting in the Affirmative:    4**  
**Voting in the Negative:        0**

**The Board of Selectmen (WILL) RECONVENE in Open Meeting after the Executive Session.**

**PUBLIC COMMENT**

**Public Comment period for citizens who requested to speak to the Board regarding Town issues not on the Calendar.**

**Stanley Spiegel TMM#2 speaking for himself, asked the Board to consider putting the override vote on the ballot as one vote, and not a pyramid of choices. He stated that most supporters will most likely be parents with concerns about cuts in the school budget. He added that it is up to the Selectmen as representatives of the Town to use their best judgment in offering a solution in a non complicated way.**

**CONTRACT**

**The Board considered the question of executing Contract No. PW/08-18 “Amory Park /Renovation” in the amount of \$438,158.20 with Green Acres Landscape and Construction Co., Inc of Lakeville. Said contract to be funded from the DPW CIP as follows:**

<b>4998WS06 6P0052</b>	<b>\$349,018.80</b>
<b>4997C152 6C0009</b>	<b>\$ 29,000.00</b>
<b>4998WS07 6P0018</b>	<b>\$ 45,000.00</b>
<b>4998WS05 6P0048</b>	<b>\$ 5,000.00</b>
<b>4998WS03 6P0050</b>	<b>\$ 10,139.40</b>

**Erin Gallentine, Director of Parks and Open Spaces, stated that the Park is in need of renovation and this contract will include ball-field renovation, drainage, irrigation, new pathways and stairs, fencing, backstops, and site furniture. Green Acres is a new contractor for the Town and their references are good. The Baseball program will be moved temporarily to Beaver Country School. The work will start right after Memorial Day, and be completed by the spring 2009 baseball season.**

**On motion, it was unanimously,**

**VOTED: To execute Contract No. PW/08-18 “Amory Park /Renovation” in the amount of \$438,158.20 with Green Acres Landscape and Construction Co., Inc., of Lakeville. Said contract to be funded from the DPW CIP as follows:**

<b>4998WS06 6P0052</b>	<b>\$349,018.80</b>
<b>4997C152 6C0009</b>	<b>\$ 29,000.00</b>
<b>4998WS07 6P0018</b>	<b>\$ 45,000.00</b>
<b>4998WS05 6P0048</b>	<b>\$ 5,000.00</b>

4998WS03 6P0050                      \$ 10,139.40

**CONTRACT**

The Board considered the question of awarding Contract No. PW/08-13 “Intersection Improvements Project Walnut Street/Chestnut Street/Kennard Road” in the amount of \$168,313.50 to Strada Construction Co., Inc., of Malden. Said Contract to be funded as follows:

4998WS99 6T0014	\$ 1,615.89
4998WS06 6T0014	\$ 1,617.25
4998WS07 6T0014	\$ 83,814.57
4998WS08 6H0026	\$ 66,707.83
4998WS08 6T0014	\$ 14,557.06

Director of Engineering Peter Ditto stated that there were nine bidders and three that came very close to the low bidder. He is happy to see that. Mr. Ditto added that along with sidewalk work a new pedestrian signal will be installed. There will be no green light on the signal, just yellow and red to allow children safe crossing to the Lincoln School.

On motion, it was unanimously,

**VOTED:** To award Contract No. PW/08-13 “Intersection Improvements Project Walnut Street/Chestnut Street/Kennard Road” in the amount of \$168,313.50 to Strada Construction Co., Inc., of Malden. Said Contract to be funded as follows:

4998WS99 6T0014	\$ 1,615.89
4998WS06 6T0014	\$ 1,617.25
4998WS07 6T0014	\$ 83,814.57
4998WS08 6H0026	\$ 66,707.83
4998WS08 6T0014	\$ 14,557.06

**GRANT AGREEMENT**

The Board considered the question of accepting and executing a Grant Agreement with the Mass DEP in the amount of \$1,941.00 for 60 Compost Bins.

Kevin Johnson, Highway Director stated that this grant will help stock additional compost bins available for residents to purchase. The grant will also help keep the cost of the bins down.

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**GRANT AGREEMENT cont'd**

**On motion, it was unanimously,**

**VOTED: To accept and execute a Grant Agreement with the Mass DEP in the amount of \$1,941.00 for 60 Compost Bins.**

**DOG COMPLAINTS**

*Chairman Daly recused herself; she is acquainted with one of the dog owners.  
Selectman Hoy Acting Chair.*

**The Board considered the question of directing the Police Chief to assign an Officer to conduct an investigation on the following complaints of nuisance dogs and report back to the Board on the findings for disposition under G.L. c 140, s. 157**

**Black Labrador      Dillon      (Polly Kornblith-Owner)**

**Wheaton Terrier      Oakley      ( Michael Stone-Owner)**

**Chief O'Leary stated that he is requesting that the Board direct the police department to assign an officer to conduct an investigation on several complaints on the above dogs. This will include examination under oath of the complainants, and to report the investigating officer's findings to the Board for disposition under G.L. c. 140,s. 157. The Board asked how many times this has occurred. Chief O'Leary replied that in his twelve years as Chief it has occurred once before. In order for the police to place any restrictions or take any action against the dogs, there needs to be a hearing first.**

**On motion, it was unanimously, 3-0 Daly absent**

**VOTED: To direct the Police Chief to assign an Officer to conduct an investigation on the following complaints of nuisance dogs and report back to the Board on the findings for disposition under G.L. c 140, s. 157**

**Black Labrador      Dillon      (Polly Kornblith-Owner)**

**Wheaton Terrier      Oakley      ( Michael Stone-Owner)**

*Chairman Daly resumes as Chair*

**RESERVE FUND TRANSFER**

The Board considered the question of approving and transmitting to the Advisory Committee the request of Town Counsel Jennifer Dopazo for a reserve Fund transfer in the amount of \$75,000 for the following accounts.

Litigation	\$3,000
Subscription	\$3,000
Claims and Settlements	\$69,000

Town Counsel Jennifer Dopazo stated that the claims and settlements all have to do with vehicle accidents. The winter season has brought an increase in weather related claims/accidents of property damage and personal injury. Some of these claims stem back to 2005. The litigation amount covers deposition fees, court transcriptions, and title search materials relating to zoning and foreclosure cases. The subscription amount will cover on-line and print materials essential for case research.

On motion, it was unanimously,

**VOTED:** To approve and transmit to the Advisory Committee the request of Town Counsel Jennifer Dopazo for a reserve Fund transfer in the amount of \$75,000 for the following accounts.

Litigation	\$3,000
Subscription	\$3,000
Claims and Settlements	\$69,000

**POLICE PERSONNEL**

The Board considered the question of offering conditional employment to eleven (11) police candidates.

Chief O'Leary stated that he recommends the following eleven candidates for conditional appointment. If approved, they will move along in the process. The interview committee included applicants from the Spanish speaking list and the female list. The recruits are: Morgan Lee, Andrew Powers, Natalie Rose, David Avila, Elizabeth Burke, David Hill, Brendon Kelliher, Ryan Lee, Maura McHugh, Michael O'Connor, and Brendan Morgan.

Selectman DeWitt asked if the Department will be properly staffed with these new recruits.

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**POLICE PERSONNEL cont'd**

Chief O'Leary replied that it is a big step forward; however the recruits will not be on the staff until they complete the training process which will be in September. He also noted that several officers are at retirement age and anticipates some retirements this year.

On motion, it was unanimously,

**VOTED: To offer conditional employment to eleven (11) police candidates.**

**BROOKLINE BIKES BEACON/FITNESS FAIR**

John Dempsey of the Bicycle Committee appeared to update the Board on plans for the Brookline Bikes Beacon/Fitness Fair scheduled for Sunday May 18, 2008.

Mr. Dempsey stated that on May 18, 2008 there will be a bicycle parade traveling down Beacon Street to Amory Park. It will be a five mile loop with the Brookline Police escorting the riders. The purpose is to encourage and call attention to the environmental, physical, and social benefits of cycling. The Brookline fitness fair will be held at Amory field following the bike ride.

The Board looks forward to the event.

**SALE OF BONDS/REFINANCING**

The Board considered the question of authorizing the Treasurer/Collector Stephen Cirillo to finalize the sale of \$13,150,000 in General Obligation Bonds.

Mr. Cirillo congratulated the Finance team in obtaining a AAA bond rating once again. This rating brings a favorable competitive rate to the bidding process.

Director of Finance Stephen Cirillo stated that the purpose of the refinancing is to take advantage of the lower interest rates for debt issued in 1998. The Town went out to bid and the lowest bid came in from Eastern Bank at an average rate of 4.17%. Mr. Cirillo would like approval to finalize the sale of \$13,150,000 in General Obligation Bonds to the low bidder. The bond will re-finance the remaining debt for the Municipal Service Center, the Waste Water System, and the Water Main improvements.

On motion, it was unanimously,



**VOTED:** that under and pursuant to Chapter 44, Section 21A, of the General Laws, and any other enabling authority, there is hereby authorized the issuance and sale of \$4,205,000 General Obligation Refunding Bonds (the "Refunding Bonds") of the Town for the purpose of refunding all or any portion of the outstanding principal amount of the Town's \$12,757,000 General Obligation Bonds dated June 15, 1998 (collectively, the "Refunded Bonds") and, in addition, to finance costs of issuance of the Refunding Bonds and the redemption premium and any interest due on the Refunded Bonds;

Further Voted: that the sale of the \$13,115,000 General Obligation Municipal Purpose Loan of 2008 Bonds of the Town dated March 1, 2008 (the "Bonds"), to Eastern Bank Capital Markets at the price of \$13,258,760.29 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on March 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2009	\$1,640,000	3.50%	2018	\$915,000	4.125%
2010	955,000	3.50	2019	310,000	4.125
2011	945,000	3.25	2020	310,000	4.25
2012	940,000	3.50	2021	310,000	4.375
2013	935,000	3.50	2022	310,000	5.00
2014	925,000	3.50	2023	310,000	5.00
2015	920,000	3.75	2024	310,000	5.00
2016	920,000	4.00	2025	310,000	5.00
2017	920,000	5.00	2028	930,000	5.00

Further Voted: that the Bonds maturing on March 1, 2028 (a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due March 1, 2028

<u>Year</u>	<u>Amount</u>
2026	\$310,000
2027	310,000
2028*	310,000

\*Final Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated February 22, 2008, and a final Official Statement dated February 28, 2008, (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the consent to the financial advisor bidding for the Bonds, as executed prior to the bidding for the Bonds, is hereby confirmed.

Further Voted: that the Bonds may be secured in whole or in part by insurance or by letters or lines of credit or other credit facilities, as shall, in the discretion of the Treasurer, be in the best interests of the Town.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds, for the benefit of the holders of the Bonds from time to time.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the office of the Town Clerk or on the principal official bulletin board of the Town at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L. c.39, s.23B as amended.

### **SENIOR CITIZEN PROPERTY TAX ASSISTANCE**

**Chairman Daly took a moment to announce that Ruthann Dobek has received the Social Worker of the Year award from the Massachusetts Chapter of the National Association of Social Workers. Chairman Daly congratulated Ms. Dobek on her hard work and dedication to the Council on Aging.**

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**SENIOR CITIZEN PROPERTY TAX ASSISTANCE cont'd**

**Finance Director Stephen Cirillo, Chief Assessor Gary McCabe and Council on Aging Director Ruthann Dobek appeared to review senior tax assistance programs that are under consideration.**

**Chief Assessor Gary McCabe stated that the Board of Assessors along with the Council on Aging, would like to put together a pilot senior work-off abatement program under G.L. Chapter 59 § 5k. This program will allow income and age eligible residents to receive a property tax abatement in exchange for work. This program needs to be voted by Town Meeting. The money needed to fund this will be set aside from the overlay reserve. There will be no cost to the taxpayers.**

**Director of Council on Aging Ruthann Dobek added that there are many kinks that need to be worked out like how will the residents be picked, will it be a lottery if there are too many applicants, how many hours to be worked, and how many jobs will be available, etc. Many other communities are participating in similar programs and she is researching them on policies and procedures.**

**On motion, it was unanimously,**

**VOTED: To support the Pilot Senior Work-off Abatement Program.**

**Finance Director Stephen Cirillo stated the 41A Exemption is a tax deferral program for senior citizens who are sixty five years or older and income eligible (a combined income of \$40,000). The program allows those eligible to remain in their homes by collecting the taxes due to the Town when the property is sold. Mr. Cirillo added that Brookline is one of the few communities with low participation in the program. He has been working with the senior residents in hopes that they will take advantage of this program. The interest rate for the program is now at 8%, he would like to reduce it to 5% in hopes to get a better reception of the program. This will require a vote from Town Meeting.**

**Selectman Allen stated that he feels that the \$40,000 annual income is too low, and perhaps the Town could look into raising the eligible income to provide some relief to the senior population.**

**Selectman DeWitt asked about other tax relief programs that seniors may apply for such as the senior "Circuit Breaker" law. Ms. Dobek replied that this is a State tax relief benefit. Selectman DeWitt added that perhaps the Town should hold an educational workshop for seniors on the different tax relief programs that are available for residents. Ms. Dobek replied that this is a great idea.**

**Regina Frawley TMM#16 stated that many of her neighbors are elderly and being targeted by realtors to sell their homes to families with school children so they**

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**SENIOR CITIZEN PROPERTY TAX ASSISTANCE cont'd**

can attend the local public schools. She added that it is important not to forget that the elderly have not only paid for their kids to go to school, but have continued to pay for the schools. They no longer use much of the Town services, but continue to pay for them.

Agnes Rogers of the Council on Aging added that as an elderly resident it is important not to make the elderly feel squeezed out in order to comply with the needs of the schools. She supports the schools, but hopes the needs of the senior residents are not neglected.

On motion, it was unanimously,

**VOTED:** To support the concept of reducing the tax rate of the 41A exemption.

**RECREATION PERSONNEL**

The Board considered the question of authorizing the filling of a vacancy in the position of Assistant Recreation Leader (GN3-6) in the Recreation Department.

Recreation Director Lisa Paradis stated that due to a recent retirement this position has become available. It is an important position in the Pre-school program.

On motion, it was unanimously,

**VOTED:** To authorize the filling of a vacancy in the position of Assistant Recreation Leader (GN3-6) in the Recreation Department.

**MARATHON SPECIAL PERMIT**

Josh Nemzer of the BAA appeared to request a Special Use Permit in connection with the running of the BAA Marathon on April 21<sup>ST</sup>.

Mr. Nemzer stated that he looks forward to another successful Boston Marathon event. The race will run the same as last year with the new starting times. The road closure and re-opening times have been worked out and agreed upon with the public safety officials.

The Board looks forward to this annual event.

**On motion, it was unanimously,**

**VOTED: To approve the request for a Special Use Permit in connection with the running of the BAA Marathon on April 21<sup>ST</sup>.**

### **BOARDS AND COMMISSIONS**

**The following candidates for appointment/reappointment to Boards and Commissions appeared for interview:**

**Transportation Board – Pamela Zelnick – is seeking re-appointment. She would like to continue working on taxi medallions, and pedestrian crossings. She has worked on the resident permit program and stated that it is being implemented slowly across town. Ms. Zelnick enjoys participating on the Transportation Board, and stated that it is a very active and well run Board.**

### **RCN-BECOCOM, INC LICENSE**

**The Board considered the question of amending the existing Cable Television Final License contract with RCN-BecoCom, Inc. dated April 28, 1998.**

**The Board considered the question of renewing the Cable Television Final License contract with RCN-BecoCom, Inc.**

**Selectman Hoy introduced members of the Broadband Monitoring Committee. Present were Fran Berger, Michael Newman, Stephen Bressler, outside counsel Peter Epstien, and Tom Steele of RCN. Selectman Hoy then stated that the Town has prepared a 10 year license renewal with RCN. RCN will continue to make yearly payments as agreed upon, and RCN will continue to maintain the Town's Institutional Network (I-Net). Selectman Hoy also said that BAT (Brookline Access Television) and the School Committee are working together to find housing for BAT at the High School.**

**Selectman Allen asked Mr. Steel if RCN will see the ten years through. Mr. Steele replied that RCN entered this agreement enthusiastically in 1998 and continues that effort. Their company is competing with Verizon and Comcast and feels the consumers will benefit from the competition. RCN has a sizeable investment in Brookline.**

**On motion, it was unanimously,**

**VOTED: To amend the existing Cable Television Final License contract with RCN-BecoCom, Inc. dated April 28, 1998.**

**VOTED: To renew the Cable Television Final License contract with RCN-BecoCom, Inc.**

### **DPW ACCREDITATION**

**The Board considered the question of authorizing the Town Administrator to execute the APWA application for the Public Works Voluntary accreditation.**

**Commissioner of Public Works Tom DeMaio stated that he would like permission to move forward with the accreditation process. This is a national program and only 47 communities have been accredited, none from the New England area. This is a lengthy and in-depth process, and he hopes to be in the review process in a year from now. This accreditation will give the DPW an opportunity to enhance their effectiveness and review and change some practices and policies.**

**Chairman Daly asked how much the fee is for the program. Mr. DeMaio replied that the fee is \$12,600, for the application. The review team will then be an additional fee which could bring the total amount to about \$20,000. The fee is established by the size of the community. The benefit of this value is monetary when they start to refine some of practices and procedures, which will include claims and risk management, safety, emergency management, facility management, and many more. It will help with moral, knowing that they are one in only fifty throughout the country that are accredited. The accreditation will be for four years. Chairman Daly replied that it seems like a reasonable price when spread out over four years.**

**Town Administrator Richard Kelliher added that this was recommended in the FY09 DPW budget. The program is endorsed nationally by many professional organizations. The process is very helpful in constructive teambuilding, and organizational development. He recommends the program.**

**Selectman Allen added that he concurs with Mr. Kelliher. They have continually asked the DPW to do more with less. The Department is asked to compete with the private sector and this will help the Department continue to do that. He feels that this is a great exercise and well worth it.**

**Selectman DeWitt asked if there is a thorough review first. Mr. DeMaio replied that a team will come out and look at the procedures and polices.**

**On motion, it was unanimously,**

**VOTED: To authorize the Town Administrator to execute the APWA application for the Public Works Voluntary accreditation.**

### **FY 09 FINANCIAL PLANS**

**Review of the following FY09 Departmental Budgets:**

**Town Counsel  
Department of Public Works  
Water and Sewer**

#### **Town Counsel**

**Deputy Town Administrator Sean Cronin stated that Town Counsel has an overall increase of about 4%. There was a reduction in Workmen Compensation charge-offs due to outside counsel. There is also a reduction in personnel cost, due to changes in the pay plan. Services increased 16% due to outside counsel, litigation costs and subscription costs.**

**Town Counsel Jennifer Dopazo stated that there were many workmen compensation cases that were conflicts in the staff being out of the office for long periods of time to go through the judicial process. Outside counsel was able to work out the claims at a more sufficient rate by specializing in workmen's comp cases and representing more than one case at a time freeing up the staffs time to devote to other cases. Ms. Dopazo added that staff has recovered a substantial amount of money for the Town in the past year. Examples are \$600k recovery from the High School Project, and an \$800k recovery for the Parson's Field helicopter accident.**

**Chairman Daly inquired about the workload/performance indicators.**

**Ms. Dopazo replied that foreclosures are up. In this economic climate, the Treasurers Office has a number of liens on homes, and the Tax Board cases go up. There have been many challenges of assessed values of property when the housing market is down. Town Counsel's Office assists in these matters as well.**

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**The Board inquired about the interview process for an Associate Town Counsel. Town Counsel replied that there is quite an interest and she has begun the interview process.**

### **Department of Public Works**

**Deputy Town Administrator Sean Cronin stated that overall the DPW's budget shows a decrease of .3% (\$35k). There is an elimination of 4 positions, 3 in the Highway Division, and 1 in Sanitation. Services have gone up \$16k due to the solid waste contract and snow removal. Training is up \$23k due to the efforts to get accredited and utilities are down, due to usage at the Municipal Center. Supplies are up \$100k due to the rising cost of fuel.**

**For the Water and Sewer Enterprise Fund, there is an increase of 3% (\$700k) due to the MWRA (Massachusetts Water Resource Authority) assessment. This may come in at a lower price. There is a decrease in personnel of .02%, and an increase in services of \$38k for Catch Basin Sediment Disposal.**

**Commissioner of Public Works Tom DeMaio stated that the Department has lost ten employees in the last two years. Some of the accomplishments include the move at Town Hall, which was complicated, but successful. The Beacon Street Project is near completion. In the Engineering/Transportation Department, parking regulations have been revised, along with pedestrian crosswalks and traffic signals. In Highway and Sanitation there is savings of approximately \$325k due to the successful rebid of the solid waste contract. The sidewalk program is successful and he hopes there will not be any cutbacks in this program. In the Park Division, the enhancement on Beacon Street is a large project. The Muddy River project will be continued and the new park at the old landfill site will be opening soon. In the Water and Sewer Department, the Division has again received an award from the State recognizing the great work of the Department.**

**Chairman Daly stated that this has been a difficult year for snow accumulation, and the DPW was able to handle it with the short staff. She inquired about the plans to reconstruct Rawson Path.**

**Director of Engineering Peter Ditto replied that the bidding process for Rawson Path will start soon.**

**Chairman Daly asked about bulb planting, and that she was happy to see it continue. Director of Parks and Open Spaces Erin Gallentine stated that the tulips have a lifespan of about 3 years. This area has been cut back due to funding, but the Department will continue to do what it can.**

**Chairman Daly asked about the sidewalk and roadway repair program. Director of Engineering Peter Ditto replied that the streets are deteriorating faster**



**than they can keep up with fewer staff. The need for repair has passed and more extensive work needs to be done.**

**Chairman Daly asked about the leak detection in the Water and Sewer Division. She noted that there has been a lot of work done on the water mains. Director of Water and Sewer Andy Pappastergion replied that there was a major overhaul of the main lines, however the State requires the Town to identify the unaccounted water use. Most of the unaccounted water is known, it is used for hydrants, street sweeper, flushing mains etc. This just needs to be tracked to submit to the State. Mr. Pappastergion added that there are about 300 homes left that need to be updated. For one reason or another they have not been able to access the meters at these homes. It is very important to replace the meters, and he hopes that in the near future access will be gained.**

**Chairman Daly congratulated Mr. Pappastergion on the State award, recognizing how the Department operates. This is the third time the Water Department has won this award.**

**Selectman Allen asked about the loss of a co-op student in the Engineering Department. Director of Engineering Peter Ditto replied that this staff has been able to pick up the slack and get the job done. The staff has relied on technology to be able to accomplish working without the co-op student. Selectman Allen added that the DPW seems to be the easiest target to reduce staff and budget. He feels that at some point there are too many employees lost and you can't get them back. With outside contracting, there is always a chance that the contractor will raise prices, and the Town will have nothing to stand on. He asked at what point do we say we just can't take any more cuts. Commissioner DeMaio replied that we were there two years ago with the loss of ten employees. For the first time he had to use contracted service to help get the schools open during a snow storm. The employees are willing to do what needs to be done, but it is difficult with a short crew. He added that contract services are not the answer all the time; you lose the personal touch, fast response, and equipment.**

**Selectman Allen asked about the \$700k for capital in the budget, which has been level funded since 1995. In particular the sidewalk plow. The Commissioner replied that in 1994 the sidewalk plows cost \$55k, today it cost \$125k. Every year they come up with a plan to purchase, or repair capital equipment, using the same amount of funds for the past 10 years. The Department looks into leasing major equipment to stretch their budget.**

**Selectman Allen asked the Director of Parks and Open Space Erin Gallentine about the impact on staff reduction and maintenance for parks and open space. Ms. Gallentine replied that there have been some operational changes. There have been some changes in trash collection, the playgrounds, and service at the tennis courts. The synthetic turf at Downes field is working out great, and requires minimal maintenance.**

**Town Administrator Richard Kelliher stated that over the last two years there has been a deliberate approach to try to manage through the budget and continue to be productive. If an override does not pass there will be added pressure on the DPW. He wondered if perhaps there could be some budgeted funds taken from one area to fund a snow removal sidewalk tractor over a couple of years. This could somehow be factored into the override.**

**Selectman Hoy noted that the DPW has been very responsive to the public by providing excellent service with the cuts they have taken.**

### **BOARDS AND COMMISSIONS**

**The Board considered the question of making appointments to the Council on Aging.**

**On motion, it was unanimously,**

**VOTED: To accept the recommendations of the Council on Aging for the re-appointment of the following.**

**Full Members: Irving Finn 2010, Shirley Raldo 2010, Anatoly Rakin 2010, Gertrude Cohen 2009.**

**Associate Members: Ruth Abrams 2010, Ruth Golden 2010, Lillian Christmas 2010, Mary Lou Hood 2010, Marjorie Harvey 2009, Jean O'Rourke 2009, Jacob Shafran 2010.**

**The Board considered the question of reappointing Wendy Ecker to the Naming Committee.**

**On motion, it was unanimously,**

**VOTED: To reappoint Wendy Ecker to the Naming Committee.**

**There being no further business, the Chair adjourned the meeting at 10:30 p.m.**

**ATTEST**

**IN BOARD OF SELECTMEN**

**March 11, 2008**

**Present: Chairman Nancy Daly, Selectmen Gilbert Hoy,  
Robert Allen, Betsy DeWitt, and Jesse Mermell**

**The Minutes of March 4, 2008 were approved as amended**

In Board of Selectmen

March 11, 2008

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**TRANSFER**

The Board considered the question of approving the following transfer within the Planning Department budget:

<b>FROM:</b>	<b>1720172- 525030</b>	<b>\$2,500.00</b>
	<b>Printing</b>	
<b>TO:</b>	<b>17201720 531012</b>	<b>\$2,500.00</b>
	<b>Supplies</b>	

On motion, it was unanimously,

**VOTED:** To approve the following transfer within the Planning Department budget:

<b>FROM:</b>	<b>1720172- 525030</b>	<b>\$2,500.00</b>
	<b>Printing</b>	
<b>TO:</b>	<b>17201720 531012</b>	<b>\$2,500.00</b>
	<b>Supplies</b>	

**EXTRA WORK ORDER**

The Board considered the question of approving and executing Extra Work Order #5 in the amount of \$18,826.83 for work to be completed by Colantonio in connection with Renovations to Town Hall. Said work order to be funded from account 2599WS07 6B0107.

Project Manager Tony Guigli stated that this Extra Work Order includes installation of the roof edge detail, refinishing the existing terrazzo floor in the lobby, and credits in the amount of \$41,356.17. He added that the project is scheduled for completion in September.

On motion, it was unanimously,

**VOTED:** To approve and execute Extra Work Order #5 in the amount of \$18,826.83 for work to be completed by Colantonio in connection with Renovations to Town Hall. Said work order to be funded from account 2599WS07 6B0107.

**CONTRACT**

The Board considered the question of approving and executing a contract in the amount of \$114,000 with Contractors Network, Inc., of Seekonk, MA, in

In Board of Selectmen

March 11, 2008

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**CONTRACT**

connection with the "Incinerator Building exterior building wall panel installation and related work". Said contract to be funded as follows:

2594C147	6C0002	\$	7,824.19
2594C157	6B0074	\$	106,175.81

Project Manager Tony Guigli stated that this contract has been previously awarded. This vote is for the execution.

On motion, it was unanimously,

**VOTED:** To approve and execute a contract in the amount of \$114,000 with Contractors Network, Inc., of Seekonk, MA, in connection with the "Incinerator Building exterior building wall panel installation and related work". Said contract to be funded as follows:

2594C147	6C0002	\$	7,824.19
2594C157	6B0074	\$	106,175.81

**CONTRACT**

The Board considered the question of executing Contract No. PW/08-13 "Intersection Improvements Project Walnut Street/Chestnut Street/Kennard Road" in the amount of \$168,313.50 to Strada Construction Co., Inc., of Malden. Said Contract was awarded on March 4, 2008 and will be funded as follows: (Subject to Town Counsel Review and Approval)

4998WS99	6T0014	\$	1,615.89
4998WS06	6T0014	\$	1,617.25
4998WS07	6T0014	\$	83,814.57
4998WS08	6H0026	\$	66,707.83
4998WS08	6T0014	\$	14,557.06

On motion, it was unanimously,

**VOTED:** To execute Contract No. PW/08-13 "Intersection Improvements Project Walnut Street/Chestnut Street/Kennard Road" in the amount of \$168,313.50 to Strada Construction Co., Inc., of Malden. Said Contract was awarded on March 4, 2008 and will be funded as follows: (Subject to Town Counsel Review and Approval)

4998WS99 6T0014	\$ 1,615.89
4998WS06 6T0014	\$ 1,617.25
4998WS07 6T0014	\$ 83,814.57
4998WS08 6H0026	\$ 66,707.83
4998WS08 6T0014	\$ 14,557.06

**EXTRA WORK ORDER**

The Board considered the question of approving Extra Work Order #3 in the amount of \$28,300.00 for work to be completed by BETA Group in connection with Contract PW/02-32 Pavement Management. Said work order to be funded from 4998WS08 6H0026. (Subject to Town Counsel Review and Approval)

Director of Engineering Peter Ditto stated that the last upgrade was six years ago. This will measure how successful the pavement management program has been. The study will review the current base, resurveying all Town roads, installing Pavement Analysis System, migrate data to new system, and develop custom reports on pavement rating and road repairs.

Selectman DeWitt added that this will provide current data on road conditions, allowing more efficient repairs and upkeep.

Mr. Ditto replied that the program will help set off the reconstruction cost with more maintenance, in the hopes to avoid reconstruction of roads.

On motion, it was unanimously,

**VOTED:** To approve Extra Work Order #3 in the amount of \$28,300.00 for work to be completed by BETA Group in connection with Contract PW/02-32 Pavement Management. Said work order to be funded from 4998WS08 6H0026. (Subject to Town Counsel Review and Approval)

**EXTRA WORK ORDER**

The Board considered the question of approving Extra Work Order #1 in the amount of \$58,300.00 for work to be completed by CDM in connection with Contract PW/07-05 Engineering Services. Said work order to be funded from account 4997C157 6L001.

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**EXTRA WORK ORDER cont'd**

Director of Engineering Peter Ditto stated that this is for additional engineering services required for the close-out of the construction contract with Roach Construction. The construction took a little longer than anticipated requiring a consultant at the site longer.

On motion, it was unanimously,

**VOTED:** To approve Extra Work Order #1 in the amount of \$58,300.00 for work to be completed by CDM in connection with Contract PW/07-05 Engineering Services. Said work order to be funded from account 4997C157 6L001.

**GRANT APPLICATION**

The Board considered the question of authorizing Director of Parks and Open Space Erin Gallentine to submit grant applications to the Brookline Community Foundation in connection with grants for the following programs:

Summer in the Parks Film Series	\$10,000
Recycling Containers	\$15,000

Director of Parks and Open Spaces Erin Gallentine stated that this grant would provide funding for the outdoor film series, which was a success last year due to private donors and local businesses. Due to public request they would like to expand the film series to North Brookline at the Devotion School. There have also been requests for recycling containers at ten of the most active parks. The containers will be for cans and bottles. Ms. Gallentine is hopeful that the Brookline Community Foundation will also provide funds for these community programs.

On motion, it was unanimously,

**VOTED:** To authorize Director of Parks and Open Space Erin Gallentine to submit grant applications to the Brookline Community Foundation in connection with grants for the following programs:

Summer in the Parks Film Series	\$10,000
Recycling Containers	\$15,000

In Board of Selectmen

March 11, 2008

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**TEMPORARY WINE AND MALT BEVERAGE LICENSE**

The Board considered the question of granting a temporary All Kinds of Alcohol beverages license to the Forum on Education Abroad/Boston University in connection with a banquet to be held on April 3, 2008 from 6:00 p.m.-7:30 p.m. at 808 Commonwealth Avenue.

On motion, it was unanimously,

**VOTED:** To grant a temporary All Kinds of Alcohol beverages license to the Forum on Education Abroad/Boston University in connection with a banquet to be held on April 3, 2008 from 6:00 p.m.-7:30 p.m. at 808 Commonwealth Avenue.

**TEMPORARY WINE AND MALT BEVERAGE LICENSE**

The Board considered the question of granting a temporary Wine and Malt beverages license to the Senior Center in connection with a reception to be held on March 17, 2008 from 6:00 p.m. – 8:00 p.m. at 93 Winchester Street.

Chairman Daly stated that the Director of the Council on Aging Ruthann Dobek will be receiving her Social Worker of the year award at this event.

On motion, it was unanimously,

**VOTED:** To grant a temporary Wine and Malt beverages license to the Senior Center in connection with a reception to be held on March 17, 2008 from 6:00 p.m. – 8:00 p.m. at 93 Winchester Street.

**TEMPORARY WINE AND MALT BEVERAGE LICENSE**

The Board considered the question of granting a temporary Wine and Malt beverages license to Boston University College of Fine Arts in connection with a Reception to be held on April 18, 2008 from 6:00 p.m. – 8:00 p.m. at 808 Commonwealth Avenue.

On motion, it was unanimously,

**VOTED:** To grant a temporary Wine and Malt beverages license to Boston University College of Fine Arts in connection with a Reception to be held on April 18, 2008 from 6:00 p.m. – 8:00 p.m. at 808 Commonwealth Avenue.



## **BOARDS AND COMMISSIONS**

**The Board considered the question of making appointments/reappointments to the Transportation Board.**

**On motion, it was unanimously,**

**VOTED: To re-appoint Gustaaf Driessen to the Transportation Board for a term ending August 31, 2010, or until a successor can be appointed.**

**VOTED: To re-appoint Pamela Zelnick to the Transportation Board for a term ending August 31, 2010, or until a successor can be appointed**

**Selectman DeWitt noted that the new candidate Brian Kane had the qualifications; unfortunately there are only two openings at this time.**

## **FY 09 FINANCIAL PLANS**

**Review of the following FY09 Departmental Budgets:**

**Selectmen  
Advisory Committee  
Library**

**Selectmen: Deputy Town Administrator Sean Cronin stated that the Selectmen's budget is level funded and shows an increase of \$288.00 due to personnel step increases and longevity pay.**

**Chairman Daly noted that the performance/workload indicators shows that Brookline has maintained its Aaa credit rating and the number of Aaa's in Massachusetts has dropped by one this past year. Mr. Cronin replied that Andover had lost its Aaa credit rating. Chairman Daly thanked Mr. Cronin and Assistant Town Administrator Melissa Goff for their hard work in maintaining this important rating.**

**The Board inquired about the Building Commissioner position. Town Administrator Richard Kelliher replied that applications must be submitted by March 26, 2008. The Screening Committee will then begin the interview process.**

**On motion, it was unanimously,**

**VOTED: Favorable Action on the Selectmen's budget as presented.**

**FY 09 FINANCIAL PLANS cont'd**

**Advisory Committee:** Chair of the Advisory Committee Harry Bohrs stated that there is a decrease of \$298.00 due to personnel change. A long time staff employee had transferred to the School Committee. Mr. Bohrs added that he was pleased with the interest for the vacant position and is happy to announce that there is a new hire.

The Board noted that the Advisory Board is involved in many aspects of the Town. The amount of resources and information they provide is a great benefit to the residents.

On motion, it was unanimously,

**VOTED:** Favorable Action on the Advisory budget as presented.

**Library:** Deputy Town Administrator Sean Cronin stated that the Library budget reflects a decrease of \$47k due to the proposal to cut staff and materials. There is an increase in utilities of \$8k.

Town Librarian Chuck Flaherty stated that since 1993 materials circulation is up 108%. The Library has lost 4 full time employees, and the circulation per full-time employee has doubled. There has been a large increase in story hours and children's author's visits. The Library has been successful in obtaining private funds which contribute greatly. In 2003 the Main Library had a major renovation, in 2005 the Coolidge Corner branch was renovated, and the Putterham Branch is scheduled for renovations this year. The Library Trustees are now focusing on how to handle the proposed 2% cut. Mr. Flaherty has comprised a list of 20 action items for consideration to comply with the cuts.

Selectman Mermell mentioned the success of the Library Gala a couple of weeks ago, and noted that it is a great fundraiser. She inquired about new materials coming out, and the book budget. Is there an additional cost to not having a book on hand, and providing it through the Minuteman Library Network? Mr. Flaherty replied that patron demand will still be there. However, upon a book requests, it will come through the back door, get signed in, email notification done, and pulled aside. This slows down circulation time. He added that they provide the best service they can with the budget they have.

Carol Axelrod, Chair of the Library Trustees, added that she has heard more and more from the residents on the importance of Library in the community. She stated that they would not like to curtail services, but will probably cut back some regardless of budget cuts.

Selectman DeWitt asked about the use of electronic media.

**Mr. Flaherty replied that electronic media has gone from 30% to 40% of the total circulation. Books on tape, learning tapes etc. continue to increase, and the CD's have a surprisingly long shelf life.**

### **PROPOSITION 2 ½ OVERRIDE**

**The Board considered the question of placing Proposition 2 ½ override question(s) on the ballot as part of the May 6, 2008 Annual Town Election.**

**a. The Board considered the question of adopting a Resolution incorporating the recommendations of the Override Study Committee into guidelines for maintaining total personnel costs within sustainable levels.**

**Town Administrator Richard Kelliher stated that within the past year, the Town has been engaged in over \$3million in budget shortfalls. In FY08 the Town had a reduction of 10 full-time employees. FY09 will bring the number of staff cuts to 20 on the Town side alone, including Public Safety, DPW, and Library staff. The Mass Municipal Association has reported that over 100 municipal communities are considering overrides. With the limited commercial tax base, and limited local aid, it is not a question of whether there should be an override in Brookline, but when. Mr. Kelliher added that there is no single solution to the challenges of cities and towns. The Town is ready to proceed and follow any recommendations of the Selectmen and School Committee.**

**School Superintendent Bill Lupini stated that the Schools have been impacted in the same way. Last year the schools cut \$1million. As they looked at this year's budget, there are a number of areas of concern, mainly enrollment. The incoming kindergarten class for 08-09 will be well over the current 500 mark. There has been a dramatic loss in grants, in particular no child left behind. An increase in personnel steps and length in salary schedules, and a decrease in retirement savings have also resulted in budget strains. Some measures that the Schools are looking at are: an increase to the athletic fee, an increase to the transportation fee, cuts to substitution hiring, and a payroll clerk position. Also, reduction in social workers, guidance counselors, 3.2 full time teaching positions at the high school, and elimination of library assistance at elementary schools. A reduction in building repair and technology is also proposed. What is proposed for restoring is to add time to the student day, and world language program should the override proposal pass.**

**Dr. Sperber, Chairman of the Brookline Civic Association stated that the Association was founded to promote good government, and to assure that citizens are allowed maximum choice. By combining the two new school initiatives, it takes the choice away from the voters. Both the extended day and the world language program are both sound and desirable, he is confident that citizens will make wise decisions regarding these two new initiatives. Since the economic and social welfare of Brookline depends so heavily on maintaining the excellence of the school system.**

**PROPOSITION 2 ½ OVERRIDE cont'd**

**Jack Hall spoke in support of the World Language program. He would like to see one ballot question which will include the \$6.2million override. He added that usually the most expensive item hardly ever passes. If there were to be two ballot choices he would support that the school request be rolled into one of them. Mr. Hall stated that if the World Language option could not be rolled into another one, he suggested that it be taken of the ballot entirely. Perhaps there is some way to fund the program by offering a PILOT program at one school. He feels that separating the World Language Program on the ballot will cause it to fail.**

**Paul Dryfos, 164 Mason Terrace has been involved in the World Language study group since 2005. He favors a single ballot question of \$6.2m Override. Considering that Brookline has not had an override in 14 years he thinks that the single \$6.2million is clear and rational. He understands that there is an interest in giving voters options, if that is the case, he supports two options, one for the full amount of \$6.2 million, and one for \$3.6 million to address the shortfall. The vote can be to only maintain the current services, or to support the whole package, that includes the school programs.**

**David Cotney, TMM#12 stated that he supports a single item on the ballot. He added that the easy decision is to let the voters decide, however he feels that the Selectman should make the decision, and not ask the voters to make decisions.**

**Selectman DeWitt stated that we were extremely fortunate to have an Override Committee that looked into many fiscal practices. There was no recommendation as to the type of the ballot questions, just the needs of the Town. She urged residents to take a look at the Override Committee's, report on the Town's website. Selectman DeWitt believes that voters should have a choice; therefore she supports a two part question. She will be voting for the full \$6.2million question.**

**Selectman Hoy thanked the Override Study Committee for their excellent work. He supports a single question. This discussion occurred in 1994 and pitted one side against another. One reason it was successful in 1994, was because it brought all opponents together to make it a strong vote. He stated that they cannot accept the staff cuts in the School side, or loss of Public Safety personnel. Sidewalk maintenance and open space funds need to be addressed now instead of later in order to keep up with the services. He feels that the Town must adopt the lengthened school day to comply with State mandates, and World Language is needed to maintain the excellence in the School system, and allow our students to compete in a global community in the future. The Town is fortunate not to have had an Override in the past 14 years.**

**Selectman Allen stated that he has received many phone calls with interest on this Override. He is concerned about the residents own increase with health care, gas,**

**PROPOSITION 2 1/2 OVERRIDE cont'd**

utilities, and finds it difficult to ask residents to not only deal with their own cost going up, but ask them to make it even higher by adding the Town's cost in order to continue what they expect here in Town. Every argument made about the Override has a counter argument. He feels that the easiest decision is to make it one decision. He would vote no, and wonders how many others would vote no, and on what sacrifice? He is glad to see that the Schools and Town are working together under one umbrella looking to control costs. Both are asking all their departments to do more with less. He does not think that a \$3.6 million Override will make property values plummet, however services will plummet. He supports an Override, but supports a three package choice to let the voters decide where their money is being spent particularly at a time where it is so valuable. He feels that there is a clear interest in World Language which is included in the \$6.2 million option.

Selectman Mermell thanked the hundreds of residents that have contacted her about this Override, and helped her make a decision. She also thanked the Override Study Committee for their concise and easily digestible investigation of the Town's financial situation which was truly essential for the Board to make their decision. She added that the Town needs all four Override components on the ballot, and she will be voting and advocating for all four. She added that the largest group she has heard from where the residents that moved here, and opted to stay because of the quality of the school system, and services. She feels that the community deserves continued excellence. This includes establishing a lengthened school day, and providing world language. She is committed to identifying and implementing measures that would make the budget sustainable while looking at long term solutions of stability. She supports a two part ballot question, \$6.2million, and \$5.4million. She added that voters do deserve a choice.

Chairman Daly also thanked the Override Study Committee, and added that she was struck by the amount of overrides that comparable communities have had in the past few years, and is happy that Brookline has not had one in the past fourteen years. Excellent Town Management and the sound fiscal polices being followed has helped the Town achieve this. However, when looking at the pressures of healthcare, energy, and special education costs etc, it is easy to see the struggles that communities have. Chairman Daly added that an override will help out now, but it is important to look at long term fiscal policies. She favors choice for the voters.

Selectman Hoy made the motion of adopting the \$6.2million single ballot question.

On motion, it was, 1-4 No action

<b>VOTED:</b>	<b>Hoy</b>	<b>aye</b>
	<b>Allen</b>	<b>no</b>
	<b>DeWitt</b>	<b>no</b>
	<b>Mermell</b>	<b>no</b>
	<b>Daly</b>	<b>no</b>

**PROPOSITION 2 1/2 OVERRIDE cont'd**

Selectman Allen made the motion of adopting three sets of ballot questions: \$3.6 million, \$5.4million.and, \$6.2million

On motion is was, 1-4 No action

Hoy	no
Allen	aye
DeWitt	no
Mermell	no
Daly	no

Selectman Dewitt stated that the Town has been taking steps one at a time in modest ways to maintain its fiscal responsibility.

Selectman DeWitt made the following statement:

This is the first override since 1994, and is being proposed for fixed costs such as health benefits and energy that are rising much faster than operating revenues.

Motion for a two-tiered pyramid override ballot question consisting of Option One with 4 components totaling \$6.2 million and Option Two with 3 components totaling \$5.4 million. This ballot structure would give voters a choice between the two following options.

Option One \$6.2 million.

First, \$2.1 million to maintain current levels of services, which means restoring \$1.5 million in the School budget, and \$600,000 in the Police, Fire and Library budgets for FY09. Second, \$1.5 million to restore lost purchasing power in the under funded budgets for maintaining public buildings and parks, and for street and sidewalk repair, including replacement of worn out snow removal equipment.

Second, regular building upkeep has been neglected because mandated costs for maintenance and inspections have doubled. In additional to regular care for existing parks and open space, new obligations for the Newton Street Park and Beacon Street landscaping must be funded. Street and sidewalk repairs have been under funded while materials costs have risen dramatically, resulting in a backlog and visibly eroding infrastructure.

Third, \$1.8 million for more time and more learning. In 1998 State Education Reform regulations on time and leaning set a requirement for structured learning time of 900 hours for elementary grades 1-6, of 990 hours for high school grades 9-12, and recommended 990 hours for 7<sup>th</sup> and 8<sup>th</sup> grades in a K-8 system. Brookline in 2008 only meets the requirement of 900 hours in elementary grades 1-6.

In Board of Selectmen

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**PROPOSITION 2 ½ OVERRIDE cont'd**

**My 2 sons, who graduated from BHS 10 years ago, did not have today's graduation requirements or any MCAS preparation and testing in their school day. They (both PhD candidates) agree with me that knowledge is increasing exponentially, and that an outstanding learning environment begins with time, time for science, math, reading and literature, history and social studies, art and music and foreign language. Therefore, I believe that it is this generation's responsibility to give the gift of time for learning to all Brookline kids by adding 20 minutes to each day, 100 minutes to each week, equal to 10 additional days each year.**

**Fourth, \$800,000 for elementary foreign language in grades K-6. There is no dispute that all language is learned best at an early age in part of preparing our kids for the global economy means understanding other cultures and having the ability to communicate successfully.**

**Option Two \$5.4 million**

**It is the same as Option one, but without the \$800,000 for an elementary foreign language program. This is because implementation would require adding staffing, along with future retirement obligations, which makes it different from the other three components in Option One.**

**In parallel with this motion, I will support measures to maintain fiscal sustainability and control costs for the future, including:**

- **Implementing personnel policy as recommended by the Labor Advisory Committee in the Resolution before the Board tonight.**
- **Working with employees through the collaborative bargaining process to control health benefit costs and to move into the State Group Insurance Commission.**
- **Following the Override Study Committee recommendations for formation of Sustainability/Efficiency Committee to review all municipal operations for the best practices and cost savings. Energy Review Committee to review potential savings made in facilities operations and fleet management practice. Pursue revenue opportunities including local option taxes, PILOT agreements with nonprofits, rigorous enforcement of fees and fines, and appropriate economic development.**

**Finally, property tax is regressive. We must also provide assistance and information about all available exemptions and particularly the Senior Circuit Breaker for state tax refunds to eligible property owners and renters over age 65.**

**She is optimistic that an Override of the \$6.2 million will prevail.**

**PROPOSITION 2 1/2 OVERRIDE cont'd**

Selectman Allen made a friendly amendment to include in each question after the words "streets and sidewalks" insert the words "including sidewalk snow clearing equipment". Selectman DeWitt welcomed the amendment.

Selectman Dewitt made the motion of adopting a two ballot question.

On motion, it was unanimously,

**VOTED:** To include the following questions on the ballot for the May 6, 2008 Annual Town Election:

Questions 1A and 1B are separate questions. You may vote for or against each or all questions independently. Each question requires a majority of those voting on that question to pass. If more than one question passes, the question with the highest dollar amount will prevail.

**1A) Shall the Town of Brookline be allowed to assess a total of \$5,400,000 in additional real estate and personal property taxes for purposes of funding school (\$1,500,000), police (\$370,000), fire (\$150,000), and library (\$80,000) departments; repair and maintenance of school and town buildings, parks, street and sidewalks, including sidewalk snow clearing equipment (\$1,500,000); lengthened instructional school day by 20 minutes per day totaling 100 minutes per week (\$1,800,000) for the fiscal year beginning July 1, 2008?**

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**1B) Shall the Town of Brookline be allowed to assess a total of \$6,200,000 in additional real estate and personal property taxes for purposes of funding school (\$1,500,000), police (\$370,000), fire (\$150,000), and library (\$80,000) departments; repair and maintenance of school and town buildings, parks, street and sidewalks, including sidewalk snow clearing equipment (\$1,500,000); lengthened instructional school day by 20 minutes per day totaling 100 minutes per week (\$1,800,000) and world language program for grades K-6 in all elementary schools (\$800,000) for the fiscal year beginning July 1, 2008?**

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_



**PROPOSITION 2 1/2 OVERRIDE cont'd**

**The Board considered the question of the order of the ballot questions.**

**Selectman Allen made the motion of presenting the questions in ascending order. He feels that ascending order is a way that voters are used to looking at numbers.**

**Selectman Hoy feels that descending order is best due to the majority of the Board that supports all the components of the Override and having that first choice may prompt it to pass.**

**On motion, it was,**

**3-2 To present the ballot questions in ascending order.**

<b>Hoy</b>	<b>No</b>
<b>Allen</b>	<b>Aye</b>
<b>DeWitt</b>	<b>Aye</b>
<b>Mermell</b>	<b>No</b>
<b>Daly</b>	<b>Aye</b>

**Chairman Daly made the motion to make all the votes unanimous.**

**On motion, it was unanimously,**

**VOTED: Favorable Action on the unanimous vote on the ballot questions and the ascending order.**

**RESOLUTION**

**The Board considered the question of adopting a Resolution incorporating the recommendations of the Override Study Committee into guidelines for maintaining total personnel costs within sustainable levels**

**On motion, it was unanimously,**

**VOTED: To adopt the following resolution:**

In Board of Selectmen

March 11, 2008

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**RESOLUTION cont'd**

**WHEREAS, Personnel costs account for more than 75% of the total town and school spending, and**

**WHEREAS, the major factors contributing to personnel cost increases are COLA'S, benefits (particularly group health) and growth in staffing levels, and**

**WHEREAS, in recent years well over half the town's allowable levy growth has been consumed by group health, diverting resources from Town and School services; and**

**WHEREAS, current group health premiums at \$19,156 per family have nearly doubled since the rate of approximately \$9,800 in FY2001 and**

**WHEREAS, the Override Study Committee recommends that the town and schools each manage the growth in personnel costs at sustainable levels, and**

**;**

**WHEREAS, the Override Study Committee further urges holding the growth of COLA'S and other personnel costs bellowed 2% as health costs increase more than 10%' and,**

**NOW, therefore, the Board of Selectmen after consultation with the designees of the School Committee to the Labor Advisory Committee established by Town Meeting does hereby resolve to incorporate the recommendations of the Override Study Committee into its guidelines for employees compensation and benefits and into its collective bargaining guidelines for upcoming labor contract negotiations consistent with obligations to engage in good faith bargaining pursuant to M.G.L. 150E.**

**There being no further business, the Chair adjourned the meeting at 9:30 p.m.**

**ATTEST**

**IN BOARD OF SELECTMEN**

**March 18, 2008**

**Present:** Chairman Nancy Daly, Selectmen Gilbert Hoy, Robert Allen, Betsy DeWitt and Jesse Mermell.

**The Minutes of February 26, 2008 were approved.**

**The Minutes of March 11, 2008 were approved as amended.**

**EXECUTIVE SESSION**

Upon motion duly made and seconded, it was moved that the Board of Selectmen go into EXECUTIVE SESSION.

The Chair then stated the reason(s) for the Executive Session: (SEE THE REASONS CHECKED)

- \_\_\_\_\_ (1) To discuss the reputation, character, physical condition or mental health rather than the professional competence of a particular individual<sup>1</sup>.
- \_\_\_\_\_ (2) To consider the discipline or dismissal of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual<sup>1</sup>.
- X  (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body, to conduct strategy sessions in preparation for negotiations with non-union personnel, and to conduct collective bargaining sessions or contract negotiations with non-union personnel.
- \_\_\_\_\_ (4) To discuss the deployment of security personnel or devices.
- \_\_\_\_\_ (5) To investigate charges of criminal misconduct or to discuss the filing of criminal complaints.
- \_\_\_\_\_ (6) To consider the purchase, exchange, lease or value of real property, if such discussion may have a detrimental effect on the negotiating position of the governmental body with a person, firm or corporation.
- \_\_\_\_\_ (7) To comply with the provisions of any general or special law or Federal grant-in-aid requirements.

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The individual involved in such Executive Session must be notified in writing at least forty-eight (48) hours prior to such session and is (1) entitled to be present (2) to have counsel or other representative present and (3) to speak in his or her own behalf. Upon the request of the individual involved, no Executive Session shall be held and the meeting shall be held in open session. See G.L.c.39, §§23B(1) and (2).

\_\_\_\_\_ (8) To consider and interview applicants for employment by a preliminary screening committee or a subcommittee appointed by a governmental body if an open meeting will have a detrimental effect in obtained qualified applicants: provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee or a subcommittee appointed by a governmental body, to consider and interview applicants who have passed a prior preliminary screening.

\_\_\_\_\_ (9) To meet or confer with a mediator, as defined in section twenty-three C of chapter two hundred and thirty-three, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or body, provided that: (a.) any decision to participate in mediation shall be made in open meeting session and the parties, issues involved and purpose of the mediation shall be disclosed; and (b.) no action shall be taken by any governmental body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open meeting after such notice as may be required in this section.

**The Board of Selectmen, during a properly constituted and noticed meeting:**

**VOTED: to go into Executive Session**

**Roll Call Vote:            Voting in the Affirmative: 5**  
**Voting in the Negative: 0**

**The Board of Selectmen (WILL) RECONVENE in Open Meeting after the Executive Session.**

**PUBLIC COMMENT**

**Susan Allen of Westbourne Terrace spoke on concerns on Public Safety in Brookline. She feels that Brookline has a two tiered system.**

**EXTRA WORK ORDER**

**The Board considered the question of approving Extra Work Order #2 in the amount of \$238,500.00 for work to be completed by CDM in connection with Contract # PW/06-08 "Landfill Engineering Services". Said order to be funded from account 4997C157 6L0001.**

**Public Works Commissioner Tom DeMaio stated that this is to continue the work on the surrounding areas of the Landfill. It is for corrective action measures on private property in the area. This will provide continuation of the engineering services.**

**On motion, it was unanimously,**

**VOTED: To approve Extra Work Order #2 in the amount of \$238,500.00 for work to be completed by CDM in connection with Contract # PW/06-08 "Landfill Engineering Services". Said order to be funded from account 4997C157 6L0001.**

**GRANT OF LOCATION & NOISE BYLAW NOTIFICATIONS**

**The Board considered the question of designating the Engineering Department to do all appropriate notifications and postings in connection with Grant of Locations and Noise Bylaw Waiver requests.**

**Director of Engineering Peter Ditto stated that this is a housekeeping issue on how the notification of grants of locations and noise bylaw waivers are done. The Engineering Department is currently performing these duties, the Board has to officially appoint the Department as their designee.**

**Selectman Hoy inquired about having Town Meeting Members notified as well. Mr. Ditto replied that can be done via email to the Town Meeting Members of the particular precinct.**

**GRANT OF LOCATION & NOISE BYLAW NOTIFICATIONS cont'd**

Selectman Allen asked about the postage cost. He feels that maybe the Town should not be responsible for it. Maybe there could be a flat fee for mailings. Selectman Allen hopes that this will prompt some thought into this.

Selectman Hoy agreed. He would like to add that Town Meeting Members of the precinct be notified in the process, and that a good faith estimate be done to recapture some of the postage expense.

On motion, it was unanimously,

**VOTED:** To designate the Engineering Department to do all appropriate notifications and postings in connection with Grant of Locations and Noise Bylaw Waiver requests, and include Town Meeting Members of the precinct effected in the notifications.

**TEMPORARY WINE AND MALT BEVERAGE LICENSE**

The Board considered the question of granting a temporary Wine and Malt beverages license to Boston University (Lawyer's Weekly) in connection with a Reception to be held on March 26, 2008 from 6pm -8pm at 775 Commonwealth Avenue

On motion, it was unanimously,

**VOTED:** To grant a temporary Wine and Malt beverages license to Boston University (Lawyer's Weekly) in connection with a Reception to be held on March 26, 2008 from 6pm -8pm at 775 Commonwealth Avenue.

**ZONING BYLAW REVIEW COMMITTEE**

The Board considered the question of making appointments to the Zoning Bylaw Review Committee:

Merilice	Citizen Member
Marian Lazar	Conservation Commission
Roger Blood	Housing Advisory Board
Mark Zuroff	Attorney-Citizen Member
Jesse Geller	Attorney-Board of Appeals
Linda Leary	Preservation Commission

**ZONING BYLAW REVIEW COMMITTEE cont'd**

Selectman Allen recommended the above residents to replace members that have left the Committee. He added that the Selectmen will soon be presented with the charge of the Committee, action plan, and term lengths. This Committee was formed out of the Comprehensive Plan.

The Board looks forward to formalizing the Committee.

On motion, it was unanimously,

**VOTED:** To appoint the following citizens to the Zoning Bylaw Review Committee for a temporary term ending June 30<sup>th</sup> 2008.

<b>Merilice</b>	<b>Citizen Member</b>
<b>Marian Lazar</b>	<b>Conservation Commission</b>
<b>Roger Blood</b>	<b>Housing Advisory Board</b>
<b>Mark Zuroff</b>	<b>Attorney-Citizen Member</b>
<b>Jesse Geller</b>	<b>Attorney-Board of Appeals</b>
<b>Linda Leary</b>	<b>Preservation Commission</b>

**GRANT OF LOCATIONS**

Public Hearing on the question of approving the petition of Boston Edison Company d/b/a/ NSTAR Electric for permission to construct, and a location for, such a line of conduit and manholes with the necessary cables therein under the following public way:

**HARVARD STREET - At and westerly of Linden Place, a distance of 51 feet – conduit**

**LINDEN PLACE: - At and easterly of Harvard Street, a distance of 519 feet conduit and build one (1) manhole (#28888)**

**HAMMOND STREET -Northerly, approximately 240 feet south of Heath Street, a distance of 62 feet - conduit**

**HEATH STREET - Northeasterly @ Belmont Road a distance of 35 feet - conduit @ pole (82/75)**

**SAINT MARY'S STREET: - At and easterly of Ivy Street, a distance of 30 feet - conduit**



**GRANT OF LOCATIONS cont'd**

**Director of Engineering Peter Ditto stated that the top three locations are new service, and the last one is an upgrade.**

**Sheila Gillis, representing NSTAR stated that she does not think any service will be interrupted.**

**Tina Sutton, 3 Linden Place stated that her service is interrupted quite frequently. She added that three years ago NSTAR did extensive work in the area, yet still there seems to be problems. She is also concerned about traffic flow while the work is being done.**

**Selectman DeWitt asked if there was a concrete answer to the service interruptions in the area.**

**Ms Gillis replied that this is an upgrade of the system, and that it should provide better service. She could not give a definite reason to why the frequent disruptions.**

**The Board asked that Ms. Gillis and Mr. Ditto see what the issue is in this area, and how NSTAR is planning resolve it. They both gave their contact information to Ms. Sutton.**

**On motion, it was unanimously,**

**VOTED: To approve the petition of Boston Edison Company d/b/a/ NSTAR Electric for permission to construct, and a location for, such a line of conduit and manholes with the necessary cables therein under the following public way:**

**HARVARD STREET - At and westerly of Linden Place, a distance of 51 feet – conduit**

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**SAINT MARY'S STREET: - At and easterly of Ivy Street, a distance of 30 feet - conduit**

## **FY 09 FINANCIAL PLANS**

**Review of the following FY09 Departmental Budgets:**

**Information Technology  
Finance Department  
Veterans Services  
Human Resources  
Personnel Benefits -postponed**

### **Information Technology**

**Chief Information Officer Kevin Stokes stated that services have remained level funded, there is a decrease of \$25k due to the re-bidding of the Help Desk contract. There is an increase in E-Commerce Services of \$21k. He added that the Public Safety Department saw a decrease in their budget of \$55k due to the Information Technologies upgrades to their system. His Department is looking at streamlining the servers, and lowering power consumption.**

**Selectman DeWitt asked about the Permits Plus software. Mr. Stokes replied that Permits Plus is at the end of its life cycle. He is looking at applications that would address the needs of the users, knowledge of the products, and training to use the product to the best of its capacity. His Office is always looking at improving skills and efficiencies while providing a value.**

**Selectman Allen asked about WIFI, and if he had a sense of how many citizens are using it. Mr. Stokes replied that the vendor is a private company so he does not know the exact numbers, however the vendor tells him that they are pleased with the number of subscribers.**

**Chairman Daly was happy to note that the overall IT budget has an increase of less than 1%. She added that Permits Plus has provided service for a long time.**

### **Finance Department**

**Director of Finance Steve Cirillo stated that the Finance Department consists of the Assessors, Comptrollers, Purchasing, and Treasury Departments. The overall budget reflects an increase of \$24k due to personnel increases which include step increases, and overtime for the revaluation in the Assessors Department. There are also some cost increases due to the software maintenance of the MUNIS system, postage, and software service. The Finance Department has worked on the**

In Board of Selectmen

March 18, 2008

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**FY 09 FINANCIAL PLANS cont'd**

**Override, PILOT programs, School Building Assistance, and debt service. They will continue to do so.**

**The Board acknowledged the Town's Aaa's bond rating indicating a well run operation.**

**Selectman Mermell expressed concern about the number of questions that may be received from residents on an Override. Mr. Cirillo replied that the Assessor's Office is well seasoned and prepared to answer any questions. They are looking at having some evening hours scheduled to accommodate concerns. The Town is also looking at providing information on the website.**

**Comptroller Judy Haupin stated that she will continue to work on the Town's financial software MUNIS. The current version needs to be upgraded.**

**Chief Assessor Gary McCabe stated that the Assessors budget reflects the overtime funds needed to address questions for the revaluation. The Assessors Office will continue to look into the impact of adopting provisions for certain tax exemptions.**

**Chief Procurement Officer Dave Geanakakis stated that the budget reflects a slight increase in gasoline/supplies of .6%. Chairman Daly questioned the low amount for gasoline. Mr. Geanakakis replied that the price is under contract, however the contract will be up June 30, 2008. The slight increase is due to the addition of two town vehicles. The Town is looking at fuel efficient vehicles.**

**Veterans Services**

**Director of Veteran Services Bill McGroarty stated that the budget reflects an increase of 2.4% due to personnel increases of 1.2% and services for equipment repair and maintenance. Mr. McGroarty stated that the Office is very busy due to the economy, prompting veterans to seek assistance. Mr. McGroarty is also involved in the Town's CEMP (Community Emergency Management Plan). The Board thanked the Veterans Office for providing this important service to its veterans.**

**Human Resources**

**Director of Human Resources Sandra DeBow stated that the budget reflects a decrease of 1.9%. This is mainly due to the cost of outside legal services, which was down \$10,000. Ms. DeBow has a legal background and is able to assist in this area. The Department negotiated coalition bargaining and will continue to work on**

In Board of Selectmen

March 18, 2008

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**health care cost. The Department will also continue to promote wellness initiatives to improve employee health and wellness.**

**The Board acknowledged the accomplishment of coalition bargaining.**

**The Board considered the question of voting on the following FY09 departmental budgets:**

**Police, Fire, DPW, Water/Sewer, Building, and Town Counsel.**

**Due to time constraints, this item was postponed.**

### **COMMON VICTUALLER LICENSE**

**The Board considered the question of approving the application of Uburger Holding LLC., d/b/a Uburger, Spiro Kourlis, President for a Common Victualler license at 1022 Commonwealth Avenue.**

**The Board considered the question of granting an Entertainment license to Uburger Holding LLC., d/b/a Uburger, Spiro Kourlis, President holder of a Common Victualler license at 1022 Commonwealth Avenue for the following forms of Entertainment: radio, television, muzak and taped music**

**Kosta Ligris, representing Uburger stated that the restaurant will serve burgers, salads, and sandwiches. There will be minor cosmetic renovations of the interior space. Uburger has a restaurant in Kenmore Square as well. All papers are in order.**

**On motion, it was unanimously,**

**VOTED: To approve the application of Uburger Holding LLC., d/b/a Uburger, Spiro Kourlis, President for a Common Victualler license at 1022 Commonwealth Avenue.**

**VOTED: To grant an Entertainment license to Uburger Holding LLC., d/b/a Uburger, Spiro Kourlis, President holder of a Common Victualler license at 1022 Commonwealth Avenue for the following forms of Entertainment: radio, television, muzak and taped music**

### **COMMON VICTUALLER LICENSE**

**The Board considered the question of approving the application of Ginga Japanese Restaurant, Inc., d/b/a Ginga Japanese Restaurant, Jason Lenh, President for a Common Victualler license at 1393 Beacon Street.**

**COMMON VICTUALLER LICENSE cont'd**

**Andrea Kor, representing Ginga Japanese Restaurant stated that Mr. Lenh has many years of experience in the restaurant business. Seating will stay the same. There will be some minor remodeling. All papers are in order.**

**On motion, it was unanimously,**

**VOTED: To approve the application of Ginga Japanese Restaurant, Inc., d/b/a Ginga Japanese Restaurant, Jason Lenh, President for a Common Victualler license at 1393 Beacon Street.**

**COMMON VICTUALLER LICENSE**

**The Board considered the question of approving the application of Ruth's Kitchen, Inc. d/b/a Ruth's Kitchen, Edna Bension, President for a Common Victualler License at 401 Harvard Street.**

**Rouvain and Edna Bension stated that they will take over Ruth's Kitchen from its current owner. The establishment will continue to run as it has been. The menu is Kosher. All papers are in order.**

**On motion, it was unanimously,**

**VOTED: To approve the application of Ruth's Kitchen, Inc. d/b/a Ruth's Kitchen, Edna Bension, President for a Common Victualler License at 401 Harvard Street**

**ALL KINDS LIQUOR/COMMON VICTUALLER**

**Public Hearing on the application of Victor's Catering, Inc. d/b/a Victor's Café, Victor Shotov, President holder of a Wine and Malt beverages license as a Common Victualler at 1379 Beacon Street for an All Kinds of Alcohol beverages license as a Common Victualler at the same location.**

**The Board considered the question of approving the application of Victor's Catering, Inc., d/b/a Victor's Café, Victor Shotov, President, holder of an All Kinds of Alcohol beverages license as a Common Victualler at 1379 Beacon Street for an increase in hours as follows:**

<b>From:</b>	<b>Sunday- Saturday</b>	<b>7am-10pm</b>
<b>To:</b>	<b>Sunday-Saturday</b>	<b>10am-12M</b>

**ALL KINDS LIQUOR/COMMON VICTUALLER cont'd**

**Irina Shotov stated that the restaurant currently holds a Wine and Malt beverages license and they would like to be able to serve All Kinds of Alcoholic beverages to accommodate their customers.**

**Chairman Daly stated that the Board takes the issuance of a liquors license seriously, and hopes that they follow the rules and regulations. Ms. Shotov replied that they are aware of the regulations and will continue to follow them.**

**On motion, it was unanimously,**

**VOTED: To grant the application of Victor's Catering, Inc., d/b/a Victor's Café, Victor Shotov, President holder of a Wine and Malt beverages license as Common Victualler at 1379 Beacon Street for an All Kinds Of Alcohol beverages license as a Common Victualler at the same location.**

**VOTED: To approve the application of Victor's Catering, Inc., d/b/a Victor's Café, Victor Shotov, President, holder of an All Kinds of Alcohol beverages license as a Common Victualler at 1379 Beacon Street for an increase in hours as follows:**

<b>From:</b>	<b>Sunday- Saturday</b>	<b>7am-10pm</b>
<b>To:</b>	<b>Sunday-Saturday</b>	<b>10am-12M</b>

**POLICE POLICIES AND PROCEDURES**

**Chief Daniel O'Leary appeared to review the updated Police Department Rules & Regulations/Policies & Procedures and 2007 Crime Statistics and 2007 Race/ Gender Data Report and acknowledge recent commendations for Excellent Police Work issued to Officers of the Brookline Police Department.**

## **Brookline Police Department**

### **2007 Reports on Part A Crime & Race/Gender Interactions**

March 18, 2008

### **Topics Covered**

- 2007 Total Part A Crimes
- 2007 Race/Gender Breakdown of Community Interactions

## Topics Covered

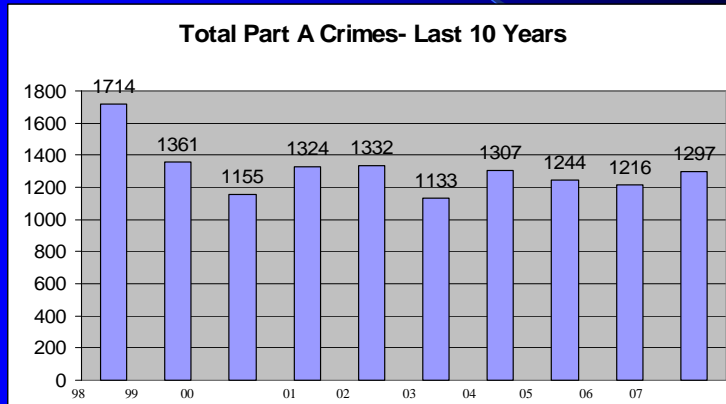
- 2007 Total Part A Crimes
- 2007 Race/Gender Breakdown of Community Interactions

## 2007 Part A Crimes

- In 2007, there was a total of 1297 Part A Crimes reported in Brookline.
- Overall, there was a 6% increase in Part A crime, however, **crime in Brookline *decreased* in six out of seven categories.**



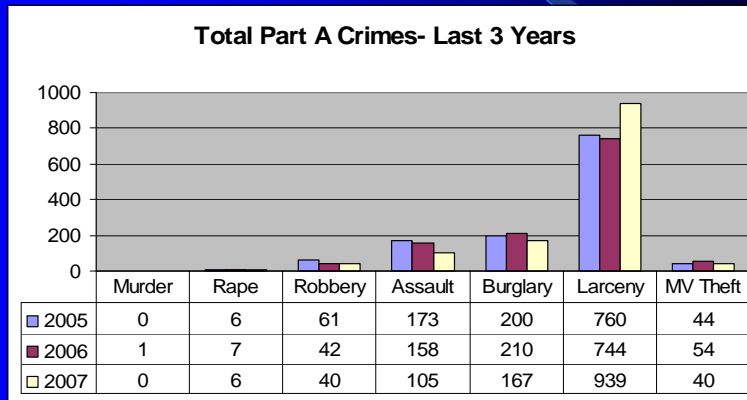
## Total Part A Crimes – Last 10 Years



## Reductions/Increases in Crime

- Crime is down in 6 of the 7 categories:
  - Murder (0, down 100% from 1 in 2006)
  - Rape (2 crimes, down 50%, reports down 14%)
  - Robbery (down 5%)
  - Aggravated Assault (down 34%)
  - Burglary (down 20%)
  - Motor Vehicle Theft (down 26%)
- Crime is up in one category
  - Larceny (up 22%)

## Year to Year Comparison: Part A Crimes Last 3 Years



## Murder

- There were no murders in of 2007.
- There was one murder in 2006
  - 501 Boylston Street & an arrest was made.
- There were no murders in 2004 or 2005.

## Rape

- Reports down 14% and Offenses down 50%.
  - 2 Actual Offenses are one rape and one attempt. Arrests were made in both cases.
  - The rape case involved a father molesting his daughter over the period of a couple of months.
  - The attempt case received considerable media coverage, and involved the assault of a young woman near the Brookline Hills T-Stop. The suspect was arrested a short time later at Logan Airport.

## Robbery

- Down 5%
- There were 40 robberies (attempted and committed) in 2007.
- Of the 40 robberies:
  - 12 involved a firearm
  - 4 involved a knife
  - 16 were strong-arm/unarmed robberies
- 15 resulted in arrest or court action, 18 remain active.

## Robbery (continued)

- Locations of Robberies:
  - Street: 18
  - Retail Stores: 7
  - Gas Stations: 2
  - Residences: 1
  - Banks: 1

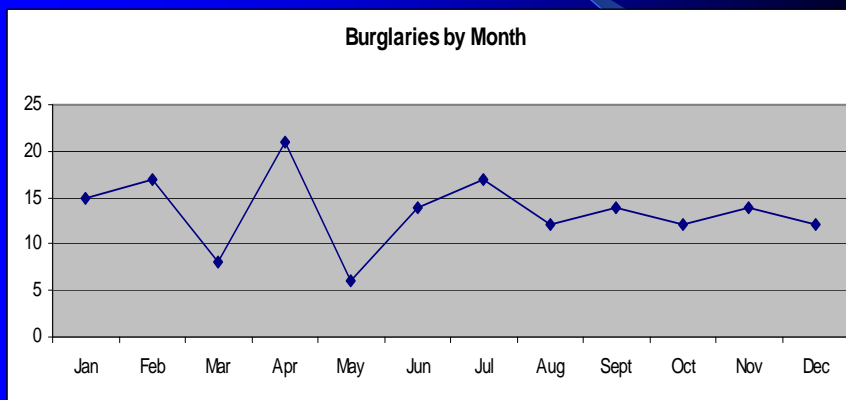
## Aggravated Assaults

- Down 34%
- 158 reported in 2006 vs. 105 reported in 2007
- Assaults by Means of:
  - Firearm: 3
  - Knife: 6
  - Other dangerous weapon: 42
  - Hands, feet, fists: 49
- 88% of these were cleared by arrest or court action.
- There were 27 incidents involving and assault on a police officer and/or resisting arrest in 2007.

## Burglary

- Down 20%
- 210 incidents reported in 2006 vs. 167 in 2007.
- 74% of burglaries were residential (118).
- 115 cases remain active, 32 resulted in arrest or court action and 13 were cleared exceptionally.

## Burglaries



## Larceny

- **Larceny is the only crime category that experienced an increase in 2007**, from 744 in 2006 to 939 in 2007 (26% increase).
- 23% of total larcenies were cleared by arrest, court action or exceptional means

## Motor Vehicle Thefts

- Down 26%
- 45 MV thefts in 2007 vs. 54 in 2006..
- Of the 45 thefts reported:
  - 5 were unfounded due to MV being recovered/misplaced
  - 8 were cleared by arrest/court action
  - 21 were cleared by exceptional means

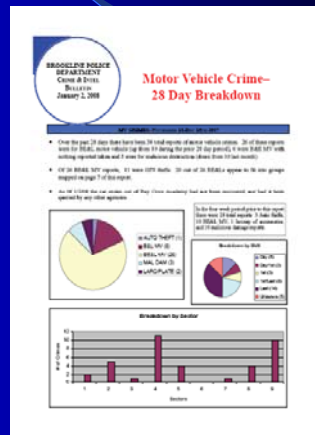
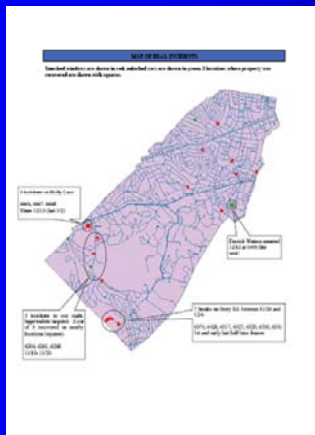
## MV Thefts – Last 10 Years



## Other Police Activity 2007

- 460 cases cleared
- 599 arrests were made
- 1194 field interviews were conducted
- 18,014 moving violations issued
- 152,789 parking tickets written for a total of \$4.2M in fines and penalties
- 69,086 calls for service

## Crime and Intel Bulletins



## Race and Gender Interactions

2007 Overview



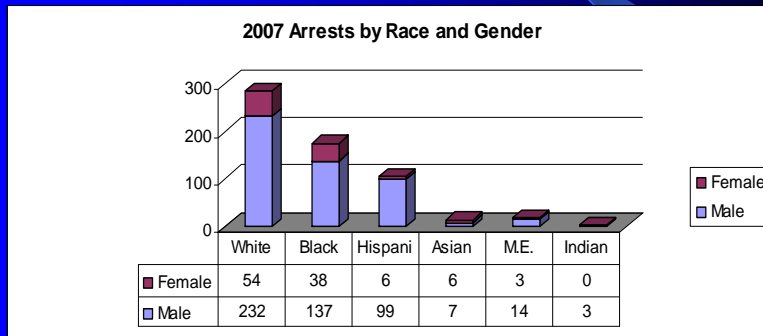
## Review of Four Areas

- Arrests
- Field Interviews
- Moving Violations
- Citizen Complaints

## Arrests

- 599 arrests during 2007 vs. 846 in 2006
- Racial Breakdown of Arrestees for this period:
  - 48% White
  - 29% Black
  - 18% Hispanic
  - 2% Asian
  - 3% Middle Eastern
  - Less than 1% Indian
- Gender Breakdown of Arrestees:
  - 82% Male
  - 18% Female

## 2007 Arrests by Race and Gender



## Field Interviews

- 1194 FIs were conducted during 2007
- Racial Breakdown of persons FI'd:
  - 58% White
  - 19% Black
  - 10% Hispanic
  - 4% Asian
  - 2% Middle Eastern
  - Less than 1% Indian
  - 7% Unreported Race
- Gender Breakdown of Persons FI'd:
  - 72% male
  - 21% female
  - 6% unreported gender

## Moving Violations

- 18014 moving violations were issued in 2007.
- Racial Breakdown of Persons Issued a MV:
  - 73% White
  - 12% Black
  - 5% Hispanic
  - 6% Asian
  - 3% Middle Eastern
  - Less than 1% Indian
- Gender Breakdown of Persons Issued MVs:
  - 59% Male
  - 41% Female

## Citizen Complaints

- In 2007 there were 16 citizen complaints filed with the Brookline Police Department's Office of Professional Responsibility.
- 11 were filed against white male Officers (69%), 1 was filed against a black male Officer, one against a black female Officer, and one against an Asian male Officer.
- Two complaints were filed against BPD as a whole: one by a white male and one by a black male. Both of these were determined to be unfounded.

## Ten Year Report

- In May, we released the *Brookline Police Department Racial Profiling Prevention Strategies – A Ten-Year Overview*.
- Report chronicles the efforts of the BPD over the last decade in the following areas:

Recruitment and hiring  
Training  
Grants  
Community interactions  
Data collection and analysis  
Citizen complaints

## 2007 IACP Civil Rights Award



- The Brookline Police Department received the International Association of Chiefs of Police's 2007 Civil Rights Award for our efforts to prevent racial profiling.
- One of three award winners worldwide.
- The IACP is the world's oldest membership organization of police executives with over 20K members in 89 different countries.

**POLICE POLICIES AND PROCEDURES cont'd**

Chief O'Leary added that larceny is the only Part A crime which has seen an increase in reported crime. Historically, larcenies are the most common form of part A crimes. Larcenies do not involve direct interaction with a knowing victims but most often involve the theft of unattended property. Theft of GPS systems (Global Positioning Systems) from vehicles has spiked, driving this category up. The Chief also outlined an incident were the Brookline Police assisted in the arrest of a robbery ring that not only robbed a Brookline Walgreen's, but several other establishments in neighboring communities. Throughout the year, officers have made a lot of quality arrests for various crimes. They have increased their productivity in areas such as motor vehicle stops, which have increased the safety on out roadways. The Department provided more timely information to the residents through their daily "blog" as well as emails, in an effort to increase awareness of developing problems so that the community is kept informed and can notify us if they see suspicious activity.

Selectman DeWitt added that a neighbor of hers had benefited from these efforts, and thanked the Chief for keeping the residents informed.

The total number of arrest for 2007 was 599. 48% of the people arrested were white, 29% were black, 18% were Hispanic, 2% were Asian, 3% were Middle Eastern, and less than 1% were Indian. 82% of arrestees were male and 18% were female. 66 of the 599 arrestees (11%) were juveniles, compared to 71 out of 846 arrestees in 2007 (8%).

During 2007 there were 16 citizen complaints filed with the Brookline Police Department's Office of Professional Responsibility, which is equal to the number filed in 2006. Of the complaints, 11 were filed against white male officers (69%), 1 was filed against a black male Officer, one against a black female Officer, and one against an Asian male Officer. Two complaints were filed against BPD as a whole: one by a white male and one by a black male. Both of these were determined to be unfounded.

Chief O'Leary asked the Board to acknowledge recent commendations issued to the following for their Excellent Police Work.

*Officer Timothy Stephenson*  
*Officer Sean E. Williams*  
*Doreen M. Gallagher*  
*Sergeant Andrew B. Lipson*  
*Officer Thomas A. Shea*  
*Officer Brian E. Keaveney*  
*Officer Brian J. Sutherland*  
*Officer Kevin J. Fallon*

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*Officer Thomas P. Ferris*

*Lt. Myles M. Murphy*

*Officer Robert E. Mayer*

*Officer Michael R. Disario*

*Officer Daniel A. Yanez*

*Sgt. Paul J. Kelliher*

*Detective Carlos M. Crespo, Jr.*

*Detective Lawrence M. Crapo*

The Board congratulated the Officers for their hard work and dedication, as well as the Department as a whole. The Board thanked the Chief for the presentation and for his exemplarily leadership of the Brookline Police Department.

Regina Frawley, TMM #16 stated that she felt the categorization of the ethnic groups could be more sensitive.

#### **TOWN MEETING WARRANT**

Deputy Town Administrator Sean Cronin reviewed Warrant Articles submitted for the May 27<sup>th</sup> Annual Town Meeting.

Articles 1-3 are annual Articles. Articles 3-10 are budget related. Articles 11-13 are property related. Articles 14-17 are zoning related. Articles 18,19 are preservation restrictions. Article 20 is an easement. Articles 11-26 are General Bylaws. Articles 27, 28 are Naming Committee. Article 29 is a local action plan. Articles 30-32 are resolutions. Article 33 is Reports.

There being no further business, the Chair adjourned the meeting at 10:35 p.m.

ATTEST

**IN BOARD OF SELECTMEN**

**March 25, 2008**

**Present:** Chairman Nancy Daly, Selectman Gilbert Hoy, Robert Allen, Betsy DeWitt, and Jesse Mermell.

**The Minutes of March 18, 2008 were approved as amended.**

**PUBLIC COMMENT**

**There was no public comment.**

**DISCLOSURE OF FINANCIAL INTEREST BY A MUNICIPAL EMPLOYEE**

**The Board considered the question of approving and authorizing the Chairman to execute the following form in connection with Douglas Louison's participation on the Citizen Complaint Review Committee:**

**Disclosure of Financial Interest by a Municipal Employee.**

**Mr. Louison is an appointee to the Citizen Complaint Review Committee. He is an Attorney currently under contract to represent the Brookline Police Union.**

**Selectman Hoy asked if he feels that this will have any effect on his participation on the Committee. Mr. Louison replied that he feels that it will be a positive effect, because it will bring him insight. Mr. Louison added that if he feels that it may become a conflict, he will remove himself from the Committee.**

**On motion, it was unanimously, 4-0**

**VOTED: To approve and authorize the Chairman to execute the following form in connection with Douglas Louison's participation on the Citizen Complaint Review Committee: Disclosure of Financial Interest by a Municipal Employee.**

**CHAPTER 90 REIMBURSEMENT REQUESTS**

**The Board considered the question of approving and executing four (4) Chapter 90 Reimbursement Requests in connection with the Beacon Street Reconstruction Process.**

**Director of Engineering Peter Ditto stated that these four requests consist of reimbursement for landscape architectural services, electrical and streetlight engineering services, civil and traffic engineering services, and actual construction items, concrete sidewalks and a pedestrian warning signal installed.**

**Selectman DeWitt stated that she has heard from residents that the new pedestrian signal in Coolidge Corner is too slow. It does not allow adequate time to cross Beacon Street. She would like a status on the pedestrian signal in the near future.**



**CHAPTER 90 REIMBURSEMENT REQUESTS cont'd**

Chairman Daly added that the plantings in the Coolidge Corner/ Beacon Street area are starting to look peaked. Mr. Ditto replied that the final walk through had not been done yet. The project has not been accepted, it needs a final review. He will make note of the pedestrian signal and the plantings.

Selectman Hoy added that should the Override pass there will be money to keep up the landscaping on Beacon Street.

On motion, it was unanimously,

**VOTED: To approve and execute four (4) Chapter 90 Reimbursement Requests in connection with the Beacon Street Reconstruction Process.**

**CONTRACT**

The Board considered the question of executing Contract PW/08-18 "Amory Park Renovation" in the amount of \$438,158.20 with Green Acres Landscape and Construction Co., Inc., of Lakeville. Said contract was awarded on March 4, 2008 and will be funded as follows:

4998WS06 6P0052	\$349,018.80
4997C152 6C0009	\$ 29,000.00
4998WS07 6P0018	\$ 45,000.00
4998WS05 6P0048	\$ 5,000.00
4998WS03 6P0050	\$ 10,139.40

Director of Engineering Peter Ditto stated that this contract has been approved, and needs to be executed. The project will start at the end of the School year.

On motion, it was unanimously,

**VOTED: To execute Contract PW/08-18 "Amory Park Renovation" in the amount of \$438,158.20 with Green Acres Landscape and Construction Co., Inc., of Lakeville. Said contract was awarded on March 4, 2008 and will be funded as follows:**

4998WS06 6P0052	\$349,018.80
4997C152 6C0009	\$ 29,000.00
4998WS07 6P0018	\$ 45,000.00
4998WS05 6P0048	\$ 5,000.00
4998WS03 6P0050	\$ 10,139.40

*Selectman Allen arrived*

**INTERAGENCY AGREEMENT**

The Board considered the question of authorizing the Town Administrator to execute an Interagency Agreement between the Town and the MBTA in connection with improvements at the Brookline Village Station.

Assistant Director of Community Planning Joe Viola stated that the Selectmen voted on this in December. This project will set a standard for streetscape and hardscape in the Village Square area. The Town and the MBTA has agreed to terms on an Interagency Agreement that clearly delineates the scope of the work and responsibilities of both parties. Work is to begin this spring.

Selectman Mermell expressed concern about safety in the area. She hopes that there will be adequate lighting, and that there will be no obscure areas to hide like near benches and bushes.

Chairman Daly stated that in conversations with the MBTA, they are looking into putting in panic buttons at the stations for safety.

On motion, it was unanimously,

**VOTED:** To authorize the Town Administrator to execute an Interagency Agreement between the Town and the MBTA in connection with improvements at the Brookline Village Station.

**TRANSFER**

The Board considered the question of approving the following Transfer within the Planning Department appropriation:

<b>FROM:</b>	<b>17301730 525030</b>	<b>\$2,600.00</b>
	<b>Printing</b>	
<b>TO:</b>	<b>17301730 531012</b>	<b>\$2,600.00</b>
	<b>Supplies</b>	
<b>FROM:</b>	<b>17301730 525030</b>	<b>\$ 200.00</b>
	<b>Printing</b>	
<b>TO:</b>	<b>17301730 553020</b>	<b>\$ 200.00</b>
	<b>Conference</b>	

**On motion, it was unanimously,**

**VOTED: To approve the following Transfer within the Planning Department appropriation:**

<b>FROM:</b>	<b>17301730 525030</b>	<b>\$2,600.00</b>
	<b>Printing</b>	
<b>TO:</b>	<b>17301730 531012</b>	<b>\$2,600.00</b>
	<b>Supplies</b>	
<b>FROM:</b>	<b>17301730 525030</b>	<b>\$ 200.00</b>
	<b>Printing</b>	
<b>TO:</b>	<b>17301730 553020</b>	<b>\$ 200.00</b>
	<b>Conference</b>	

**TEMPORARY WINE AND MALT BEVERAGE LICENSE**

**The Board considered the question of granting a temporary Wine and Malt beverages license to Pine Manor College in connection with a reception to be held on April 3, 2008 from 3:00 p.m. – 7:00 p.m. at 400 Heath Street.**

**On motion, it was unanimously,**

**VOTED: To grant a temporary Wine and Malt beverages license to Pine Manor College in connection with a reception to be held on April 3, 2008 from 3:00 p.m. – 7:00 p.m. at 400 Heath Street.**

**TEMPORARY WINE AND MALT BEVERAGE LICENSE**

**The Board considered the question of granting a temporary Wine and Malt beverages license to the BHS Gridiron Club (Jim Bennett Co-President) in connection with a Fundraiser to be held on April 11, 2008 from 7:00 p.m.–11:00 p.m. at Brookline High School Shluntz Gym/Atrium**

**On motion, it was unanimously,**

**VOTED: To grant a temporary Wine and Malt beverages license to the BHS Gridiron Club (Jim Bennett Co-President) in connection with a Fundraiser to be held on April 11, 2008 from 7:00 p.m.–11:00 p.m. at Brookline High School Shluntz Gym/Atrium**

**FIRE UPDATE**

**Chief Peter Skerry appeared to update the Board on the fire suppression operations for the fire at 109 Sewall Avenue.**

**Chief Skerry stated that on March 16, 2008, several calls came in at 3:46 a.m. The trucks arrived within four minutes, and encountered a building completely engulfed at 109 Sewall Ave. It was quickly determined that the building was unoccupied. The Fire Department was able to save the surrounding buildings. Several surrounding Fire Departments provided assistance, as well as the Town's CERT team (Certified Emergency Management Team), the MBTA, and the Red Cross. The Chief made note of Deputy Chief Nelson who got everything under control in the Chief's absence, as well as the Police, DPW, and Building Departments. Four firefighters were injured. Two with second degree burn, one sustained a knee injury, and one a shoulder injury. All the firefighters are expected to report for duty in the near future. A truck was damaged as well. Selectman Mermell asked if the damaged vehicle is cause for concern. Chief Skerry replied that there has not been an issue yet, the Department is doing whatever it can. One truck is out of service and is due back in about three months. The new Bronto truck has been stepping in for extra service. It is able to adjust to a ladder truck.**

**Chief Skerry stated that everything was by the book and is happy to report that there were no fatalities or major injuries.**

**Selectman Allen stated that he is happy to see how the community came together, and noted the skill and professionalism of our Departments, and resident volunteers.**

**The Board thanked him for the update and the Department for their hard work. The Board is glad that the injured firefighters are on the mend.**

**SOCIAL WORKER OF THE YEAR**

**Council on Aging Director Ruth Ann Dobek appeared to receive the Board's recognition on receiving the Social Worker of the Year Award from the National Association of Social Workers.**

**Evelyn Roll of the Council on Aging was pleased to present Ms. Dobek. She added that Ms. Dobek deserves this special award for her dedication.**

**Agnes Rogers of the Council on Aging added that Ms. Dobek understands the needs of the elderly residents, and is proud to have her as the Director of Council on Aging.**

**SOCIAL WORKER OF THE YEAR cont'd**

Chairman Daly added that Ms. Dobek was chosen out of 8, 200 members of the Massachusetts Chapter of the National Association of Social Workers. (NASW) According to the Executive Director of the Massachusetts Chapter of the NASW, Ms. Dobek is the only recipient to receive this award as a Massachusetts Town Official, based on her compassion and professionalism for the community she serves. Chairman Daly also mentioned past distinguished recipients.

The Board congratulated Ms. Dobek on this year's recognition by the Massachusetts Chapter of the NASW. The Board added that this is well deserved, and the Town is fortunate to have her. The Board also added that this position, and its service to the senior population has grown in recent years, and Ms. Dobek has been instrumental in the growth.

Ms. Dobek replied that she is humbled and honored, but also shares this with her family and staff. She added that the sense of community in Brookline allows her to accomplish so much.

**FY09 FINANCIAL PLAN**

Review of the following FY09 Departmental Budgets:

Council on Aging  
Town Clerk  
Human Relations/Youth Resources  
Unclassified  
Personal Benefits

**Council on Aging**

Director of Council on Aging Ruthann Dobek stated that the Council on Aging provides services to Brookline residents over the age of 60. These services include transportation, social work and homecare. She added that 74% of the budget is from local receipts, and 12.75% is from fundraising efforts. The budget is level funded with a .2% decrease. There was a reduction in Education/Training, for a computer lab position which was found too expensive too maintained. It was replaced with a social work outreach position. The Council on Aging relies on grants, volunteers, and outside partners to help maintain the quality of services they provide.

The Senior Center is not open on weekends due to limited staff and funds. Many visitors of the center would like to be able to visit on the weekends.

Selectman Hoy asked how much money it would require to open the Center on weekends. Ms. Dobek relied that her estimate is about \$18k, for maintenance and staff. Selectman Hoy added it is well worth it and hopes there is a way to achieve this.

### **WARRANT ARTICLES**

Review of the following Articles included in the Warrant for the May 27, 2008 Annual Town Meeting:

<b><u>NO.</u></b>	<b><u>TITLE</u></b>
11.	Acceptance of Legislation to Establish the Minimum Value of Personal Property Subject to Taxation – exempt personal property with a value of less than \$5,000 from taxation. (Assessors)

Chief Assessor Gary McCabe stated that on a review of the Town's personal property accounts, a desire to create tax administration cost efficiencies and a desire to provide tax relief to Brookline's small business owners, the Board of Assessors voted at their regularly scheduled meeting on January 22, 2008 to recommend to the Board of Selectmen, that the Town of Brookline adopt the provisions of G.L. c. 59, § 5, clause 54, which allows a city or town to exempt certain personal property accounts, the minimum value of which cannot be more than \$10,000. For Fiscal Year 2009, Board of Assessors voted to recommend an exemption amount of \$5,000. The Town has a total of 1,141 personal property accounts with a total assessed value of \$128,054,780. There are 838 accounts (73%) with an assessed value of \$10,000 or less and 656 (57%) accounts with an assessed value of \$5,000 or less. The FY08 total assessed value of the 656 (<\$5,000) accounts is \$1,309,670, 1.0% of the total. The FY08 tax amount for the 656 accounts is \$21,871. The tax exempted would be shifted to all other taxpayers proportionately.

This would help out small local business and eliminate 656 tax bills, and the process and collection of those bills which averages around \$20-\$30.

**WARRANT ARTICLES**

- | <b><u>NO.</u></b> | <b><u>TITLE</u></b>  |
|-------------------|--|
| 12.               | Acceptance of Legislation to Adopt the so-called Senior Citizen Property Tax Work-Off Abatement --- grant eligible senior citizens a property tax abatement of up to \$750. (Assessors and Council on Aging) |

Chief Assessor Gary McCabe stated that the statute permits the Board of Selectmen to establish a property tax work-off program for taxpayers over 60-years old. Under the program, qualified taxpayers volunteer their services to the Town in exchange for a reduction in their tax bills. The current amount a community can abate is \$750.00 in taxes per property. The abatement would be granted by the Board of Assessors based on a 'Certificate of Service' issued by a Town department head supervising the volunteer services. The credit earned for worked performed could be at a rate no more than the state's minimum wage (current at \$8.00 per hour). Qualifying taxpayers retain their eligibility for other statutory exemptions including the residential exemption. The Town's program can set the income limits to be imposed. The Board of Assessors & Council on Aging is recommending a limit of \$40,000 household income be adopted. There would be no asset limit requirements. Program volunteers performing services in return for property tax reductions would be considered employees for purposes of municipal tort liability. Earned reductions will be applied to the actual tax bill for the fiscal year, not the preliminary (1<sup>st</sup> & 2<sup>nd</sup> quarter) tax bills. The amount of the property tax reduction earned by the taxpayer under this program is not considered income or wages for purposes of state income tax withholding, unemployment compensation or workman's compensation.

Director of Council on Aging, Ruthann Dobek stated that the Council on Aging voted in favor of this Article. The Council is willing to be administrators of this program. This will give low/moderate income elders a chance to stay in their homes by also contributing to the Town. Many surrounding communities are participating in this program.

Selectman DeWitt added that perhaps this program can be coordinated into mentoring/tutoring programs at the High School.

**WARRANT ARTICLE cont'd**

- | <b><u>NO.</u></b> | <b><u>TITLE</u></b>  |
|-------------------|--|
| <b>13.</b>        | <b>Reduce the Interest Rate of the Clause 41A Exemption (Senior Citizen Real Estate Tax Deferral) from the statutory maximum of 8% to 5% (Finance Director and Council on Aging)</b> |

Director of Finance Stephen Cirillo stated that this Article is to lower the income rate of the 41A Exemption. Selectman DeWitt wanted to know if the rate could be annually changed in view of the drop in rates by the Federal Reserve Bank over the past three months. Mr. Cirillo replied, every time the rate is changed, it needs Town Meeting approval, as required by State law. Mr. Cirillo hopes that the lower rate will bring in more participation.

Director of Council on Aging Ruthann Dobek hopes to provide education on available tax relief programs available for seniors, including this 41A exemption.

Selectman Allen asked about the income levels of eligibility. He hopes that the income level will be more realistic for the citizens of Brookline to qualify. Mr. McCabe replied that the Assessors Office is looking at this. There is a growing trend of communities raising the qualifying income level. He just does not know where it needs to go at this point.

Mr. Cirillo added that the average Brookline retiree's pension is about \$18k, the average Public Safety retiree pension is about \$30k.

Selectman DeWitt would like to see some data on income levels in Brookline. In the process of piloting this program, perhaps next year there will be a recommendation of altering the income qualifications. Mr. McCabe added that he will look into this; however it is difficult to obtain personal data.

**FY09 FINANCIAL PLAN**

**Review of the following FY09 Departmental Budgets:**

**Town Clerk**

Town Clerk Patrick Ward stated that the budget reflects an increase of 10% due to the fact that there are three elections in FY09. This will provide for additional election workers that will be required.



**Town Clerk cont'd**

Selectman DeWitt asked if Mr. Ward was satisfied with the new polling equipment. Mr. Ward replied that it was a good upgrade. It works well, there is a paper trail. There were some growth problems when it first came out, but has been satisfactory overall.

Selectman Mermell asked if he felt he would be well staffed and equipped for the upcoming presidential election. Mr. Ward replied that the State requires 6 staff workers per precinct. Town Clerk will staff 8. There are procedures that he is working on to keep the lines moving and make the election process run efficiently, while maintaining state requirements.

Chairman Daly asked about voter registration, which is about half of the residents. Mr. Ward stated that this community moves around a lot. The Town Clerk's office performed an inactivity screening to determine who is and is not still here. He added that most people assume that when they move here from another community they will be registered here, which is not the case. They must register in their new community.

**Human Relations/Youth Resources**

Director of Human Relations/Youth Resources Stephen Bressler stated that the budget is level funded. He added that this year the Department has held formal meetings with Chief O'Leary to review police/community relation issues. They have produced fair housing training, and continue to do that. With regard to diversity, this past April they sponsored a panel discussion on "Value of Diversity in Brookline" at the Main Library. The Department works closely with the schools to address issues and concerns within the School Department. The Department also acts as American with Disabilities Act Coordinator, and the Broadband Monitoring Committee, which acts as a liaison between the Town and the cable companies, the Emergency Management /Public Safety Team, and the Holocaust Memorial Committee.

Dr. Wang, Chair of the Human Relations/Youth Resource Commission stated that he continues to support the work that the Department does, improving the quality of life in Brookline.

**Unclassified**

Assistant Town Administrator Melissa Goff stated that this category has expenditures that you would not see anywhere else. It includes out of state travel where there was none, printing warrants and reports, Mass. Municipal dues,

**Unclassified cont'd**

**general insurance, audit services, contingency fund, liability/catastrophe fund, affordable housing trust fund, stabilization fund, and reserve fund. . The MMA dues have gone up resulting in a slight increase of \$281. The liability/catastrophe fund budget reflects and increase of 16.8% as required by Home Rule legislation to maintain the recommended funding level.**

**Personal Benefits**

**Assistant Town Administrator Melissa Goff stated that the contributory pension portion reflects an increase of 3.8% due to the Town's funding schedule approved by PERAC, appropriated for FY09. There is a decrease in the non-contributory pension due to deceased recipients.**

**Director of Human Resources Sandra DeBow stated that the work has been very difficult this year and praised her staff on their skill and expertise. She added that they have maintained their budget and kept it relatively flat. Health-care has continued to be a challenge. There is an anticipated increase in the group health cost of 12%. This year the Town participated in coalition bargaining. They are working on expanding the Employee Assistance Program (EAP), and working with Department heads on controlling excessive absenteeism.**

**Assistant Human Resource Director Leslea Noble stated that the Worker's Compensation portion of the budget reflects a decrease this year for the first time since 2005. She added that preventive measurements have helped steer this budget down.**

**Benefits Coordinator Kathy McGinnis stated that there have been some changes in health benefits this year. A program has been put together to help employees manage their health-care, this will launch in May 2008. It will provide resources and education to promote better overall wellness. This will go hand in hand with increasing co-pays and teaching people how to deal with it.**

**Selectman DeWitt stated that she is grateful that the Human Recourses Department continues to work hard on addressing the issue of Group Health costs. There has been a lot of research and work put into it.**

**Selectman Allen added that there has been an unusually heavy work load in the Department this year. The Department has continued to be creative, and focused. He asked if the wellness portion provides a credit/debt service for those struggling in this economy. Ms. DeBow replied yes, the EAP does provide credit and debt counseling.**

**Chairman Daly added that the post-retirement benefits trust fund has**

**Personal Benefits cont'd**

become a growing concern. The Town requested that the Legislature enact a Home Rule petition to establish a Post-Retirement Trust Fund to be used to meet the future retiree demands. It is now under the Government Accounting Standards and the Town must put this liability on the books.

Assistant Town Administrator Melissa Goff added that this amount is not included in this Financial Plan, as the funds will be transferred off-budget from the Town's old health insurance trust fund. This inter-fund transfer requires Town Meeting approval and will be included in the Appropriation Article at Town Meeting.

**WARRANT ARTICLES**

- | <b><u>NO.</u></b> | <b><u>TITLE</u></b>                                    |
|-------------------|--|
| 1.                | Appointment of Measurers of Wood and Bark. (Selectmen) |

Assistant Town Administrator Melissa Goff stated that this is an annual appointment for Measures of Wood and Bark.

- | <b><u>NO.</u></b> | <b><u>TITLE</u></b>  |
|-------------------|--|
| 3.                | Annual Authorization of Compensating Balance Agreements Treasurer/Collector) |

Assistant Town Administrator Melissa Goff stated that this is an annual Article. It is to authorize the Town Treasurer to enter into Compensating Balance Agreement(s) as required by law.

- | <b><u>NO.</u></b> | <b><u>TITLE</u></b>  |
|-------------------|--|
| 4.                | Report of Close-Out of Special Appropriations/Bond Authorization Rescission. (Selectmen) |

Assistant Town Administrator Melissa Goff stated that this is an annual Article authorizing the Town Comptroller to close out either or all portions of the

**WARRANT ARTICLES cont'd**

**unexpended balances in certain Special Appropriations and return the sums to the surplus revenue accounts.**

- | <b><u>NO.</u></b> | <b><u>TITLE</u></b>   |
|-------------------|---|
| <b>5.</b>         | <b>Approval of Unpaid Bills of a Prior Fiscal Year. (Selectmen)</b> |

**Assistant Town Administrator Melissa Goff stated that the Health Department had received an invoice from WB Mason for furniture purchased. They had a purchase order for \$7,500. Some of the items were returned. They then ordered some other items for replacement and needed to increase the P.O. but due to the timing of it they could not add it to the original P.O., the fiscal year was closed. The balance due is \$889.85. Another outstanding invoice is from HESS Corporation for \$3,418.32. Ms Goff stated that last year there was some issues with the billing Department at HESS, and much of it has been resolved, however this bill came in very late. The invoice is for natural gas usage at the Water & Sewer facility at Netherlands Road from 12/20/06-1/22/07.**

**Director of Water & Sewer Andy Pappastergion added that the department had researched the invoice and it is clear that the invoice is correct.**

- | <b><u>NO.</u></b> | <b><u>TITLE</u></b>   |
|-------------------|---|
| <b>6.</b>         | <b>Acceptance of Legislation to Increase Property Tax Exemptions. (Assessors)</b> |

**Assistant Town Administrator Melissa Goff stated that this is another Annual Article. This article provides for an increase in the property tax exemptions for certain classes of individuals, including surviving spouses, the elderly, the blind, and disabled veterans. The proposed increases, which require annual reauthorization, have been approved annually since FY89. The estimated cost is approximately \$66,500 and is funded from the tax abatement overlay account. The law allows the Town to increase the exemption by up to 100% as indicated on the following schedule.**

**WARRANT ARTICLES cont'd**

- | <b><u>NO.</u></b> | <b><u>TITLE</u></b>           |
|-------------------|-------------------------------|
| <b>7.</b>         | <b>FY08 Budget Amendments</b> |

**Assistant Town Administrator Melissa Goff stated that this is a place holder in case there are any budget amendments from FY08.**

- | <b><u>NO.</u></b> | <b><u>TITLE</u></b>   |
|-------------------|---|
| <b>10.</b>        | <b>Legislation to Amend Chapter 472 of the Acts of 1998 (Retiree Group Health Insurance Trust Fund) – to comply with Statement #43 of the Governmental Accounting Standards Board (GASB. (Finance Director)</b> |

**Director of Finance Stephen Cirillo stated that in 1999 the Town of Brookline created the Retiree Health Trust Fund for the purpose of accumulating assets that would support future retiree health benefit costs. The language of the Trust placed the assets under the control of the Town. A newly adopted Government Accounting Standard (GASB 43) recommends that government entities turn over control of the Retiree Health Trust Funds to autonomous boards, thereby protecting the assets of the fund from creditors of the government. As an incentive to adopt this "Best Practices" format, GASB has tied rule # 43 to rule #45. Simply stated, if a community adopts GASB 43, that community would be able to calculate the unfunded liability based upon an assumption of average rates of return of the stock market. In the event that a community does not adopt GASB 43, the calculation of average rate of return would be based upon bank interest rates.**

**The Actuarial Valuation of 2006 identified the unfunded liability of the Town of Brookline as \$212.2 million, assuming the adoption of GASB 43, or \$330.3 million, assuming that the rule is not adopted. As the original special legislation specified the Town would be in control of the fund, the liability included in the year end audit reflected the higher amount. The purpose of the article is to change the original legislation, removing the Retiree Health Trust Fund from Town control, and placing management of the assets with an independent board. If approved, the assets would be protected from creditor liens and the unfunded liability would be reduced by nearly \$110million.**

**Chairman Daly added that it is important to bring the number down.**

**The Board considered the question of voting on the following FY09 Departmental Budgets:**

**Police  
Fire  
Building  
DPW  
Water/Sewer  
Town Counsel  
Library  
Information Technology  
Veterans Services  
Finance  
Human Resources**

**Water/Sewer**

**Director of Water and Sewer Andy Pappastergion stated that in May 2007, Town Meeting appropriated \$250k for the interior renovation of the Singletree Hill water storage tank. The \$250k estimate was based on inflation of similar work performed in 1990. Upon inspection of the interior by the consultant engineers, the estimate for the proposed work was determined to be \$337k. Because it is absolutely essential to complete this project this year, it is recommended that the additional project funds of \$105k be added to the Water & Sewer Enterprise budget for FY09. All cost for the water & sewer enterprise is included in the rate schedule.**

**On motion, it was unanimously,**

**VOTED: Favorable Action on the FY2009 budget for the following departments::**

**Police  
Fire  
Building  
DPW  
Town Counsel  
Library  
Information Technology  
Veterans Services  
Finance  
Human Resources**

In Board of Selectmen

March 25, 2008

Page 17 of 19

**FY09 FINANCIAL PLAN cont'd**

**On motion, it was unanimously,**

**VOTED: Favorable Action on the following budgets should an override pass on question 1.A or 1.B as indicated in the following table:**

**Police  
Fire  
Building  
DPW  
Town Counsel  
Library  
Information Technology  
Veterans Services  
Finance  
Human Resources**

In Board of Selectmen

March 25, 2008

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**FY09 BUDGET**

		QUES. 1A		QUES. 1B	
	FY09 BUDGET W/O OVERRIDE	OVERRIDE AMOUNTS	FY09 BUDGET W/ OVERRIDE	OVERRIDE AMOUNTS	FY09 BUDGET W/ OVERRIDE
<b>DEPARTMENTAL EXPENDITURES</b>					
	1 . Selectmen	602,275		602,275	602,275
	2 . Human Resources	474,567		474,567	474,567
	3 . Information Technology	1,388,817		1,388,817	1,388,817
(1)	4 . Finance Department	2,954,847	0	2,954,847	2,954,847
	<i>a. Comptroller</i>	499,992		499,992	499,992
	<i>b. Purchasing</i>	996,703		996,703	996,703
	<i>c. Assessing</i>	646,437		646,437	646,437
	<i>d. Treasurer</i>	811,715		811,715	811,715
	5 . Legal Services	672,143		672,143	672,143
	6 . Advisory Committee	18,498		18,498	18,498
	7 . Town Clerk	565,128		565,128	565,128
	8 . Planning and Community Development	681,217	0	681,217	681,217
	<i>a. Planning</i>	351,277		351,277	351,277
	<i>b. Housing</i>	112,853		112,853	112,853
	<i>c. Preservation</i>	45,663		45,663	45,663
	<i>d. Economic Development</i>	171,424		171,424	171,424
	9 . Police	13,463,077	335,000	13,798,077	13,798,077
	10 . Fire	11,488,338	150,000	11,638,338	11,638,338
	11 . Building	6,266,757	500,000	6,766,757	6,766,757
(1)	12 . Public Works	12,363,415	250,000	12,613,415	12,613,415
	<i>a. Administration</i>	875,723		875,723	875,723
	<i>b. Engineering/Transportation</i>	838,769		838,769	838,769
	<i>c. Highway</i>	4,657,477		4,657,477	4,657,477
	<i>d. Sanitation</i>	2,814,073		2,814,073	2,814,073
	<i>e. Parks and Open Space</i>	2,813,122	250,000	3,063,122	3,063,122
	<i>f. Snow and Ice</i>	364,251		364,251	364,251
	13 . Library	3,287,419	80,000	3,367,419	3,367,419
	14 . Health	1,050,948		1,050,948	1,050,948
	15 . Veterans' Services	210,594		210,594	210,594
	16 . Council on Aging	759,773		759,773	759,773
	17 . Human Relations	142,619		142,619	142,619
	18 . Recreation	917,409		917,409	917,409
(2)	19 . Energy Reserve	0		0	0
(2)	20 . Personnel Services Reserve	750,000		750,000	750,000
(2)	21 . Collective Bargaining - Town	3,442,804		3,442,804	3,442,804
	<i>Subtotal Town</i>	61,500,648	1,315,000	62,815,648	62,815,648
	22 . Schools	64,053,240	3,300,000	67,353,240	67,353,240
	<b>TOTAL DEPARTMENTAL EXPENDITURES</b>	<b>125,553,888</b>	<b>4,615,000</b>	<b>130,168,888</b>	<b>130,168,888</b>
<b>NON-DEPARTMENTAL EXPENDITURES</b>					
(1)	23 . Employee Benefits	38,140,598	35,000	38,175,598	38,175,598
(3)	<i>a.) Pensions</i>	11,651,618		11,651,618	11,651,618
	<i>b.) Group Health</i>	22,917,980	35,000	22,952,980	22,952,980
(3)	<i>c.) Retiree Group Health Trust Fund</i>	0		0	0
	<i>d.) Employee Assistance Program (EAP)</i>	28,000		28,000	28,000
	<i>e.) Group Life</i>	161,000		161,000	161,000
	<i>f.) Disability Insurance</i>	16,000		16,000	16,000
(3)	<i>g.) Worker's Compensation</i>	1,550,000		1,550,000	1,550,000
(3)	<i>h.) Public Safety IOD Medical Expenses</i>	300,000		300,000	300,000
(3)	<i>i.) Unemployment Compensation</i>	166,000		166,000	166,000
	<i>j.) Medical Disabilities</i>	30,000		30,000	30,000
	<i>k.) Medicare Coverage</i>	1,320,000		1,320,000	1,320,000
(2)	24 . Reserve Fund	1,746,546		1,746,546	1,746,546
	25 . Stabilization Fund	0		0	0
	26 . Liability/Catastrophe Fund	297,476		297,476	297,476
	27 . Housing Trust Fund	0		0	0
	28 . General Insurance	279,490		279,490	279,490
	29 . Audit/Professional Services	138,987		138,987	138,987
	30 . Contingency Fund	15,000		15,000	15,000
	31 . Out-of-State Travel	3,000		3,000	3,000
	32 . Printing of Warrants & Reports	20,000		20,000	20,000
	33 . MMA Dues	11,532		11,532	11,532
	<i>Subtotal General</i>	2,512,031	0	2,512,031	2,512,031
(1)	34 . Borrowing	12,629,047	0	12,629,047	12,629,047
	<i>a. Funded Debt - Principal</i>	8,353,816		8,353,816	8,353,816
	<i>b. Funded Debt - Interest</i>	4,055,231		4,055,231	4,055,231
	<i>c. Bond Anticipation Notes</i>	160,000		160,000	160,000
	<i>d. Abatement Interest and Refunds</i>	60,000		60,000	60,000
	<b>TOTAL NON-DEPARTMENTAL EXPENDITURES</b>	<b>53,281,676</b>	<b>35,000</b>	<b>53,316,676</b>	<b>53,316,676</b>
	<b>TOTAL GENERAL APPROPRIATIONS</b>	<b>178,835,563</b>	<b>4,650,000</b>	<b>183,485,563</b>	<b>183,485,563</b>

(1) Breakdown provided for informational purposes.

(2) Figures provided for informational purposes. Funds were transferred to departmental budgets for expenditure.

(3) Funds are transferred to trust funds for expenditure.

(4) Amounts appropriated. Bonded appropriations are not included in the total amount, as the debt and interest costs associated with them are funded in the Borrowing category.



**FY09 FINANCIAL PLAN cont'd**

**On motion, it was unanimously,**

**VOTED: To Favorable Action the following FY2009 budget of the Water & Sewer Department as follows:**

	<u>TOWN MEETING</u>			<u>FINANCIAL PLAN</u>			<u>VARIANCE</u>
	<u>Water</u>	<u>Sewer</u>	<u>Total</u>	<u>Water</u>	<u>Sewer</u>	<u>Total</u>	<u>Total</u>
Salaries	1,937,240	273,535	2,210,775	1,925,999	271,772	2,197,771	13,004
Purchase of Services	157,748	187,326	345,074	157,748	187,326	345,074	0
Supplies	180,647	16,000	196,647	180,647	16,000	196,647	0
Other	2,500	0	2,500	2,500	0	2,500	0
Capital	237,800	120,500	358,300	132,800	120,500	253,300	105,000
Intergovernmental	5,134,610	10,560,000	15,694,610	5,134,610	10,560,000	15,694,610	0
Debt Service	1,442,995	1,068,197	2,511,192	1,444,722	1,074,291	2,519,013	-7,821
Reserve	<u>104,255</u>	<u>126,611</u>	<u>230,866</u>	<u>104,255</u>	<u>126,611</u>	<u>230,866</u>	<u>0</u>
Total Appropriations	9,197,795	12,352,169	21,549,964	9,083,281	12,356,500	21,439,780	110,184
Indirect Costs	<u>1,446,476</u>	<u>431,211</u>	<u>1,877,687</u>	<u>1,446,476</u>	<u>431,211</u>	<u>1,877,687</u>	<u>0</u>
Total Costs	10,644,271	12,783,380	23,427,651	10,529,757	12,787,711	23,317,467	110,184

**ANNUAL TOWN MEETING WARRANT**

**The Board considered the question of reviewing and executing the Warrant for the May 27, 2008 Annual Town Meeting.**

**On motion, it was unanimously,**

**VOTED: To execute the Warrant for the May 27, 2008 Annual Town Meeting.**

**ATTEST**