

ARTICLE 7

AMENDMENT OFFERED BY JULIAN FISHER TMM PRECINCT 15

To amend the Advisory Committee's motion for Special Appropriation #70 under Article 7

Add the following language appearing in underline

31) Contingent upon a finding by the Massachusetts Office of Campaign and Political Finance ("OCPF") that the unsolicited email sent by Public Schools of Brookline employees to parents of Public Schools of Brookline students on March 24, 2023, April 7, 2023 and May 1, 2023, as more fully described in a Complaint to OCPF dated May 7, 2023, complied with applicable campaign finance law appropriate Two Hundred Nine Million Nine Hundred Fifteen Thousand Nine Hundred Fifty-Eight Dollars (\$209,915,958) to pay costs of constructing a new PreK-8 School which includes renovations/addition to the existing historic Pierce School and other site improvements including reconstruction and repair of the Town Hall and Pierce School garages which are beneath the new school and the Town Park across School Street, including the payment of all costs related to designing the new school project, equipping and furnishing the school, site improvements, and all other costs incidental and related thereto (the "Project"), which new school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a grant from the Massachusetts School Building Authority (the "MSBA"), said amount to be expended under the direction of the Town of Brookline Select Board; that to meet this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow said amount pursuant to G.L. c.44, §7(1) or G.L. c.70B, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; that any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) thirty-five and fifty-five hundredths percent (35.55%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; that the amount of the borrowing authorized by this vote shall be reduced by any grant amount set forth in and received pursuant to the Project Funding Agreement that may be executed between the Town and the MSBA; provided, however, that the appropriation and authorization to May 23, 2023 Annual Town Meeting 7-18 borrow pursuant to this vote shall be contingent upon the Town's passage of a ballot question to exempt the principal and interest payments on such borrowing from the tax limitations of G.L. c.59, §21C (Proposition 2 ½).