



**TOWN OF BROOKLINE
MASSACHUSETTS**

**REPORTS OF SELECTMEN
AND ADVISORY COMMITTEE**

on the

Articles in the Warrant

for the

ANNUAL TOWN MEETING

to be held in the High School Auditorium

Tuesday, June 1, 2004

at

7:00 P.M.

(Please retain this copy for use at the Town Meeting)

Town of Brookline

BOARD OF SELECTMEN

Robert L. Allen, Chairman

Joseph T. Geller

Gilbert R. Hoy, Jr.

Michael S. Sher

Michael W. Merrill

Richard J. Kelliher, Town Administrator

"The Town of Brookline does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services or activities. Persons with disabilities who need auxiliary aids and services for effective communication in programs, services and activities of the Town of Brookline are invited to make their needs and preferences known to: C. Stephen Bressler, ADA Coordinator and Director of the Human Relations-Youth Resources Commission, 11 Pierce Street, Brookline, Ma. 02445, 730-2300 Voice, 730-2327 TDD, 730-2296 FAX."

JUNE 1, 2004
ANNUAL TOWN MEETING
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3.	Annual Authorization of Compensating Balance Agreements. (Treasurer/Collector)
4.	Report on the Close-out of Special Appropriations. (Selectmen)
5.	Approval of Unpaid Bills of a Prior Fiscal Year. (Selectmen)
6.	Acceptance of Legislation to Increase Property Tax Exemptions. (Assessors)
7.	FY2004 Budget Amendments. (Selectmen)
8.	Annual Appropriations Article. (Selectmen)
9.	Sale of 154 University Rd. (Director of Finance)
10.	Amendment to the Town's By-Laws, Article 3.11 – Department of Finance – Removal of Information Technology. (Selectmen)
11.	Legislation to Increase the Expenditure Cap on Chapter 44, Section 53E 1/2 Revolving Funds. (Selectmen)
12.	Amendment to Zoning By-law with Respect to the Village Square General Business District G-2.0 (VS). (Steve Pratt-Otto)
13.	Special Legislation Authorizing the Town to Lease Certain Town Owned Land. (Steve Pratt-Otto)
14.	Authorization of the Board of Selectmen to lease any part or portion of the property generally known as Lot A in the B-2 Parcel. (Steve Pratt-Otto)
15.	Amendment to the Town's By-Laws – New Article 7.12 Undergrounding Utilities. (Underground Wire Committee)
16.	Resolution to Encourage Parents and Caregivers of Children to Refrain from the Use of Corporal Punishment. (Ronald Goldman)

17. To determine whether or not Putterham Meadows should be subject to Article 97 of the Articles of Amendment to the Massachusetts Constitution. (Michael Berger, Alisa Jonas, Robert Murphy)
18. Reports of Town Officers and Committees. (Selectmen)

2004 ANNUAL TOWN MEETING WARRANT REPORT

The Board of Selectmen and Advisory Committee respectfully submit the following report on Articles in the Warrant to be acted upon at the 2004 Annual Town Meeting to be held on Tuesday, June 1, 2004 at 7:00 p.m.

Note: The following pages of this report are numbered consecutively under each article.

ARTICLE 1

FIRST ARTICLE

To see if the Town will establish that the number of Measurers of Wood and Bark be two, to be appointed by the Selectmen, or act on anything relative thereto.

SELECTMEN'S RECOMMENDATION

The Selectmen recommend FAVORABLE ACTION, by a vote of 3-0 taken on March 30, 2004, on the vote offered by the Advisory Committee.

ROLL CALL VOTE:

Favorable Action

Hoy
Allen
Sher

ADVISORY COMMITTEE'S RECOMMENDATION

RECOMMENDATION

This is the traditional Article 1, a reminder of Brookline's colonial beginnings, and is at no cost to the Town. The Advisory Committee, by a nearly unanimous vote of 12 to 1 recommends FAVORABLE ACTION on the following vote:

VOTED: That the Town establish that the number of Measurers of Wood and Bark be two, to be appointed by the Selectmen.

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ARTICLE 2

SECOND ARTICLE

To see if the Town will raise and appropriate, or appropriate from available funds, a sum or sums of money to fund the FY2004 and/or FY2005 cost items in collective bargaining agreements between the Town and various employee unions; fund wage and salary increases for employees not included in the collective bargaining agreements; and amend the Classification and Pay Plans of the Town; or act on anything relative thereto.

SELECTMEN'S RECOMMENDATION

As of the writing of these Combined Reports, there are no collective bargaining agreements for Town Meeting action. Therefore, the Selectmen recommend NO ACTION by a vote of 5-0 taken on April 27, 2004.

ADVISORY COMMITTEE'S RECOMMENDATION

As there are no collective bargaining agreements to consider at this time, the Advisory Committee unanimously recommends NO ACTION on this article.

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ARTICLE 3

THIRD ARTICLE

To see if the Town will authorize the Town Treasurer, with the approval of the Selectmen, to enter into Compensating Balance Agreement(s) for FY2005 in accordance with General Laws Chapter 44, Section 53F, or act on anything relative thereto.

SELECTMEN'S RECOMMENDATION

Compensating balances are agreements between a depositor and a bank in which the depositor agrees to maintain a specified level of non-interest bearing deposits in return for which the bank agrees to perform certain services for the depositor. In order to incorporate such compensating balance agreements into the local budget process, the Commonwealth passed a law in 1986 mandating that all such arrangements be authorized by Town Meeting on an annual basis.

Funds have been included in the Treasurer's FY2005 budget to pay for these services directly and the Treasurer does not anticipate using this procedure at this time. This authorization, however, will give the Treasurer the flexibility to enter into such agreements if it should be in the best interest of the Town.

The Selectmen recommend FAVORABLE ACTION, by a vote of 3-0 taken on March 30, 2004 on the following vote.

VOTED: That the Town authorize the Town Treasurer, with the approval of the Selectmen, to enter into Compensating Balance Agreement(s) for FY2005 in accordance with General Laws Chapter 44, Section 53F.

ROLL CALL VOTE:

Favorable Action

Hoy

Allen

Sher

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND

Under a 1986 state law, Town Treasurers may not enter into a compensating balance agreement without an annual authorization of Town Meeting. Under a compensating

balance agreement, the Town receives no-fee banking services in exchange for agreeing to maintain a certain level of deposits in an interest-free account.

DISCUSSION

To date, the Treasurer has not used this authority, finding it more advantageous to place Town funds in interest-bearing accounts and negotiate service fees with the banks. The Treasurer has no specific plans to enter into any compensating balance agreements but would like the flexibility to do so if conditions warrant.

RECOMMENDATION

The Advisory Committee unanimously recommends FAVORABLE ACTION on the vote offered by the Board of Selectmen.

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ARTICLE 4

FOURTH ARTICLE

To see if the Town will authorize the Comptroller to close out either all or a portion of the unexpended balances in certain Special Appropriations and return said sums to the Surplus Revenue accounts; rescind the unused portion of prior borrowing authorizations; and reduce the capital appropriation for the Main Library Renovations, or act on anything relative thereto.

- 1) Special Appropriation Closeouts
- 2) Rescind a portion of the bond authorization for renovations to the Main Library, authorized as Item #88 of Section 12 of Article 4 of the 2000 Annual Town Meeting, by \$500,000.
- 3) Reduce the appropriation for renovations to the Main Library, authorized as Item #88 of Section 12 of Article 4 of the 2000 Annual Town Meeting, to \$10,825,094.

SELECTMEN'S RECOMMENDATION

This is an annual article required by Section 2.1.4 of the Town's By-Laws. The Comptroller has furnished the tables that appear on the following pages and detail the status of capital projects and special appropriations broken out by those that are debt financed and those that are funded with current revenues.

Under state statutes, any revenue funds declared surplus must be closed out to free cash at the end of the fiscal year. No action by Town Meeting is required. Surplus funds from bond-financed projects may be appropriated by Town Meeting for any purpose for which a loan may be taken only under a warrant article calling for an appropriation that meets these requirements. No such action is proposed for the Town Meeting.

Parts two and three of the article are related to the recently completed Main Library Renovation project. Part two calls for the rescission of \$500,000 of the remaining \$3.088 million bond authorization for the project, which was approved by Town meeting in May, 2000. (The original authorization was \$11 million, but Town Meeting rescinded \$7.912 million last May.) This bond authorization is no longer required, nor was it ever anticipated to be actually borrowed: having a bond authorization in the full amount of the project was required to obtain the state grant. This final \$500,000 can be rescinded because the Town is in receipt of the \$3.565 million state grant and 100% of the private fund-raising proceeds.

Part three of the article reduces the appropriation by \$174,906, which is the amount spent directly by the Library Foundation on the Project.

The Selectmen recommend NO ACTION on part 1 of the article and FAVORABLE ACTION on the votes below related to parts 2 and 3 of the article, by a vote of 3-0 taken on March 30, 2004:

VOTED: That the total Bond Authorization for renovations to the Main Library, authorized as Item #88 of Section 12 of Article 4 of the 2000 Annual Town Meeting, be reduced and \$500,000 thereof be rescinded.

VOTED: That the Town reduce the appropriation for renovations to the Main Library, authorized as Item #88 of Section 12 of Article 4 of the 2000 Annual Town Meeting, to \$10,825,094.

ROLL CALL VOTE:

Favorable Action

Goldberg

Hoy

Sher

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND

The first part of the Article, dealing with Special Appropriation Closeouts, requires no action by Town meeting and is presented for informational purposes only. The remaining two parts involve housekeeping votes needed properly conclude the financial activity of the Library renovation project.

DISCUSSION

In order to qualify for a state grant to help cover the cost of the Library renovation, the Town had to commit itself to a bond authorization for the entire \$11 million cost of the project, even though only approximately \$2.6 million was scheduled to actually be borrowed with the remaining revenue expected from sources such as the state grant, private fund raising and CDBG funds. Now that the project is completed, it's good fiscal practice to rescind the unused portion of the bond authorization so that any borrowing for future Library purposes will require a new authorization vote by Town Meeting. Last year, Town Meeting rescinded \$7,212,000 of the unused bonding authorization. The further rescinding of \$500,000 in Part 2 of this Article will complete the rescission process.

When the Library Foundation raised its commitment of \$4 million, it purchased \$174,906 worth of items associated with the renovation project (signage, moving expenses, and network integration) directly, with the balance of \$3,825,094 going into Town accounts. Thus the \$11 million budget ceiling voted by Town Meeting for the Library renovation must be reduced by the \$174,906 that the Library Foundation expended directly. This is accomplished by the third part of this Article.

RECOMMENDATION

The Advisory Committee unanimously recommend NO ACTION under part 1 of this Article and FAVORABLE ACTION on the votes offered by the Selectmen for parts 2 and 3.

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ARTICLE 5

FIFTH ARTICLE

To see if the Town will, in accordance with General Laws, Chapter 44, Section 64, authorize the payment of one or more of the bills of the previous years, which may be legally unenforceable due to the insufficiency of the appropriations therefore, and appropriate from available funds, a sum or sums of money therefore, or act on anything relative thereto.

SELECTMEN'S RECOMMENDATION

State statutes provide that unpaid bills from previous fiscal years may not be paid from the current year's appropriations without the specific approval of Town Meeting. There are no unpaid bills from prior fiscal years. Therefore, the Selectmen recommend NO ACTION, by a vote of 5-0 taken on April 27, 2004.

ADVISORY COMMITTEE'S RECOMMENDATIONRECOMMENDATION

Since there are no unpaid bills of prior years that have surfaced thus far, the Advisory Committee unanimously recommends a vote of NO ACTION under this Article.

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ARTICLE 6

SIXTH ARTICLE

To see if the town will elect to establish an additional property tax exemption for fiscal year 2005 which shall be uniform for all exemptions, in accordance with Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and accept said Section 4, as amended, or act on anything relative thereto.

SELECTMEN'S RECOMMENDATION

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 reauthorizations, have been approved annually since FY89. The estimated cost is approximately \$41,057 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:

<u>Description</u>	<u>Ch. 59, Sec.5 Clause</u>	<u>Current Amount of Taxes Exempted</u>	<u>Proposed Amount of Taxes Exempted</u>
Surviving Spouse	17D	\$175	\$350
Veteran (10% Disability)	22	\$250	\$500
Veteran (loss of one hand, foot or eye)	22A	\$425	\$850
Veteran (loss of two hands, feet or eyes)	22B	\$775	\$1,550
Veteran (special housing)	22C	\$950	\$1,900
Veteran (certain widows of soldiers)	22D	\$250	\$500
Veteran (100% disability, cannot work)	22E	\$600	\$1,200
Blind	37A	\$500	\$1,000
Elderly	41C	\$500	\$1,000

The Selectmen recommend FAVORABLE ACTION, by a vote of 3-0 taken on March 30, 2004, on the following vote:

VOTED: That the Town elect to establish an additional property tax exemption for fiscal year 2005 which shall be uniform for all exemptions, in accordance with Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and accept said Section 4, as amended.

ROLL CALL VOTE:

Favorable Action

Goldberg

Hoy

Sher

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND

This Article would allow the Town to continue its current practice of increasing state-mandated property tax exemptions for several classes of taxpayers, including veterans with a 10% or greater disability, surviving spouses, blind taxpayers, and low-income elderly taxpayers. The town is required to give these taxpayers a basic exemption whose amount is specified in state law and which is partially reimbursed by the state. The Town also has the option to increase these exemptions by any amount up to 100%. The increase must be uniform across all the exemptions, and the increased exemption may not decrease an individual taxpayer's liability below the previous year's amount.

DISCUSSION

The proposed increases, tabulated below, require annual authorization and have been approved by Town Meeting each year since FY1989. The exemptions under Clauses 17 and 41 are means tested, and the Town recently voted to have the maximum eligibility levels for these exemptions indexed to inflation. The Assessor estimates that the cost for FY2005 will be a little over \$41,000 and has already built a reserve for this purpose in the FY2005 tax abatement overlay account.

Description	Clause	Base Amount(\$)	Proposed Amount(\$)
Surviving Spouse	17D	175	350
Surviving Spouse	17D	175	350
Veteran (10% disability)	22	250	500
Veteran (loss of one hand, foot or eye)	22A	425	850
Veteran (loss of two hands, feet or eyes)	22B	775	1,550
Veteran (special housing)	22C	950	1,900
Veteran (certain widows of soldiers)	22C	250	500
Veteran (100% disability, cannot work)	22E	600	1,200
Blind	37E	500	1,000
Elderly	41C	500	1,000
Elderly	41D	500	1,000

RECOMMENDATION

The Advisory Committee unanimously recommends FAVORABLE ACTION on the vote offered by the Board of Selectmen.

ARTICLE 7

SEVENTH ARTICLE

To see if the Town will raise and appropriate, or appropriate from available funds, additional funds to the various accounts in the fiscal year 2004 budget or transfer funds between said accounts, or act on anything relative thereto.

SELECTMEN'S RECOMMENDATION

This article was submitted in case any budget adjustments were required for FY 2004. There are no amendments needed, so a vote of NO ACTION was approved by a vote of 5-0 on April 27, 2004.

ADVISORY COMMITTEE'S RECOMMENDATIONRECOMMENDATION

Inasmuch as there are no additional appropriations or transfers involving accounts in the FY2004 budget presently being proposed, the Advisory Committee unanimously recommends a vote of NO ACTION under this Article.

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ARTICLE 8EIGHTH ARTICLE

To see if the Town will:

A.) Fiscal Year 2005 Budget

Appropriate the sums, or any other sum or sums, requested or proposed by the Selectmen or by any other officer, board or committee, for the fiscal year 2005 budget, including without limiting the foregoing, all town expenses and purposes, debt and interest, out of state travel, operating expenses, stabilization fund as provided for in General Laws Chapter 40, Section 5B; authorize the continuation of all revolving funds in accordance with G.L. Chapter 44, Section 53E ½, and all Enterprise Funds in accordance with G.L. Chapter 44, Section 53F ½, and as otherwise authorized; and provide for a reserve fund.

B.) Fiscal Year 2005 Special Appropriations

Appropriate sums of money for the following special purposes:

- 1.) Appropriate \$400,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for engineering or architectural services for plans and specifications for remodeling, reconstructing, or making extraordinary repairs to the Stephen Glover Train Memorial Health Building.
- 2.) Appropriate \$31,469, or any other sum, to be expended under the direction of the Chief Procurement Officer, with the approval of the Board of Selectmen, for furnishings and equipment for Town Buildings.
- 3.) Appropriate \$50,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for removal of asbestos from Town and School buildings.
- 4.) Appropriate \$50,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for ADA renovations to Town and School buildings.
- 5.) Appropriate \$100,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for improvements to life safety systems in Town and School facilities and for the purpose of improving building security in Town and School facilities.
- 6.) Appropriate \$250,000, or any other sum, to be expended under the direction of the Chief Information Officer, with the approval of the Board of Selectmen, for the enhancement of town-wide hardware and software.

- 7.) Appropriate \$40,000, or any other sum, to be expended under the direction of the Director of Planning and Community Development, with the approval of the Board of Selectmen, for a feasibility study of the parking needs of Coolidge Corner.
- 8.) Appropriate \$205,000, or any other sum, to be expended under the direction of the Director of Planning and Community Development, with the approval of the Board of Selectmen, for streetscape and civic space improvements.
- 9.) Appropriate \$200,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for the purchase and installation of a vehicle exhaust fume removal system at each fire station.
- 10.) Appropriate \$80,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for the design and installation of air conditioning systems at various fire stations.
- 11.) Appropriate \$30,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for plans and specifications for the replacement of windows at Fire Station #5 (49 Babcock Street).
- 12.) Appropriate \$100,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Board of Library Trustees, for landscaping improvements at the Main Library.
- 13.) Appropriate \$200,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Board of Library Trustees, for the upgrade of the HVAC system at the Coolidge Corner Library.
- 14.) Appropriate \$155,000, or any other sum, to be expended under the direction of the Library Trustees, with the approval of the Board of Selectmen, for furnishings at the Coolidge Corner Library.
- 15.) Appropriate \$40,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Board of Library Trustees, for the rehabilitation of the driveway at the Coolidge Corner Library.
- 16.) Appropriate \$50,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Board of Library Trustees, for ADA renovations to the entrance and bathrooms at the Putterham Library.
- 17.) Appropriate \$25,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Board of Library Trustees, for the replacement of the floor at the Putterham Library.

- 18.) Appropriate \$173,500, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Board of Library Trustees, for the upgrade of the HVAC system at the Putterham Library.
- 19.) Appropriate \$50,000, or any other sum, to be expended under the direction of the Board of Library Trustees, with the approval of the Board of Selectmen, for the purchase of self check-out units.
- 20.) Appropriate \$120,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the modernization of a traffic signal at the South Street / Grove Street intersection.
- 21.) Appropriate \$150,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the implementation of the study of traffic improvements at the Newton Street / West Roxbury Parkway intersection and/or neighboring streets.
- 22.) Appropriate \$150,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the implementation of the study of traffic improvements at Horace James Circle, Francis X. Ryan Circle (Putterham Circle), and/or nearby streets.
- 23.) Appropriate \$1,000,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the rehabilitation of streets.
- 24.) Appropriate \$200,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for traffic calming studies and improvements.
- 25.) Appropriate \$200,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the rehabilitation of sidewalks.
- 26.) Appropriate \$2,000,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for assessment and corrective action associated with the Newton Street Landfill.
- 27.) Appropriate \$100,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for streetlight replacement and repairs.
- 28.) Appropriate \$185,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the construction and reconstruction of facilities at Larz Anderson Park, including, but not limited to, the restoration of the pergola, stairs, columns, and wall at the top of the hill.
- 29.) Appropriate \$250,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the

Park and Recreation Commission, for the renovation of playground equipment, fields, and fencing.

- 30.) Appropriate \$120,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the rehabilitation of Town / School grounds.
- 31.) Appropriate \$100,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the rehabilitation of tennis courts and basketball courts.
- 32.) Appropriate \$60,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the study and design of improvements to Dane Park.
- 33.) Appropriate \$350,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the design of and improvements to Lawton Playground.
- 34.) Appropriate \$25,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the tree and shrub management program.
- 35.) Appropriate \$35,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the removal and replacement of certain trees on the Longwood Mall.
- 36.) Appropriate \$60,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the repair of Downes Field track.
- 37.) Appropriate \$100,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Tree Planting Committee, for the removal and replacement of trees.
- 38.) Appropriate \$40,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the removal and replacement of Hemlock Trees.
- 39.) Appropriate \$35,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for improvements to the Walnut Hills Cemetery.
- 40.) Appropriate \$50,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for improvements to small green open spaces / streetscapes.

- 41.) Appropriate \$1,000,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Park and Recreation Commission, for remodeling, reconstructing or making extraordinary repairs to the Evelyn Kirrane Aquatics Center (the Municipal Swimming Pool), including, but not limited to, the roof, ceiling, lighting, HVAC system, and the replacement of windows.
- 42.) Appropriate \$75,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the replacement of windows at the Soule Recreation Center.
- 43.) Appropriate \$50,000, or any other sum, to be expended under the direction of the Chief Procurement Officer, with the approval of the Board of Selectmen and the School Committee, for school furniture upgrades.
- 44.) Appropriate \$80,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the School Committee, for upgrades to the energy management system of School facilities.
- 45.) Appropriate \$120,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the School Committee, for the upgrade of the HVAC system in the Driscoll School Auditorium.
- 46.) Appropriate \$165,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the School Committee, for the installation of an elevator at the Old Lincoln School.
- 47.) Appropriate \$575,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the School Committee, for the replacement of windows at the Pierce School.
- 48.) Appropriate \$65,000, or any other sum, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the School Committee, for trash compactors at various schools.
- 49.) Appropriate \$50,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for water meter replacement.
- 50.) Appropriate a sum of money, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the School Committee, for renovations to the Lawrence School.
- 51.) Appropriate \$1,650,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the Muddy River Restoration Project.

C.) Funding

And determine whether such appropriations shall be raised by taxation, transferred from available funds, provided by borrowing or by any combination of the foregoing, and authorize the leasing, leasing with an option to purchase, or the installment purchase of any equipment or any capital items; and authorize the Board of Selectmen, except in the case of the School Department Budget, and with regard to the School Department, the School Committee, to apply for, accept and expend grants, gifts, reimbursements, and aid from both federal, state, and other sources and agencies for any of the purposes aforesaid, or act on anything relative thereto.

SELECTMEN'S RECOMMENDATION

The Board of Selectmen is in agreement with the Advisory Committee on the FY2005 Town Budget with one exception: the language associated with the \$205,000 special appropriation for streetscape / civic space improvements (item #41). The total budget proposed by the Advisory Committee, including enterprise funds, totals \$190,221,172, an increase of \$9,272,747 (5.1%) over the current fiscal year. This includes a General Fund operating budget of \$ 153,843,257, an increase of 3.7%. It also includes a revenue-financed capital budget of \$10,644,969 and enterprise/revolving funds of \$23,252,526.

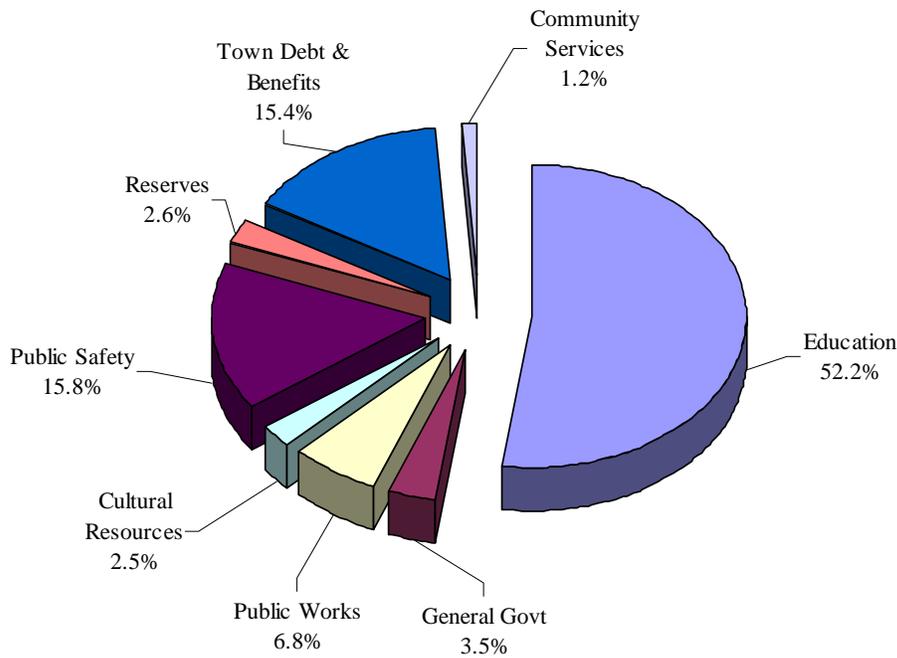
The major categories of General Fund revenues and expenses are summarized as follows:

FY2005 GENERAL FUND SUMMARY				
	FY2004	FY2005	INCREASE/DECREASE	
			\$	%
REVENUE				
Property Tax	114,660,482	118,976,942	4,316,460	3.8%
Local Receipts	18,021,735	18,975,225	953,490	5.3%
State Aid	17,090,425	16,933,683	(156,742)	-0.9%
Free Cash	5,602,961	6,966,241	1,363,280	24.3%
Other Available Funds	8,064,935	10,461,591	2,396,656	29.7%
TOTAL REVENUE	163,440,538	172,313,682	8,873,144	5.4%
(LESS) NON-APPROPRIATED EXPENSES				
State & County Charges	5,453,961	5,260,459	(193,502)	-3.5%
Tax Abatement Overlay	1,500,000	1,500,000	0	0.0%
Deficits & Judgments	50,000	50,000	0	0.0%
Cherry Sheet Offsets	1,013,561	1,014,997	1,436	0.1%
TOTAL NON-APPROPRIATED EXPENSES	8,017,522	7,825,456	(192,066)	-2.4%
AMOUNT AVAILABLE FOR APPROPRIATION	155,423,016	164,488,226	9,065,210	5.8%
APPROPRIATIONS				
Town Departments	52,451,224	53,897,275	1,446,051	2.8%
School Department	53,759,732	55,420,815	1,661,083	3.1%
Non-Departmental Total	42,145,941	44,525,167	2,379,226	5.6%
General Fund Non-Departmental	36,656,679	39,180,130	2,523,451	6.9%
Water and Sewer Enterprise Fund Overhead *	4,849,472	4,750,571	(98,901)	-2.0%
Golf Enterprise Fund Overhead *	512,642	481,684	(30,958)	-6.0%
Recreation Revolving Fund Overhead *	127,148	112,781	(14,367)	-11.3%
OPERATING BUDGET SUBTOTAL	148,356,897	153,843,257	5,486,360	3.7%
Revenue-Financed Special Appropriations	7,066,117	10,644,969	3,578,852	50.6%
TOTAL APPROPRIATIONS	155,423,016	164,488,226	9,065,210	5.8%
BALANCE	0	0	0	

* These Overhead figures match the Water and Sewer Enterprise Fund Reimbursement, Golf Enterprise Fund Reimbursement, and Recreation Revolving Fund Reimbursement revenue sources found under the "Other Available Funds" revenue category.

Graphically, the fully-allocated \$153,843,257 General Fund operating budget is shown below:

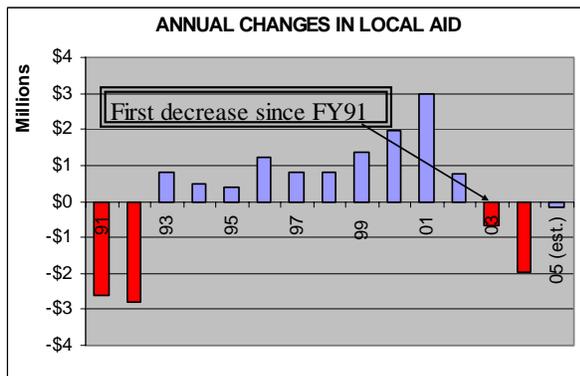
FULLY ALLOCATED FY2005 GENERAL FUND OPERATING BUDGET



BACKGROUND

It is virtually impossible to discuss cogently the FY05 Financial Plan without reviewing our experience with the current FY04 budget. A year ago at this time, the State was facing a \$3 billion shortfall and the cities and towns were confronting local aid losses that eventually totaled over \$400 million.

The “Cherry Sheet” reductions began in January 2003 with mid-year cuts by the Governor using enhanced “9C” powers granted by the Legislature. This resulted in a \$756,000 loss for Brookline. In mid-February when last year’s Financial Plan was released, it assumed a local aid loss of \$2 million for FY04, but included “cutback scenarios” anticipating the possibility of further reductions. During the course of the Spring, the Financial Plan was revised twice -- once to reflect the Governor’s budget proposing a \$2.4 million cut for Brookline and again in



May responding to the House budget calling for additional reductions. The final state budget reduced Brookline local aid by a cumulative \$2.8 million over FY02 levels.

Last year, the Massachusetts Municipal Association and the Massachusetts Association of School Committees reported that 1,400 municipal positions and 1,300 full-time equivalent teacher positions were eliminated statewide due to FY04 budget cuts. In many localities this resulted in diminished public safety deployment and increased class size. While Brookline had to absorb cutbacks for FY04 (frozen supply accounts \$185,000; deferral of staff expansion \$212,000; elimination of part-time positions and position re-grades \$100,000; cancellation of Department Head salary adjustments \$37,000; reduction of capital outlay for sidewalks and vehicles \$150,000), this community was able to avoid outright elimination of any town-funded service program. The combination of long-range financial planning and short-term anticipatory actions served Brookline well. Unlike many other municipalities, neither public safety coverage nor class size was adversely affected in our community.

FY2005 BUDGET OVERVIEW

As vitally important as local aid is for our Town budget, it is just one of several critical factors shaping the FY05 Financial Plan. Certain Local Receipts are exhibiting continued signs of slowing. Collective bargaining costs are always significant because personnel-related expenses account for approximately two-thirds of the operating budget. Fixed costs such as retirement, capital, and utilities continue to exert pressure. And, of course, the astronomical growth in the group health budget remains a most formidable cost center for any organization public or private, large or small. The stress on the FY05 operating budget is readily demonstrated in the following figures that illustrate how increases for employee compensation, group health, and certain fixed costs exceed the revenue growth available for the operating budget:

Operating Revenue Increase	\$4.5 million
Town/School Collective Bargaining, Steps, etc.	- \$2.4 million
Group Health Insurance	- \$1.8 million
<u>Fixed cost of Capital, Pension, Utilities, Gen. Insurance</u>	<u>- \$0.7 million</u>
Available Discretionary Funds	- \$0.4 million

Even without taking into account the pressures from special education, homeland security, and other sources, the FY05 operating budget is constrained by a structural shortfall. With the level-funding of local aid and the slowing growth in local receipts, the operating budget (i.e. the Financial Plan total less enterprise funds, non-appropriated expenses, and pay-as-you go capital) is projected to increase 3.4%. In order to avoid eliminating core services while absorbing the impacts outlined above, a comprehensive three-part approach was taken in preparing the FY05 budget:

- strict cost control;
- effective management of local receipts; and
- targeted utilization of reserves.

Also, as has been the practice since the Override was approved in 1994, the approach to budgeting is framed by Town Fiscal Policies and Practices, including:

- Retention of Adequate Reserves
- CIP Financing Policies
- Town/School Partnership Agreement
- Collective Bargaining Guidelines
- Position Freeze on Total Employees
- Directives Re: Free Cash
- Override Requirements of 1994

These Policies and Practices emerged from the Financial Improvement Program adopted by the Board of Selectmen in 1994. The Town/School Partnership Agreement was executed by the Superintendent of Schools and Town Administrator in 1995. In 1997 a Special Capital Financing Committee formalized the overall approach to the CIP, Free Cash, and Stabilization Fund. And, at the beginning of the 2004 calendar year, a Fiscal Policy Review Committee convened by the Board of Selectmen recommended revamping several of the Policies that had evolved over the past decade.

Application of cost controls, utilization of local receipts, and management of reserves have been coordinated in a particularly focused fashion in the preparation of the FY05 budget. This budget is not only built upon the initiatives of the past, but also takes advantage of emerging opportunities, particularly those presented in the Report of the Fiscal Policy Review Committee.

Cost Controls

A number of steps have been taken to control costs and better position the Town for the FY05 budget.

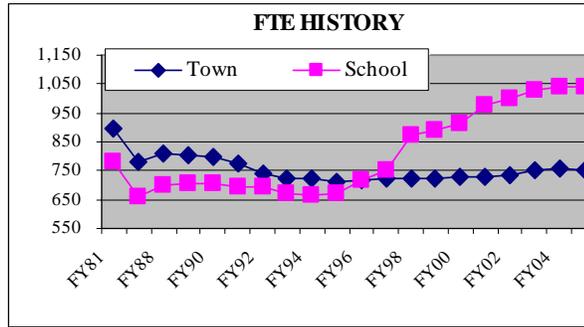
Budget Reductions – In an effort to realize budget savings with minimal effect on the overall level of service delivery, a number of items were reviewed and determined that they could be reduced or eliminated. The largest of these line-item reductions is to the Interest on Abatements account, which is used to make interest payments owed to taxpayers as a result of property tax abatements. After reviewing the recent experience of this line-item, it was determined that it could be reduced by \$100,000. Steps taken in recent years by the Board of Assessors to create greater citizen access to information and introducing even more accuracy in assessment practices have contributed to fewer abatement applications.

Other reductions reflected in this budget are the elimination of the clerical pool account (\$10,000); the elimination of an unfilled PT carpenter position (\$12,658); and the discontinuation of Town funding of the Event Coordinator position (\$10,000). In addition, operating revenue is not needed to support the Liability Fund (\$100,000) and staff realignment in the Recreation Department will save \$56,825.

Hiring Freeze – An integral part of the FY04 budget planning process was the adoption of a hiring freeze by the Board of Selectmen, initially recommended by the Town Administrator in December 2002. The Freeze has remained in effect but was temporarily lifted in August 2003 in recognition of the personnel levels actually funded for FY04. In anticipation of another difficult budget for FY05, the freeze was re-instituted in October 2003. The Freeze is still in effect.

Long-Term Position Control –

Several years ago, the Selectmen adopted a policy to cap the number of Town (non-school) positions. The purpose of this policy is to ensure that Town staffing corresponds to the Proposition 2 ½ cap on revenue so that, even in favorable economic periods, staffing would not be increased to unsustainable levels.



Because of the implementation of the Public Safety Combined Dispatch, the FY02 budget experienced a slight increase. A similar increase occurred in FY03 due to the transformation of formerly part-time Parking Control Officers to full-time positions. If personnel levels had been allowed to grow beyond this limited extent, layoffs would have been much more likely during these tighter budgetary times.

Multi-Year Fixed Contracts – Upon conclusion of the previous five-year contract for electricity in May 2003, the Town entered into a three-year contract with TransCanada for the provision of electric power supply for all Town and School facilities. This contract, which has an average price per KWH of \$0.056, also includes a 1% “green energy” component. This rate is fixed for three years and is lower than pricing now available.

In May 2002, the Town entered into a five-year contract for solid waste collection and processing. Through the efforts of the DPW Commissioner, the Town was able to negotiate a cap on annual price increases of 2.5% over the life of the contract. This rate compares favorably to other communities. In addition, the contractor makes use of the Town transfer station, resulting in less noise and fewer trips for hauling the Town’s 13,000 tons of solid waste to environmentally appropriate disposal sites.

Group Health RFP – In March, the Town received responses from Tufts, Harvard Pilgrim Health Care, and Blue Cross/Blue Shield to an RFP issued to explore whether savings could be realized in the current high inflationary environment, while still providing a comprehensive schedule of benefits. The RFP addressed a range of variables including consolidating coverage with one insurer; fully insured vs. self-insured; and co-pay changes.

BC/BS submitted a response that proposes reducing projected group health costs by approximately \$1 million through consolidating coverage, with fully insured rates, and without changing co-pays. After meeting with the employee Health Insurance Advisory Committee to review the packages submitted by all the insurers, the Town and School Committee submitted a proposal in early April to each of the unions that all group health coverage be provided by BC/BS effective July 1, 2004.

Implementation of this change is subject to satisfying collective bargaining obligations. Negotiations with each of the unions are currently in varying degrees of progress. Despite the fact that the Board of Selectmen has voted to designate BC/BS as the only insurer as of July 1st (non-unionized employees are expected to be offered BC/BS only as of that date) implementation for union employees can not proceed until bargaining procedures are carried

out. Under these circumstances, any savings that could occur in the group health budget for FY05 might well not be available until FY06 for purposes other than collective bargaining.

Group health savings of this magnitude without reducing benefits is an extraordinary opportunity. The hope is that all parties involved – the Town, the Schools, the employees, and the unions – can steer through the complex implementation process as deliberately as possible. Obviously, the longer implementation takes, the less likely that the full measure of potential savings can be realized.

Local Receipts

The FY05 Financial Plan continues to benefit from a number of measures taken to review and adjust local receipts.

- **Revenue Committee** - During the course of 2003, the Revenue Committee, consisting of a designee from the Board of Selectmen and the School Committee, along with the Chair of the Advisory Committee, worked with the Finance Director and the Deputy Town Administrator to review departmental fee schedules. The Committee recommended certain fee increases to the Board of Selectmen, which has the statutory responsibility for setting most local fees per the provisions of MGL Chapter 40, Section 22F.

The result of the increases is an additional \$233,000 for the FY05 budget:

- Overnight Parking Fees +90,000
 - Municipal Lien Certificates (MLCs) +75,000
 - Town Clerk Fees +35,000
 - Health Department Fees +25,000
 - Fire Prevention Fees +8,000
- **Parking Meter Receipts** – In February, 1999, the Board of Selectmen, in collaboration with the Transportation Board, established the Commercial Areas Parking Committee. The charge of the Committee was to identify and assess the Town's commercial parking needs and to recommend short- and long-term solutions to address those needs. One of the Committee's recommendations was to increase the parking meter rates in an effort to encourage turnover and discourage parking by store employees and commuters. This was done as part of a comprehensive parking management strategy for the Town's commercial areas. In November, 2001, the rates were increased from 25 cents per hour to 50 cents per hour. Financially, the result has been a significant increase in the amount of meter revenue collected. The FY05 budget includes \$1.925 million in parking meter receipts, an increase of \$725,000 over the FY02 budget.
 - **Parking Fines** – Another recommendation of the Commercial Areas Parking Committee was to increase the parking fine schedule in order to reduce the number of cars parking overnight illegally. The Committee's research showed that since Boston's fine for parking illegally was \$30 and Brookline's was \$25, overnight parking was increasingly migrating into the Town. In response, Town Meeting passed Home Rule legislation in May, 2001 to allow the Town to increase its parking fine schedule. The legislation was ultimately approved by the State in November, 2001 and the new fine schedule went into effect in September, 2002. Financially, a significant increase in the amount of fines collected has

resulted. The FY05 budget includes \$4.4 million for parking fine revenue, an increase of \$1.9 million over the FY02 budget.

Reserves

In September 2003, the Board of Selectmen appointed nine citizens to a Fiscal Policy Review Committee (FPRC). The charge to the Committee was “To assess and make recommendations in regard to Town practices for funding reserves and funding capital improvements”. The Committee held 12 meetings over the course of its deliberations and presented its final report to the Board of Selectmen in January, 2004. The full text of the FPRC’s proposed policies is included at the conclusion of this Selectmen’s recommendation. The recommendations put forth by the FPRC in its final report have both immediate and longer-term impacts on the Town’s fiscal planning.

- **Retiree Group Health Trust Fund** - The FPRC recommended that funding for the Post-Retirement Benefits Trust Fund be suspended until an across the board strategy emerges for municipalities to address this issue. For FY05, this results in the freeing up of \$125,000 for Town and School use.

The Committee also recommended, and this budget reflects, the suspension of the practice of allocating unmatched Group Health appropriations to the Retiree Group Health Trust Fund. Unmatched Town appropriations available in the current fiscal year will be allocated to the Health Insurance Trust Fund that supports Blue Cross/Blue Shield coverage, including Medex. By allocating these resources in this fashion, the reserve for the Trust Fund can be replenished to target levels (20% of claims) without relying on additional rate increases. If the FY05 rate increase were to be used to replenish the Trust Fund reserve, then the BC/BS increase would have been 15.5% rather than an already double digit increase of 11.5%. This change in reserve policy frees up another \$400,000 in budget capacity to support the School and Town operating budgets. It also affords employees a measure of desperately needed rate relief.

- **Liability/Catastrophe** - Based on the recommendations of the FPRC, the revised reserve fund and free cash policies dictate that the Liability/ Catastrophe Fund shall be maintained at the target level of 1% of the prior year’s net revenue through the use of Free Cash. Therefore, no tax supported funding is required, freeing up \$100,000 and creating further flexibility for the Town and School budgets.
- **Overlay**- The FPRC recommended that the “Overlay Reserve” be reviewed and redistributed more vigorously and regularly. For FY05, this has resulted in the use of \$3 million in declared Overlay Reserve Surpluses for the CIP in addition to other pay-as-you-go projects. The \$3 million supports the additional funding required to conduct environmental corrective actions associated with the Newton Street Landfill closure process (\$2 million) and perform the needed structural improvements to the Town’s Swimming Pool (\$1 million).
- **Stabilization Fund** - The FPRC recommended that the existing Capital Stabilization Fund be expanded into a more general “Rainy Day Fund” that can augment both operating and capital needs during periods of revenue contraction.

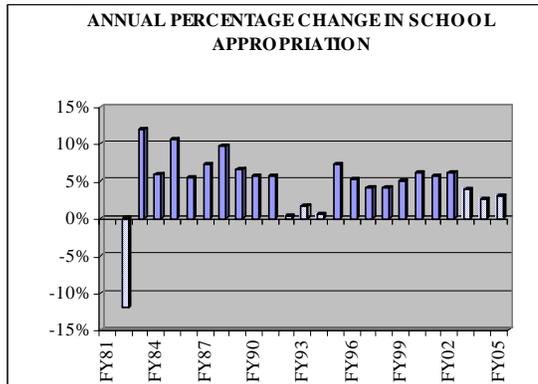
The FPRC also proposed that the funding target be 3% of prior year net revenue rather than 1% of the replacement value of buildings. For FY05, this would increase the fund balance by \$246,892, from \$4.1 to \$4.4 million, requiring an appropriation into the Fund for the first time in three years. The policy also includes a “trigger” for use of the reserve fund: if net revenue increases less than 3% from the prior fiscal year, then the Fund could be used. Fortunately, net revenue increases for FY05 are expected to be in excess of 3% thereby avoiding the need to access the Stabilization Fund.

- **Operating Budget Reserve** – One change adopted by the Selectmen that was not explicitly recommended by the FPRC is changing the current structure of having a separate appropriated budget reserve and a separate unappropriated budget reserve. The FPRC recommended a 1% reserve, but did not explicitly state how it should be structured (i.e., appropriated vs. non-appropriated). The Town Administrator’s Financial Plan was built on the past practice of having a separate appropriated reserve and a separate non-appropriated reserve, for use if the appropriated reserve was not sufficient. This budget before Town Meeting reflects the newly combined budget reserve, which is the equivalent of 1% of the prior year’s net revenue. Of the 1%, 0.75% comes from the tax levy and 0.25% comes from Free Cash. Under the old policies, the 0.25% from Free Cash would have been left unappropriated.

FISCAL POLICIES

As noted already, several Fiscal Policies and Practices have combined over the past ten years to provide the framework for each Financial Plan since the adoption of the Proposition 2 ½ Override in 1994. In addition to policies governing reserves, capital financing and free cash, all of which can be found in their entirety at the end of this Selectmen’s recommendation, there are other Fiscal Policies and Practices that continue to influence financial planning that should also be noted:

- **Town/School Partnership** – The Town/School Partnership was formally established through a Memorandum of Understanding executed by the Town Administrator and School Superintendent in 1995. The Partnership Agreement outlines a general approach for allocating resources to Town and School budgets in a way that reflects the fact that education accounts for at least 50% of the overall operating budget. Simply put, the formal agreement earmarks for education a full one-half of all unrestricted revenue increases that are not dedicated to fixed costs. As a result, for FY05, despite level-funded local aid and double-digit group health increases, the Financial Plan includes a budget increase of 3.1% for the Brookline Public Schools.



However, it is important to note that the Partnership goes much further than a formal arrangement in distributing revenue. In collective bargaining, for example, there is a Labor Advisory Committee that was established by a 1992 Town Meeting Resolution. Both the Board of Selectmen with the Town Administration and the School Committee with the School Administration have been faithful to this process. The Committee has been convened when necessary and has proven to be extraordinarily valuable in coordinating Town and School collective bargaining efforts.

One tangible outcome of the Labor Advisory Committee has been the retention of a single law firm to provide labor counsel services for Town and School collective bargaining. Separate attorneys are retained from this single firm in recognition of respective employer confidentialities in the bargaining process. However, the advantages in coordination are quite significant, especially in matters applicable to School and Town employees alike. For example, group health coverage is a major town-wide benefit that crosses Town and School jurisdictions. Having a single labor counsel firm will help immeasurably in the upcoming negotiations over group health plans.

Other areas that reflect the Partnership approach are the consolidation of Information Technology functions under the CIO and the delegation of facility maintenance operations to the Building Department. The establishment of a unified Chief Information Officer position for Town and Schools quickly demonstrated its benefit for both educational and municipal interests. The latter arrangement relieves the School administration of a non-education function that has been readily handled by the Building Department. This was reinforced by the dedication of resources in the 1994 major Override to the maintenance of School facilities.

- **Collective Bargaining Guidelines** – The formal adoption of collective bargaining guidelines for each contract negotiating cycle has been extraordinarily helpful in stabilizing finances over the past several years. Contracts have been negotiated within the Town's ability to pay, which have allowed for annual wage adjustments each year, even in the more difficult years of local aid cutbacks.

In the last round of negotiations, the Town settled one-year agreements with the Police and Fire unions that expired on June 30, 2003. This expiration coincided with the conclusion of previously negotiated multi-year agreements between the School Committee and Brookline Educators Association and bargaining units representing other school employees. The Town's non-public safety employees are covered by agreements that expire on June 30, 2004.

Collective bargaining guidelines call for settlements in FY05 at a cost of 2%. The FY05 budget carries a salary reserve that can cover a wage adjustment at this level. This is consistent with the settlement pattern that the School Committee set out for School employees with a core economic package of 8% over three years: FY04- 2%; FY05- 2%; FY06- 3%/1%. In addition, School and Town agreements are expected to include language allowing for group health changes, reflecting the RFP process that is underway with the Town's insurers.

It is important to note that the third year of the School agreements, calling for a 4% base wage adjustment (3% on July 1st and 1% January 1st), will pose a formidable

challenge for budget planning that year. This is compounded further by another 0.5% made available for teaching staff in exchange for additional time in both FY05 and FY06. Overall, these supplements will create an additional 1% carry-over for base wage adjustments in FY07.

These factors create pressure on the out-years of FY06 and FY07, which underscores the importance of exploring major changes in the Town's group health program. With group health costs increasing 10%-20% for each of the past three years, the Town's capacity to sustain wage adjustments is greatly diminished. Between FY05 and FY07, salary costs, which account for 75% of the Town's departmental expenditures and more than 80% of the School's budget, are expected to increase by more than \$8 million. Over the same period, group health, which by comparison accounts for less than 11% of the budget, is projected to increase by close to \$4 million. Unless means can be found to curb the group health cost trend, future collective bargaining settlements will be compelled to earmark greater allocations for health coverage with even less capacity for wage adjustments.

- **Override Requirements of 1994** – The Override of 1994 allocated \$2.5 million of additional tax levy for specific expenditures. For schools, \$1.1 million was allocated for class size stabilization, technology, and education supplies. Another \$400,000 was earmarked for School and Town building maintenance. For DPW capital outlay, \$700,000 was set aside. And \$300,000 was earmarked for Police (\$200,000) and Fire (\$100,000) equipment. Each Financial Plan since the Override has attempted to be faithful to the allocations of the Override, even though they were legally binding only in the year immediately following the vote.

Last year the Selectmen appointed a Committee to review the provisions of the Override as they relate to the Town's budgeting practices. The Committee's Report was published in the Combined Reports presented to Town Meeting in May 2003. The Report reflects the difficulty that has arisen, due to cutbacks in local aid, in preserving the Override allocations as originally adopted.

The FY05 budget meets the baseline override allocations as modified in the Committee's recommendations. However, given persistent budget pressures, the recommendation to add another \$100,000 to facility maintenance could not be met. This budget provides a full \$700,000 for DPW equipment and it does not exercise the proposed option of using a portion of these funds for sidewalks. The CIP sidewalk allocation has been doubled this year and is adequate for this purpose. The combined capital outlay of Police and Fire equipment exceeds the \$412,000 set in the Report. In addition, Fire equipment needs are once again augmented in the CIP. All other Override targets have been met.

INITIATIVES

Despite constraints inherent in the FY05 budget, a number of initiatives are being taken across many departments. The more than 400 separate Budget Objectives presented for FY05 reflect an array of actions for the coming year. Some highlights are:

- **Public Safety Business Office** - A key component of any organization is the administrative and financial operation, which includes budgeting, payroll,

purchasing, and oversight of all revenues and expenditures. Currently, both the Fire and Police Departments have separate units responsible for these duties. Combining these independent operations follows recent initiatives taken in the Town to coordinate public safety functions in an effort to improve overall service delivery and to meet the expectations of taxpayers.

The construction of a single Public Safety Headquarters facility served as the initial impetus for these efforts. However, the driving force behind the vital inter-departmental coordination and communication has been the change in the function and mission of the Fire and Police Departments brought on by September 11th. Emergency Management is now a truly multi-departmental endeavor. The Combined Dispatch operation is a primary example: formerly separate Fire, Police, and EMS dispatch operations have been combined into a single unit responsible for the dispatch of all fire personnel, police personnel, and ambulances.

Combined Dispatch has been very successful and serves as a model for further consolidation. Having two separate budgeting offices, two separate payroll units, and two separate purchasing operations is not the most efficient organizational structure - - especially when they are all housed in the same building. A single administrative and finance office will enable both the Fire Chief and the Police Chief to free-up existing resources and re-allocate them to better serve the core missions of each department.

It is proposed that a Public Safety Business Manager report directly to both Chiefs, thereby providing each of them with a single senior staff member responsible for financial operations. Having one office responsible for all of the financial aspects of carrying out the important tasks of public safety and emergency management will allow both Chiefs to have a better, more comprehensive knowledge and understanding of the many funding sources under their respective jurisdictions.

In addition, it is proposed that Executive Officer positions be established in the Police and Fire Departments in a senior management, non-union capacity. These two positions will assist the Police and Fire Chiefs with the ever-increasing challenges, such as labor relations, personnel, and operations that are inherent in modern public safety operations.

The Committee on Town Organization and Structure (CTO&S) has reviewed the proposals and is in favor of the recommendations. Their report can be found at the end of these Combined Reports, under Article 18 "Reports of Town Officers and Committees".

- **Homeland Security** - Brookline's Emergency Management Team (EMT) continues to meet regularly with the primary mission of developing and integrating innovative and effective response plans and procedures for potential disasters. To date, the Team has reviewed and improved the Town's emergency plans, identified critical infrastructure and potential targets, reviewed building layouts, secured grant funding, and made security recommendations for adoption by the Town.

The EMT has also focused on community education and awareness through the Town's website and an Emergency Preparedness brochure, which was mailed to nearly 25,000 households in Brookline in November 2003. In the past year, Brookline was certified as a startup Local Emergency Planning Committee by the State Emergency Response Commission, in compliance with federal law and ensuring better emergency preparedness for the Town

In FY2005, the EMT will focus on:

- Construction of an Emergency Operations Center (EOC), a site for first responders and Town officials to work cooperatively during a disaster
 - Continuing to secure grant funds for training and equipment
 - Hosting emergency response drills
 - Training emergency responders, specifically raising Fire Department capabilities to HazMat Technician levels.
- **Information Technology** - The objectives contained within the IT Strategic Plan, which was finalized in January, 2002, have been a top priority of both the Town and School Administrations. The initial major actions taken were the hiring of the newly-established Town/School CIO and reorganization of the IT Department, including combining the formerly separate Town and School IT operations. The CIO, who was hired in February, 2003 after a lengthy search, is responsible for all IT efforts and endeavors and reports directly to both the Town Administrator and Superintendent of Schools.

In just his first year, the CIO has proven the worthiness of the Strategic Plan's recommendation to create a position that would be responsible for all IT-related activities. The CIO's efforts have resulted in a streamlined IT operation, efficiencies across departments, and cost savings through economies of scale. This has resulted in a significant level of cost avoidance through reducing duplication of efforts, assuring compatibility of systems and software, and by leveraging existing systems.

The following are some of the major projects the IT Department will continue to work on into FY05:

- Automation of the Fire Department
- Operation of a town-wide Help Desk
- Enhancement of the School's Student Records Management System
- Bringing government closer to the people through improvements to the website (townofbrooklinemass.com)
- Development of a Town and School Network Storage System
- Implementation of a Maintenance Management System

Funding is included in the IT Department's FY05 operating budget to both support existing systems and to allow the Department to continue its efforts toward implementing the Strategic Plan. The CIP also includes funding (\$250,000) for town-wide IT projects. In addition, departmental budgets include

the funding necessary to continue the life-cycle replacement program for PC's, laptops, and servers.

- **Recreation Staff Reorganization** - In 2004, the Recreation Director was able to capitalize on vacancies due to retirement and attrition in order to effectuate an internal reorganization of the Department's administrative staff. These changes resulted in a more efficient and streamlined staff better suited to meet the administrative needs of both the General Fund and the Recreation Revolving Fund. The financial impact of these changes was a \$56,825 salary savings in the General Fund and a \$28,581 salary increase in the Revolving Fund. The changes were:
 - o Elimination of the C-9 Head Clerk position in the general fund (-\$40,081)
 - o Elimination of the C-2 (0.6 FTE) Clerk Typist position in the general fund (-\$16,744)
 - o Increase from a part-time Jr. Clerk Typist to a full-time C-9 Bookkeeper in Recreation Revolving Fund (\$28,581)

- **Park and Recreation Master Plan** - The Park and Recreation Master Plan will guide the delivery of recreation and park and open space amenities, services, programs, and facilities within the Town of Brookline. The goal of this Master Plan is to establish a park and recreation policy framework, management and maintenance program, and capital improvement plan. The strategic purpose of this document requires that the entire parks and recreation system be evaluated on a town-wide level.

The scope of the Plan is far-reaching, ranging from sports to community programs, parks to community centers, as well as municipal user fees. The goals for the Master Plan are to:

- o Secure and promote the development of properties and facilities for present and future recreational needs;
- o Improve and encourage diversification of recreational programs and facilities;
- o Create an athletic field renovation priority and schedule considering the latest in sports field technology;
- o Preserve remaining valuable areas such as wetlands, riparian habitat, and other valuable natural areas for educational, recreational, cultural, and scientific uses;
- o Promote and enhance natural beauty and meaningful recreational activities; and
- o Provide recreational properties and facilities, which are safe, clean, and well maintained.

The funding for the Master Plan comes from two sources: an existing special appropriation (CIP item) that was approved by Town Meeting for FY02 and from the Boston Athletic Association (BAA) Trust Fund, which is funded annually by a donation from the BAA in return for the Boston Marathon course running through Brookline.

- **Brookline 300** - Calendar Year 2005 will be a celebratory year for Brookline as we mark the 300th anniversary of the incorporation of the Town on November 13, 1705. This budget reflects the goal of avoiding Town tax resources to underwrite direct costs associated with Brookline 300. By utilizing funds remaining in the donated Ryder Cup account and by establishing a fundraising program, the Town expects to avoid diverting budget revenues from essential services for the support of the Tercentenary celebration.
 - o Hill, Holliday - We are grateful to the firm of Hill, Holliday, Connors, Cosmopoulos for their generous pro bono work to develop a logo and theme for our celebration.
 - o Loaned Executive from Boston College - We are grateful to Boston College for the generous contribution of a senior-level fundraiser as a “loaned executive” to assist the Town with major donor fundraising. The monies raised through these efforts will go toward defraying the costs of major Town-wide celebrations.
 - o Brookline Community Fund -The Town has partnered with the Brookline Community Fund to raise money to fund community-based volunteer projects, activities, and events in conjunction with the Brookline 300 celebration.
 - o Full-Time Events Coordinator - In December, 2003 the Board of Selectmen authorized the hiring of a full-time Events Coordinator to work on behalf of Brookline 300, the Human Relations/Youth Resources Commission, and the Brookline Commission for the Arts. In doing so, the Town was able to combine the functions of two previously funded part-time positions into one and add the responsibility for Brookline 300.

- **Comp Plan** - In January 2004, the preliminary Comprehensive Plan was completed, marking a major milestone in the extensive three-year planning process undertaken by the Comprehensive Plan Committee. Through the leadership of the Board of Selectmen, the Plan is proceeding through the final phase of community review prior to its submission to the Planning Board for approval in May. The Plan, through a number of initial implementation strategies, is already having an important influence on the Town’s Zoning By-Law, capital improvement program, affordable housing production, and economic development. In accordance with the budget requests submitted by the Director of Planning and Community Development, the FY05 budget includes enough funding to carry-out the upcoming phases of the Comp Plan process.

- **Enterprise Funds** - The Town has two enterprise funds: the Water and Sewer Enterprise Fund and the Golf Course Enterprise Fund. Established under MGL, Chapter 44, Section 53F1/2, the enterprise funds are separate and distinct from the Town’s General Fund. The Government Accounting Standards Board (GASB) adopted and mandated GASB Statement #34, which requires enterprise fund treatment and accounting for all municipal business operations. This requires full accrual accounting and the actual recording of the depreciation of fixed assets. The FY05 budget takes steps to bolster the financial stability of each of the two enterprise funds, as detailed below:
 - o *Water and Sewer Enterprise Fund* - the FY05 enterprise fund as recommended totals \$20.8 million. Incorporated into this total are three

actions taken to eliminate a FY03 negative year-end fund balance and improve the overall condition of the fund: 1.) the transfer into the enterprise fund of \$300,000 from a pre-enterprise fund Water Surplus Fund, 2.) the further reduction of consumption estimates so that they are more in line with recent experience, and 3.) a pause in the debt issuance schedule for water and sewer projects.

- *Golf Course Enterprise Fund* – the FY05 enterprise fund as recommended totals \$1.4 million. This amount includes a \$12,000 increase in advertising, bringing the total advertising budget to \$22,000, to fund an enhanced marketing campaign. These marketing efforts, designed to attract more golfers to the course and thereby improve the overall financial condition of the fund, include participation at the National Golf Expo (an annual golf trade show held in Boston), the launch of a new Golf Club website (www.brooklinegolf.com), the placement of advertisements on local radio stations, and an increase in the outreach to organizations that may be seeking locations for golf outings (medical institutions, colleges and universities, unions and other professional organizations, etc.).
- **Economic Development Staff** - Economic Development has emerged as an integral component of the Town's overall financial planning. About \$1 million in new revenue is directly attributable to the work of the Economic Development Office over the past several years. These projects include Goddard House, Kendall Crescent, 1010 Commonwealth Avenue, the Webster Street Hotel, and the soon to be tax generating St. Aidan's Housing development. Each of these projects has occurred on properties that were formerly property tax exempt. The FY05 Planning and Community Development budget includes the first of three incremental increases designed to upgrade the Economic Development Officer and the Commercial Areas Coordinator to full-time positions over the next three years. These changes are designed to better reflect the actual hours and workload of these positions. The budgetary impact in FY05 is an increase of \$5,454.

CAPITAL IMPROVEMENT PROGRAM

Over the past decade, the Town has made a significant commitment to its Capital Improvements Program (CIP) to address the backlog of capital needs created by the under-investment in the infrastructure during the late-1970's and the 1980's. Over the past decade, the Town has invested more than \$211 million in the CIP. Although there is more to do in the areas of street repairs, parks/open space improvements, and school facilities upgrades, the commitment to capital improvements is clearly showing positive results.

The FY05 – FY10 CIP continues the Town's aggressive approach toward reducing its capital project backlog and improving the Town's physical assets. Developed within the parameters of the Board of Selectmen's CIP Policies, which can be found in their entirety at the end of this Selectmen's recommendation, the proposed CIP incorporates a number of major projects along with a financing plan that includes outside funding sources, grant opportunities, and Overlay Reserve Surpluses. The fundamental policy that 5.5% of the prior year's net revenue be allocated to the CIP is observed, avoiding additional burdens on the operating budget.

The recommended CIP calls for an investment of \$74.5 million over the next six years, for an average of \$12.4 million per year. The total appropriations from all financial sources by year, by allocation, and by project category are shown on the table on the following page:

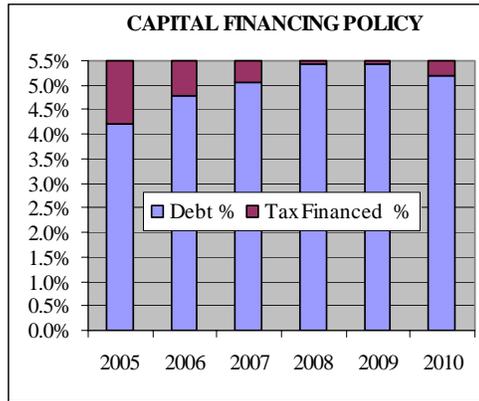
TOWN OF BROOKLINE CAPITAL IMPROVEMENT PROGRAM: FY2005 - FY2010									
REVENUE CODES:					CATEGORY CODES (CC):				
A = Property Tax / Free Cash / Overlay Surplus		D = Golf Budget		G = Utility Bond		1 = New Facility Construction		4 = Infrastructure	
B = General Fund Bond		E = Golf Bond		H = CDBG		2 = Facility Renovation / Repair		5 = Vehicles	
C = State / Federal Aid		F = Utility Budget		I = Other		3 = Parks/Open Space/Playgrounds		6 = Miscellaneous	
CC	Total	Prior Year (FY04)	2005	2006	2007	2008	2009	2010	Future Years
GRAND TOTAL BY SOURCE									
A = Property Tax / Free Cash	42,769,472	6,532,000	10,554,969	4,242,500	3,985,000	3,280,000	3,525,000	3,780,000	6,870,000
B = General Fund Bond	60,110,002	11,915,000	745,000	6,250,000	9,500,000	1,500,000	1,200,000	7,000,000	22,000,000
C = State / Federal Grants	7,508,117	1,484,117	2,000,000	3,900,000	-	-	-	-	125,000
D = Golf Budget	-	-	-	-	-	-	-	-	-
E = Golf Bond	-	-	-	-	-	-	-	-	-
F = Utility Budget	300,000	50,000	50,000	50,000	50,000	50,000	50,000	-	-
G = Utility Bond	7,200,000	-	500,000	6,000,000	-	200,000	-	500,000	-
H = CDBG	3,029,225	959,225	305,000	405,000	280,000	270,000	270,000	270,000	270,000
I = Other	4,256,000	510,000	495,000	-	3,250,000	-	-	-	-
Grand Total	125,172,811	21,450,342	14,649,969	20,847,500	17,065,000	5,300,000	5,045,000	11,550,000	29,265,000
GRAND TOTAL BY ALLOCATION									
General Government	19,881,469	465,000	881,469	5,485,000	9,950,000	675,000	400,000	700,000	1,305,000
Planning and Community Development	1,140,000	-	245,000	-	-	175,000	-	150,000	570,000
Public Safety	2,732,000	1,117,000	415,000	575,000	-	-	-	625,000	-
Library	1,542,500	380,000	733,500	65,000	-	-	100,000	-	200,000
DPW - Transportation	1,451,200	621,200	695,000	125,000	10,000	-	-	-	-
Engineering/Highway	34,953,642	15,663,642	5,750,000	5,600,000	1,540,000	1,540,000	1,540,000	1,705,000	1,615,000
Water / Sewer	7,500,000	50,000	550,000	6,050,000	50,000	250,000	50,000	500,000	-
Parks & Playgrounds	12,579,000	899,000	1,185,000	2,540,000	3,870,000	435,000	870,000	465,000	2,315,000
Conservation/Open Space	3,905,000	130,000	1,905,000	305,000	265,000	330,000	180,000	130,000	260,000
Recreation	1,540,000	145,000	1,175,000	-	20,000	200,000	-	-	-
Public Schools	38,342,000	1,949,500	1,055,000	102,500	1,360,000	1,695,000	1,905,000	7,275,000	23,000,000
Grand Total	125,172,811	21,450,342	14,649,969	20,847,500	17,065,000	5,300,000	5,045,000	11,550,000	29,265,000
GRAND TOTAL BY CATEGORY									
1 New Facility Construction	-	-	-	-	-	-	-	-	-
2 Facility Renovation / Repair	59,266,500	3,239,500	3,773,500	5,442,500	11,030,000	2,270,000	2,105,000	7,675,000	23,730,000
3 Parks / Open Space / Playgrounds	26,974,000	9,919,000	5,090,000	2,845,000	4,135,000	765,000	1,050,000	595,000	2,575,000
4 Infrastructure	34,154,842	7,444,842	5,240,000	11,775,000	1,600,000	1,965,000	1,590,000	2,355,000	2,185,000
5 Vehicles	1,325,000	325,000	-	375,000	-	-	-	625,000	-
6 Miscellaneous	3,453,469	522,000	546,469	410,000	300,000	300,000	300,000	300,000	775,000
Grand Total	125,172,811	21,450,342	14,649,969	20,847,500	17,065,000	5,300,000	5,045,000	11,550,000	29,265,000

The immediate challenge in balancing the FY05 – FY10 CIP was incorporating a number of major projects within the Town’s strict financing guidelines. These projects will increase the number of playing fields in town (Newton St. Landfill Closure / Re-Use and the Fisher Hill Reservoir Re-Use), renovate the two Town facilities that a large number of Town employees call their workplace (Town Hall and Health Building renovations), renovate one of the Town’s school buildings (Runkle School), and restore a valuable natural resource of the Town (Muddy River Restoration).

In addition to these projects, there are a number of smaller, but no less important, projects that continue the Town’s ongoing investment in infrastructure (streets, sidewalks, and water and sewer system), in parks and open spaces, in facilities (schools, fire stations, and branch libraries), and in technology.

In order to accommodate these projects, the following approach was formulated, based on the capital financing policies:

- An amount equivalent to 5.5% of the prior year’s net revenue, comprised of debt service and pay-as-you-go financing, is set aside each year of the six-year CIP. In FY05, 4.2% is earmarked for debt service and 1.3% to pay-as-you-go. This fluctuates from year to year depending on the level of debt service, but never exceeds the 5.5% total. In FY08 and FY09, virtually all of the 5.5% is committed to debt service, the result of the major debt-financed projects coming on line.
- Free Cash, after going toward reserve funds per the Town’s Reserve Fund Policies, is dedicated to the CIP. In FY05, \$5.68 million of Free Cash is used to support the CIP. The Free Cash estimate for the out-years of the CIP is lowered, resulting in less funding available for projects.
- Declared Overlay Reserve Surpluses are used to fund two major projects: the structural improvements to the Swimming Pool (\$1 million) and the corrective action necessary to complete the Landfill Closure process (\$2 million). Using this one-time revenue source for one-time projects is a financially prudent course to take and helps fund two critical projects.
- Grant funds are used to further support the CIP. The largest grant is the \$6.9 million federal/state grant for the Beacon St. Reconstruction project, \$5.9 million of which comes in FY05 – FY06, with the remaining \$1 million due in FY04. The other major grant utilized is the Community Development Block Grant (CDBG). Over the six-years of the CIP, a total of \$1.8 million is used to support ADA projects, street reconstruction, and tree planting, to name a few.
- The final significant funding component of the CIP is “Other” funds, the largest piece being an expected \$3.25 million from the sale of the Town-owned Fisher Hill Reservoir that would be used to fund the construction of a playing field on the State-owned site across the street. (Town Meeting recently approved Home Rule legislation to have the Town purchase the site.)



While the proposed CIP is fundamentally and financially sound, it is “tight”. As previously stated, the major projects included in the proposal result in virtually 100% of the 5.5% dedicated revenue stream being allocated to debt service in the out-years. With this reality, Free Cash takes on an even larger role in the CIP: if there is no pay-as-you-go capital available and if Free Cash falls below current estimates, smaller projects would have to be delayed. Because Free Cash is projected to decrease, the pressure on the CIP is magnified. This is all evidence of the need to maintain fiscal discipline, avoid adding new projects, and protect against project scope “creep” in any of the proposed projects.

LONG RANGE FINANCIAL PROJECTION

The cornerstone of our strategic budgeting process is the Long-Range Financial projection. Based upon an analysis of the internal and external factors impacting the Town's operations and finances, we have prepared the Long-Range Projection covering the period FY2005 through FY2009. The Town is facing an escalating deficit position for FY2006 and beyond. Collective bargaining costs, group health increases, the continued commitment to capital investment, and extreme limitations on local aid, coupled with the structural shortfall caused by Proposition 2½, portend a deficit that will grow to \$5.6 million by FY2009.

Revenues

Overall, annual revenue increases (exclusive of Free Cash and Overlay Reserve Surpluses) are expected to range between \$4.5 million and \$6.2 million, or 3% on average. When Free Cash and Overlay Reserve Surpluses are included, annual increases are expected to range between \$2 million and \$6.2 million, or 2.6% on average.

- The *Tax Levy* is projected to increase an average of 3.8 % per year. In addition to the standard 2.5% increase allowed under Proposition 2 ½, new growth in the tax levy resulting from building construction, renovation, and condominium conversions is \$1.5 million per year. An amount equal to debt service overrides less any School Building Assistance aid is also included in the calculation.
- *Local Receipts* are expected to increase by approximately \$950,000 in FY2005, due to an increase in parking fines and motor vehicle excise taxes. It is anticipated that local receipts will increase by approximately \$200,000 (1%) per year thereafter.
- *Local Aid* is expected to decrease by \$157,000 in FY2005, the result of a change in the SBA reimbursement schedule for the Heath School. The Police Career Incentive (Quinn Bill) reimbursement is expected to increase based upon a formula of 50% of the previous year costs. SBA is expected to increase in FY2009 for the anticipated reimbursement for the Lawrence School project. All other Local Aid categories, including Chapter 70 funding, Additional Assistance, and Lottery, are expected to be level-funded in FY05 and throughout the forecast. An amount equal to debt service overrides less any School Building Assistance aid is also included in the calculation.
- *Free Cash*, after deducting amounts for non-appropriated and strategic reserves, is used exclusively for the Capital Improvement Program (CIP). It is expected that \$6.6 million would be available for FY2005. This would decrease to an amount of \$4.1 million for FY2006 – FY2009.
- *Other Available Funds*, with the exception of enterprise fund overhead revenue and parking meter receipts, are expected to remain level throughout the term of this forecast. Overlay Reserve Surpluses after FY05 are not anticipated at this time. Upon the recommendation of the FPRC, an annual review of total Overlay balances will be undertaken. At that time, it will be determined if additional surpluses are available for the CIP and other one-time expenses.

Expenses

- The cost of *Municipal Services* is projected to increase by \$6.4 million from FY2005 through FY2009, an average of \$1.6 million per year. Of the total increase, \$6 million is attributable to the cost of collective bargaining and steps. The balance of the increase, or

approximately \$370,000 on average for FY06-FY09, is for all other fixed cost increases such as energy, refuse disposal, capital outlays, etc.

- The cost of *School Services* is projected to increase by \$8.6 million from FY2005 through FY2009, or an average of \$2.1 million per year. Collective bargaining and steps account for \$6.5 million of the total. An increase of \$850,000 per year for FY06-FY09 is included for Special Education Tuition, transportation, and education supplies.
- *Personnel Benefits*, which include group health and life insurance, pensions, Medicare, workers compensation, and unemployment compensation, are expected to increase by approximately 6.5% per year. Group health insurance alone is expected to increase more than \$7 million, an average of \$1.8 million per year.
- *Debt Service* figures assume full implementation of the FY2005-FY2010 CIP which includes the Newton St. Landfill Closure / Re-Use, Beacon Street Improvements, Muddy River Project, Fisher Hill Acquisition / Re-Use, Lawrence School, Town Hall/ Health Department building improvements, and the Runkle School renovation. The debt service amounts comply with the Board's CIP financing policies that require an amount equivalent to no more than 5.5% of the prior year's net revenue, with a goal of 4.25%, be allocated for this purpose. Both Water/Sewer and Golf Debt are included in enterprise revenues paid to the Town in the form of overhead charges.
- The *Revenue Financed CIP* policy faces tremendous pressure in the next few years. This policy establishes a guideline of 1.25% revenue financed and 4.25% debt financed capital funding each year. Debt service levels are predicted to be greater than the 4.25% goal in four of the next five years. When debt service rises above the 4.25% debt guideline, fewer funds are available from the revenue-financed category.
- *Non-appropriated Expenses* include State and County assessments, Cherry Sheet offset items, tax abatement overlay reserves, and court judgments. The two largest expenses are the MBTA assessment and the tax abatement overlay reserve. In FY2005 and FY2006, State and County assessments are expected to decline by approximately \$180,000 per year because of a decrease in the MBTA assessment. Beginning in FY2007, the MBTA Assessment will begin to increase annually, per the requirements of the funding schedule approved as part of MBTA Reform, also known as the "forward funding" legislation. Due to declining requests for tax abatements, the tax abatement overlay reserve will be tied to an amount equal to 1.4% of the annual levy for FY2006 – FY2009.

CONCLUSION

The work of the Fiscal Policy Review Committee, assessing Town budgetary practices for reserves and capital spending, provides great reassurance that our budgeting practices have been on the right track. The Committee found that it was "impressed with the Town's commitment to financial management...(and) as one financial expert who met with us stated, the Town of Brookline is in an enviable position compared to most other municipalities, in large part due to its financial practices."

In the heat of deliberations over the appropriations article, Town Meeting is encouraged to keep our Fiscal Policies very much in mind. These Policies have contributed directly to the

relative stability Brookline has experienced in these difficult financial times. Continued adherence to them now will prove immeasurably important for our ability to sustain this stability in the future.

For the first time, the policies for reserves, capital and free cash are printed in their entirety in these Combined Reports. Please take the opportunity to review them and feel free to follow up with the Board of Selectmen or Town Administrator with any questions you might have.

As stated at the beginning of this recommendation, the Board of Selectmen is in agreement with the Advisory Committee on all budget matters except for the language associated with the \$205,000 special appropriation for streetscape / civic space improvements (item #41). Therefore, the Selectmen recommend **FAVORABLE ACTION**, by a vote of 4-0 taken on May 11, 2004, on the budget vote as offered by the Advisory Committee with the following amendment to Item #41:

41.) Raise and appropriate \$205,000, to be expended under the direction of the Director of Planning and Community Development, with the approval of the Board of Selectmen, for streetscape and civic space improvements in the Coolidge Corner area; provided that no expenditures shall be made for the construction of said project until the design for said project is approved by a design review committee consisting of the following members:

- Member of the Board of Selectmen or its designee
- Member of the Advisory Committee or its designee
- Member of the Preservation Commission or its designee
- Member of the Planning Board or its designee
- Member of the Economic Development Advisory Board or its designee
- Precinct 9 Town Meeting Member appointed by the Moderator
- A member of the Coolidge Corner Merchants Association.

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ROLL CALL VOTE:

Favorable Action

- Geller
- Hoy
- Sher
- Merrill

TOWN OF BROOKLINE'S FISCAL POLICIES
Adopted by the Board of Selectmen on April 27, 2004

FREE CASH POLICIES

After funding the Town's reserves, as detailed in the Town's Reserve Policies and summarized below, available Free Cash shall be used exclusively to supplement the Capital Improvements Program (CIP).

FREE CASH FOR RESERVES

- **Appropriated Budget Reserve** – an amount equivalent to 0.25% of the prior year's net revenue shall be appropriated as part of the Town's 1% Appropriated Budget Reserve Fund, as allowed for under MGL Chapter 40, Section 6.
- **Stabilization Fund** – Free Cash shall be used to fund the Stabilization Fund at a level equivalent to 3% of the prior year's net revenue, as prescribed in the Town's Reserve Policies. If the Fund were drawn down in the immediate prior fiscal year, then an allocation shall be made to the Fund in an amount at least equivalent to the draw down of the immediate prior fiscal year.
- **Liability / Catastrophe Fund** – to the extent necessary, Free Cash shall be used to reach the funding target of the Town's Liability / Catastrophe Fund, as outlined in the Town's Reserve Policies.
- **Affordable Housing Trust Fund** – in order to support the Town's efforts toward creating and maintaining affordable housing, Free Cash shall be appropriated into the Affordable Housing Trust Fund according to the following schedule:
 - when Free Cash exceeds \$6 million, 5% shall be allocated to the Affordable Housing Trust Fund.
 - when Free Cash exceeds \$7.5 million, 7.5% shall be allocated to the Affordable Housing Trust Fund.
 - when Free Cash exceeds \$10 million, 10% shall be allocated to the Affordable Housing Trust Fund.
- **Special Use** – Free Cash may be used to augment the trust funds related to fringe benefits and unfunded liabilities related to employee benefits.

FREE CASH FOR CAPITAL

After providing for the reserves and the Affordable Housing Trust Fund as stated above, 100% of any remaining Free Cash balance shall be dedicated to the Capital Improvement Program (CIP).

RESERVE POLICIES

The Town shall maintain the following general, special, and strategic reserve funds:

- **Budget Reserve** – to respond to extraordinary and unforeseen financial obligations, an annual budget reserve shall be established under the provisions of MGL Chapter 40, Section 6. The funding level shall be an amount equivalent to 1% of the prior year’s net revenue, maintained in the manner set out below. Any unexpended balance at the end of the fiscal year must go toward the calculation of free cash; no fund balance is maintained.
 - **Funding from Property Tax Levy** – an amount equivalent to .75% of the prior year’s net revenue shall be allocated from the Property Tax levy to the Appropriated Budget Reserve.
 - **Funding from Free Cash** – an amount equivalent to 0.25% of the prior year’s net revenue shall be allocated from Free Cash, per the Town’s Free Cash Policies, to the Appropriated Budget Reserve.

- **Stabilization Fund** – a Stabilization Fund shall be maintained, under the provisions of MGL Chapter 40, Section 5B.
 1. The target funding level for the Fund shall be an amount equivalent to 3% of the Town’s prior year’s net revenue, as defined in the CIP policies. The Fund shall be funded only with Free Cash or one-time revenues.
 2. The Stabilization Fund may only be used under the following circumstances:
 - a. to fund capital projects, on a pay-as-you-go basis, when available Free Cash drops below \$2 million in any year; and/or
 - b. to support the operating budget when Net Revenue, as defined in the CIP policies, increases less than 3% from the prior fiscal year.
 3. The level of use of the Stabilization Fund shall be limited to the following:
 - a. when funding capital projects, on a pay-as-you-go basis under #2a. above, no more than \$1 million may be drawn down from the fund in any fiscal year. The maximum draw down over any three year period shall not exceed \$2.5 million.
 - b. when supporting the operating budget under #2b. above, the amount drawn down from the fund shall be equal to the amount necessary to bring the year-over-year increase in the Town’s prior year net revenue to 3%, or \$1 million, whichever is less. The maximum draw down over any three year period shall not exceed \$2.5 million.
 4. In order to replenish the Stabilization Fund if used, in the year immediately following any draw down, an amount at least equivalent to the draw down shall be deposited into the fund. Said funding shall come from Free Cash.

- **Liability / Catastrophe Fund** – established by Chapter 66 of the Acts of 1998, and amended by Chapter 137 of the Acts of 2001, this fund shall be maintained in order to protect the community against major facility disaster and/or a substantial negative financial impact of litigation. The uses of and procedures for accessing the fund are

prescribed in the above referenced special act. The target fund balance is 1% of the prior year’s net revenue and funding shall come from available Free Cash and other one-time revenues.

- Post-Retirement Benefits Trust Fund – established by Chapter 472 of the Acts of 1998, this fund shall be maintained to offset the anticipated costs of post-retirement benefits of retired employees. The uses of and procedures for accessing the fund are prescribed in the above referenced special act.

The balance in the Fund shall be maintained, but future funding shall be suspended until a comprehensive statewide municipal approach is adopted. When funding is re-activated, funding may come from continued decreases in other fringe benefit line-items; from continued year-end surpluses in appropriations for employee health insurance; from continued assessments on the non-General Funds that support benefit-eligible employees; and Free Cash and other one-time revenues.

- Overlay Reserve – established per the requirements of MGL Chapter 59, Section 25, the Overlay is used as a reserve, under the direction of the Board of Assessors, to fund property tax exemptions and abatements resulting from adjustments in valuation. The Board of Selectmen shall, at the conclusion of each fiscal year, require the Board of Assessors to submit an update of the Overlay reserve for each fiscal year, including, but not limited to, the current balances, amounts of potential abatements, and any transfers between accounts. If the balance of any fiscal year overlay exceeds the amount of potential abatements, the Board of Selectmen may request the Board of Assessors to declare those balances surplus, for use in the Town’s Capital Improvement Plan (CIP) or for any other one-time expense.

CAPITAL IMPROVEMENT PROGRAM (CIP) POLICIES

Definition of a CIP Project

A capital improvement project is any project that improves or adds to the Town's infrastructure, has a substantial useful life, and costs \$25,000 or more, regardless of funding source. Examples of capital projects include the following:

- . Construction of new buildings
- . Major renovation of or additions to existing buildings
- . Land acquisition or major land improvements
- . Street reconstruction and resurfacing
- . Sanitary sewer and storm drain construction and rehabilitation
- . Water system construction and rehabilitation
- . Major equipment acquisition and refurbishment
- . Planning, feasibility studies, and design for potential capital projects

Evaluation of CIP Projects

The capital improvement program shall include those projects that will preserve and provide, in the most efficient manner, the infrastructure necessary to achieve the highest level of public services and quality of life possible within the available financial resources.

Only those projects that have gone through the CIP review process shall be included in the CIP. The CIP shall be developed in concert with the operating budget and shall be in

conformance with the Board's CIP financing policy. No project, regardless of the funding source, shall be included in the CIP unless it meets an identified capital need of the Town and is in conformance with this policy.

Capital improvement projects shall be thoroughly evaluated and prioritized using the criteria set forth below. Priority will be given to projects that preserve essential infrastructure. Expansion of the capital plan (buildings, facilities, and equipment) must be necessary to meet a critical service. Consideration shall be given to the distributional effects of a project and the qualitative impact on services, as well as the level of disruption and inconvenience.

The evaluation criteria shall include the following:

- Eliminates a proven or obvious hazard to public health and safety
- Required by legislation or action of other governmental jurisdictions
- Supports adopted plans, goals, objectives, and policies
- Reduces or stabilizes operating costs
- Prolongs the functional life of a capital asset of the Town by five years or more
- Replaces a clearly obsolete facility or maintains and makes better use of an existing facility
- Prevents a substantial reduction in an existing standard of service
- Directly benefits the Town's economic base by increasing property values
- Provides new programs having social, cultural, historic, environmental, economic, or aesthetic value
- Utilizes outside financing sources such as grants

CIP Financing Policies

An important commitment is to providing the funds necessary to fully address the Town's capital improvement needs in a fiscally prudent manner. It is recognized that a balance must be maintained between operating and capital budgets so as to meet the needs of both to the maximum extent possible.

For the purposes of these policies, the following definitions apply:

- Net Operating Revenue - Gross revenues, less net debt exclusion funds, enterprise (self-supporting) operations funds, free cash, grants, transfers from other non-recurring non-general funds, and non-appropriated costs.
- Net Direct Debt (and Debt Service) - Gross costs from local debt, less Prop 2 1/2 debt exclusion amounts and amounts from enterprise operations.
- Net Tax-Financed CIP - Gross amount of appropriations for capital improvements from current revenues, less amounts for enterprise operations, grants, free cash, transfers, and non-recurring special revenue funds.

The capital improvements program shall be prepared and financed in accordance with the following policies:

OUTSIDE FUNDING

State and/or federal grant funding shall be pursued and used to finance the capital budget wherever possible.

ENTERPRISE OPERATIONS - SELF SUPPORTING

Capital projects for enterprise operations shall be financed from enterprise revenues solely.

CIP BUDGET ALLOCATIONS - 5.5% OF NET REVENUES

Total net direct debt service and net tax-financed CIP shall be maintained at a level equivalent to 5.5% of prior year net operating revenues.

- TAX FINANCED ALLOCATION - 1.25% OF NET REVENUES
Net tax-financed capital expenditures shall be maintained at a target level equivalent to 1.25% of prior year net operating revenues.
- DEBT-FINANCED ALLOCATION - 4.25% OF NET REVENUES
Net direct debt service shall be maintained at a target equivalent to 4.25% of prior year net operating revenues.

DEBT MANAGEMENT POLICIES

Debt financing of capital projects shall be utilized in accordance with the following policies:

- Debt financing shall be reserved for capital projects and expenditures which either cost in excess of \$100,000 or have an anticipated life span of five years or more, or are expected to prolong the useful life of a capital asset by five years or more.
- Bond maturities shall not exceed the anticipated useful life of the capital project being financed. Except for major buildings and water and sewer projects, bond maturities shall be limited to no more than ten years.
- Bond maturities shall be maintained so that at least 60% of the outstanding net direct debt (principal) shall mature within 10 years.
- Total outstanding general obligation debt shall not exceed 2.5% of the total assessed value of property.
- Total outstanding general obligation debt per capita shall not exceed \$2,000. Beginning on July 1, 2004, the \$2,000 per capita shall be adjusted annually by the consumer price index (CPI) for all urban consumers (northeast region all items).
- Total outstanding general obligation debt per capita shall not exceed 6% of per capita income, as defined by the Census Bureau of the U.S. Department of Commerce.

FREE CASH

After using free cash in accordance with the Town's free cash policy, available free cash shall be used exclusively to supplement the capital improvements program.

ADVISORY COMMITTEE'S RECOMMENDATION

I. TOWN BUDGET

Overview

The slowing of the economy over the last couple of years has affected many of us in a variety of ways. It has been felt by our Commonwealth that is State government, as well. This year we anticipate a State budget shortfall on the order of \$1 billion. Even as the national economy begins to pick up in fits and spurts, our region is expected to lag in its recovery. The result has been a marked slowing of revenue at the State level. This, in turn, has translated to decreased local aid.

Last year Brookline grappled with that decrease in State aid – requiring two revisions to the financial plan. That round of belt tightening was expected to be followed with more of the same this year. Perhaps it's an artifact of an election year, but both the Governor's budget (those are the assumptions used in this budget) and the House's proposed budget are more kind with regard to local aid than had been anticipated. But keep in mind; we have still seen a loss of \$2.8 million in local aid since FY'02. Additionally, the Town has felt the effect of lower interest income in this slower economy.

This year's revenues of \$172.3 million are supported from a number of sources. State Aid is hoped to remain at least level. Free cash remains strong at just under \$7 million, but is expected to decrease in the coming years. Property tax increases prescribed within the bounds of Prop 2 ½, coupled with taxes generated from new development, increase the total property tax levy by 3.8%. The nearly \$119 million in property tax revenue accounts for close to 70% of all revenues for FY'05. This year's budget also enjoys the support of \$3 million from the declared Property Tax Abatement Overlay Surplus. These funds are controlled and released by the Board of Assessors and come as varying one-time payments. Local Receipts also increase in the budget by just over 5%. This is partly due to some of the fee escalations recommended by the Revenue Committee over this past year. Many fees had not been reviewed and addressed for years. While we benefit from an upturn in local receipts in the FY'05 budget, a future slowing pattern may be emerging. A slowing of local receipts is now being seen in auto excise taxes, building permits and interest income – things you would expect in a cautious economy.

Expenditures balance revenues. Departmental expenditures (which compose better than 63% of total expenditures) increased by 2.8% for the Town and 3.1% for the Schools over last year's budget. Non-departmental expenditures, which include such things as employee benefits (nearly 27% of this category), reserves, insurance, and housing trust, increase by a bit more than 5%. With the help of a \$3 million contribution from the Abatement Overlay, Special Appropriations (CIP) are supported by \$10.6M of revenue.

An outline of revenues and expenditures follows:

Revenues

	<u>\$</u>	<u>% change</u>
Property Tax	118,976,942	3.8
Local Receipts	18,975,225	5.3
State Aid	16,933,683	(0.9)
Free Cash	6,966,241	24.3
<u>Other funds</u>	<u>10,461,591</u>	<u>29.7</u>
Total Revenue	172,313,682	5.4

Expenditures

	<u>\$</u>	<u>% change</u>
Departmental	109,318,090	2.9
Non-Departmental	44,525,167	5.6
<u>Special Appropriations (CIP)</u>	<u>10,644,969</u>	<u>50.6</u>
Total non-appropriated Exp.	7,825,456	(2.4)
 Total Expenditures	 172,313,682	 5.4

Personnel

Towns are service providers, so it is not surprising that our budget is primarily dedicated to personnel expenses. 67% of this year's operating budget goes to wages and benefits. In an attempt to maintain a measure of financial stability, the Selectmen's guidelines provide for no net increase in positions on the Town side of the budget, but there are a couple of notable changes within the Town's personnel structure this year.

Through consolidation and reorganization, a \$57K savings has been realized within the Recreation Department. Also, a retirement within the Building Department has allowed for the re-grading (down) of a position. These realized savings from the Buildings position will be applied toward needed housekeeping services. Both the Main Library and Senior Center expressed acute needs for additional service or coverage of custodial care. This supports the well being and maintenance of our Town facilities and users and is now accommodated in this budget.

Public safety sees a restructuring at a net cost of just under \$50K. Mere dollars, however, do not clearly convey the advantages to service and capacity. Currently certain administrative operations (e.g. payroll, budgeting, accounts payable/receivable) of the Fire Department and Police Department, though housed in the same facility, are separate. Under the new structure these operations will be combined. The Public Safety Business Office will have a staff of three, one of which will be a Public Safety Business Manager who will report to both departments. This will free up officer time that had been spent overseeing this process. Additionally, two new Executive Officer positions are being created – one in each department. These positions will be voluntarily filled by existing officers with no increase in the total number of positions. These non-union Executive Officers will assist the Chiefs in administrative and departmental matters, providing broader and deeper managerial coverage. The officers will be compensated for their increased responsibilities, and for their loss of certain union benefits as well. While there is an incremental personnel cost associated with this restructuring, there is a gain in capacity, service, and organizational effectiveness.

Group Health & Benefits

Employee benefits will consume better than 16% of this year's revenues. Benefits include such things as pension, workers' comp, unemployment, life insurance and health insurance. Group Health costs, already accounting for more than 10% of our total General Appropriation, are growing at double digit rates, and contribute to the overall 6% growth rate in the Benefits area.

Surging healthcare costs affect the private sector, the public sector, and individuals. Containing the rate of growth in premiums so it doesn't cannibalize other benefits and wages is a challenge.

This year, money that had been earmarked for future Retiree Healthcare Fund, and freed up as a result of the FPRC recommendations, will be used towards Group Health costs. The Town's commitment of \$500K to the Group Health Trust has the effect of "buying down" the rate of premium increase, providing some measure of relief to both the Town and our employees. While we will still see a double digit premium rate increase, it will be markedly less than without this contribution.

Indications from preliminary responses of healthcare insurers suggest the Town and its employees may be able to realize even greater premium savings depending on elected levels of deductibles. While no one relished an increase in deductibles, the premium savings to individuals could far outweigh any incremental increase in these deductibles. This is a collective bargaining issue outside the scope of this budget, but its resolution will be significant to the Town and to our employees in next year's budget.

Financial Policy Review Committee (FPRC)

Last year, through the establishment of the FPRC the Town took a fresh look at its financial policy guidelines. Our financial guidelines have played a significant role in strengthening the Town's long-term fiscal health. Adherence to these guidelines has also contributed to Brookline's Aaa bond rating (the highest achievable), and thereby helped keep our borrowing costs down. The Advisory Committee has been supportive of these guidelines, and has encouraged some modifications. The final FPRC report maintains many familiar aspects, but there are a couple of notable changes as well; changes that influence the FY'05 budget.

The practice of socking away additional funds toward future obligations in our Retiree Group Health Fund has been suspended. It became clear that we needed to reconsider our approach to funding a potential future liability of nearly \$100 million at a century long pace. The Town's obligation to provide retiree healthcare benefits has not ceased – nor has its commitment. The Town will maintain benefits on a pay-as-you-go basis. Full funding of these future obligations both in the public and private sectors is an issue much larger than just ours. A systematic approach at the Federal and State levels will eventually be required, and may well require changes in the overall healthcare system. In the mean time, Brookline will continue to meet its obligations without trying to fund the future now. The financial upshot is that funds have been freed up and will instead be applied toward the Healthcare Trust.

Another significant change is in the Capital Stabilization Fund which now becomes a more general Stabilization Fund. As its former designation suggests, that fund had been indexed to the Town's value of capital and used as an emergency fund to safeguard it. In an unsettled economy where State and Federal funding is in jeopardy, it was felt that a general

Stabilization Fund for both Capital and Operating would be prudent. Clearly an emergency fund cannot underwrite an Operating Budget for very long – nor should it. The new guidelines set rather strict limits on the amount and duration of use. However, even limited use can prove vital in preserving a job or a program. It should be pointed out that the guidelines do not *require* funds to be used for Operating rather than Capital – but they provide for that *choice*. That means, there may be a time when the Town elects to reduce Free Cash at the expense of capital spending in order to support operating expenses in the short term. This Stabilization Fund, no longer a “Capital” Stabilization Fund, will be indexed at 3% of the prior year’s net revenue.

A final notable change is that of the Reserve Fund. Originally there was an Appropriated Reserve from tax revenues, and an Unappropriated Reserve funded from Free Cash. Each was set at 0.75% of the prior year’s net revenue. These percentages were later changed to 0.75% and 0.50% respectively, after assessing their historic utilization. In the current iteration there is a single Appropriated Reserve Fund equal to 1% of the prior year’s net revenue. 0.75% will be appropriated from tax revenue and 0.25% from certified Free Cash.

In our private lives we endeavor to live responsibly within our means, or somewhat below, and put something away in case of unforeseen hardship. This is the case with our municipal budget as well. These guidelines continue to contribute to Brookline’s sound budgeting and planning practices.

Capital Improvements Plan (CIP)

Brookline continues to have significant capital needs. How we accommodate those needs and maintain our physical assets is based on community standards and sound financial planning. We never lack for want, but it seems we always lack sufficient means. This year we will authorize over \$14M towards our CIP.

Funding for the CIP comes from grants (including CDBG, State/Fed. grants for Beacon St. construction, BAA), Enterprise Funds’ budgets, tax revenues (\$1.9M), Overlay surplus (\$3M) and Free Cash (\$5.7M). We are slated to authorize \$74.5 million on CIP items over the next six years. This averages over \$12M a year. Our financial guidelines call for 5.5% of the prior year’s net revenues to be applied toward the CIP (4.25% towards debt service and 1.25% toward pay-as-you-go financing).

This year’s split is 4.2% and 1.3% respectively. However, this ratio will shift over the next couple of years as we taken on a number of larger projects. During FY’08 and FY’09 we anticipate that nearly the full 5.5% will be dedicated to debt service. During that period, Free Cash will become even more critical in supporting the CIP.

Over the last 10 years Town Meeting has voted more than \$133M in bond authorizations. Total outstanding debt is on the order of \$90M, with debt service just above \$13M.

We, therefore, must focus on rigid project definitions and solid cost estimates. Part of good financial planning is the understanding and proper scheduling of debt. It means leveraging available funds and opportunities, and strategically using favorable economic trends. Brookline’s practice of long-term financial planning strives to do exactly that.

Schools

Brookline has long been revered for having one of the nation's finest school systems. This year's allocation to the School Department is \$55.4M (just over 52% of the General Fund).

Last year our schools, faced with unpleasant choices, put in place a series of structured reduction scenarios. This year's "maintenance of effort" budget is less discomfoting. As we are required to provide for certain mandated programs and services, funds for program expansions are often elusive. The Schools endeavor to maintain optimal class sizes as a high priority. Through management changes and program realignments the Schools have managed to slow the growth in SPED programming.

Of particular note this year is the discontinuation of the Elementary World Language program. This is a program that had been largely funded through grants, and hadn't been considered to be as robust as the Schools desired if financing were not an obstacle. In FY'05 the School Department will invest the savings from this program into a strategic study of world language programming, and increase the focus and support of math in K-8 as it did quite successfully with literacy several years ago.

A detailing of the School Department budget is provided below.

Challenges and Commitment

We have a long tradition of providing excellent services to our citizens, and Brookline's FY'05 budget is solid and responsible. But, balancing affordability and service is always a challenge.

Revenue growth is circumscribed, in large measure, by the constraints of Prop. 2^{1/2}. We have seen our commercial tax base decrease over the years and the pressures of 40B projects and condominiums increase, adding to an even greater imbalance in density in our community. Opportunity for new growth is limited. It cannot be squandered, and must be approached wisely.

Our pension obligations remain, even as investment returns decrease as a result of the larger economic climate. Pension obligations are to be viewed in the long-term (the Trust must be funded by 2028), but in the short-term they create pressures. State aid is precarious, local receipts may be decreasing and healthcare costs are soaring. Some of these trends may eventually reverse, but we don't know by how much or when.

Collective bargaining is a challenge in any economic climate. Everyone, understandably, wants increases in compensation. And, to be competitive and attract the sort of high quality employees we've come to rely on in Brookline, we must be competitive in providing that compensation. However, compensation (wages and benefits) composes most of our operating budget, and increases can outpace inflation and our capacity to raise revenues for only so long. We, therefore, must be creative and judicious in our programming and personnel structure if we are to maintain our high level of services and safeguard the jobs of our valued employees.

These are all challenges with which our community can effectively contend; however, it will require a degree of thoughtfulness and sacrifice from all of us.

Our community has not just survived for nearly 300 years – it has thrived. And it will continue to as a result of its committed citizens and employees.

The Advisory Committee votes unanimously for favorable action on the fiscal year 2005 budget for the Town as presented.

II. SCHOOL BUDGET

Introduction

The Advisory Committee and Town Meeting have only the authority to approve or disapprove the entire appropriation of Town funds for the School Department. The authority to allocate those funds within the budget is vested in the School Committee. However, the School Department has given us substantial, detailed information as to how those Town funds and additional grant monies will be spent. For informational purposes, a number of specific areas within that proposed budget are outlined below; this will illuminate the total budget number.

Budget Summary

The Commonwealth of Massachusetts has not yet finished working through the state budget crisis. There are no reductions in state monies for Local Aid but under the Governor's proposed budget, Local Aid, which was reduced the past several years, is being level funded. Therefore, the proposed increase of 3.7% in the School budget general fund is derived from local receipts. Grant funds to the School Department are expected to decrease by 3.78% and Revolving Funds (other than the tuition and building revolving funds) are expected to decrease by 2.07%. This means that the total proposed budget with all funds is only increasing by 2.07% to \$66,097,506 for FY 05. FY 05 is the second year in a multi-year collective bargaining contract. Salaries will rise by 2.5%, according to the agreement. In addition, an increase of \$250,000 is necessary for personnel step increases. Group Health Insurance costs, which are included in the Town of Brookline's Financial Plan and which are deducted before the appropriation for the School Department is determined, are expected to rise by approximately 12.8% for all employees.

<u>Revenue</u>		FY 05	% change From FY04
General Fund Appropriation	\$54,320,815		
+Override Funds	1,100,000	\$55,420,815	3.09 %
Tuition/Building Revolving Fund		\$ 232,850	0.0 %
Adult Ed/School Lunch		\$ 175,000	0.0 %
TOTAL		\$55,828,665	3.07 %
<u>Expenses</u>		FY 05	% of total
Personnel		\$47,208,325	84.56 %

Services	\$6,498,724	11.64%
Supplies	\$1,179,284	2.11%
Other	\$ 374,576	0.67%
Equipment	\$ 567,756	1.02%
Surplus	\$ 0	0.0%
TOTAL	\$55,828,665	100.0%

In addition, the School Department is anticipating \$5,842,400 in grant funds (a 3.78% decrease from FY 04) and \$4,426,441 in Revolving Funds other than those mentioned above.

The major focuses will be on maintaining class size at 25 or less (the average is close to 20 students/class); implementing a system-wide curriculum assessment; adding a modest increase in teacher development/training; helping students who are having trouble passing the MCAS; and continuing to restructure Special Education so that cost increases are contained. Finally, the most controversial aspect of the budget is the curriculum change to reevaluate how World Languages can be more effectively taught in grades K-6 and to use some of the financial resources that were directed toward World Languages last year to implement a Mathematical Proficiency program in the elementary grades, similar to the highly effective K-6 Literacy Program that has been in effect for a number of years.

This budget includes contingency funds for the potential loss of grant funds--\$125,000 and an enrollment contingency in case additional classes are needed--\$90,000.

Personnel costs have risen to 84.56% of the budget. This is about ½ percent more of the budget than in FY 04. Teachers account for a little over 50% of the total number of school employees. Aides and Technical staff account for another 19.72%. The remaining 30% are spread among administrative, clerical, support, food service, and custodial help.

Special Education

Perhaps the best news in this proposed budget is that the increase for FY 05 is only expected to be \$300,000. Increases in Special Education (SPED) have been running in the range of \$600,000 to \$700,000 over the past few years. Nancy Lane, Assistant Superintendent for Student Services, has been able to bring the increase down to a more manageable level by following two tactics so that the School Department did not have more children sent out of the district to private placements. First she created some additional programs within our existing schools to accommodate more of the SPED children. Second she has two "Educational Team Leaders" who work with the families of those children and with the schools to get SPED children the services they need within the existing system and, when possible, without too much transportation to various locations. Unfortunately, the School Department continues to see an increasing number of incoming students with autism. This is a national phenomenon and doctors do not yet have an explanation for why the rate is going up so much. In addition, we also continue to see a rise in the number of students who are considered medically fragile.

The total SPED budget for FY 05 is \$11,870,729. This does not include medical and mental health consultant services for SPED and other students which can be found in separate categories on page C-2 of the Superintendent's Recommended Budget. There are contingency reserves within the SPED budget in case private placements increase. A single student placed in a private school can cost more than \$50,000/year.

World Languages

A very significant change in the curriculum for FY 05 is the reevaluation of the Early World Language Program for grades K-6. Since 2001, a grant from the Freeman Foundation has funded instruction in Asian languages in the Brookline schools. Mandarin is offered at Baker, Lincoln, Driscoll, and Pierce. Lawrence has Japanese. Heath, Runkle, and Devotion have had Spanish, funded through the regular budget. The Freeman grant which covered Baker, Lincoln, and Pierce is expiring. Driscoll was the original pilot school for the program and its Freeman grant money will continue for at least two more years. The School Department estimated that covering the cost of the expiring grant would necessitate an additional \$330,000 that it would have to move from some other area.

After much discussion, the School Department recommended to the School Committee that the program not be continued in its present format. Teachers and principals, in general and with some notable exceptions, felt that the program had not been sufficiently integrated into the core curriculum and that the small amount of time that was devoted to the language training was not enough to impart any real language skills. The budget does include \$25,000 for a study as to how a more effective elementary language program could be offered. This may necessitate a longer school day. Many parents have expressed considerable regret that the Early World Language program is being suspended for the present. However, the School Committee has expressed its commitment to re-implementing an elementary World Language program as soon as possible. In the meantime, world languages will continue to be offered in 7th and 8th grades.

Math

The second very significant curriculum change for FY 05 is the launching of a Math Proficiency effort in grades K-8. This program will be modeled on the K-6 Literacy Program which has shown great results, both anecdotally and in test scores. The new initiative is expected to cost about \$160,000 in addition to money already spent on math. Some of the general budget money which was previously spent on 6th grade Spanish (see World Language discussion above) will be redirected to the Math Proficiency program. The money will be used to add 3.5 FTEs (Full Time Equivalents) for math specialists who will collaborate with teachers on working with students in the classroom and who will also begin working with the curriculum coordinators on a system-wide program to improve and update the math curriculum. In addition, \$10,000 has been added to the budget for materials and supplies to supplement the math program.

Adult Education

The Brookline Adult Education program has grown steadily since it began. However, in the past few years due to the weak economy, fewer people have been taking the adult education classes. The classes are taught in the Brookline School buildings and though the program is

not charged any rent, it has contributed money to the School Department budget for the past several years from its Revolving Fund in the form of overhead. In addition, the program pays for the position of custodial supervisor at the High School (\$50,000) and for a Lab Coordinator at the High School which benefits the daytime High School students as well as the Adult Education students. This year \$120,000 is going from the Adult Education Revolving Fund to the School Budget. Due to declining enrollment, Adult Education has depleted its cushion of surplus and will probably not be able to contribute so much in future years for overhead.

Grants

The Town receives a grant from the State for the 300 Metco students it has in the system. A total award of \$919,127 is expected for FY 05 from the grant.

Title 1 funds from the federal government are expected to drop by \$75,000 because Brookline has fewer low income children. Brookline should receive \$566,369 to give low income children at Devotion, Lawrence, Lincoln and Pierce extra instruction in reading and math.

The Elementary School Counseling Grant of \$56,000 expires in June of this year and is not expected to be renewed. The School Department has included money in the budget to cover the salaries of the two Social Workers who were paid out of this grant. The two Social Workers provide assistance at the Elementary Schools.

The grant from the State that funds the full-day Kindergarten classes is expected to continue. It is anticipated that the School Department will get \$304,071 in FY 05.

Other

The costs of the federal No Child Left Behind law and MCAS, which overlap for the most part, are not separated in the budget from other instructional and administrative costs.

The Budget does include funds to continue having a full-time nurse at each of the schools. The School Department also receives an Enhanced School Health Service grant, the funds from which must be shared with the private schools and preschools located in Brookline.

RECOMMENDATION

The School Subcommittee recommends Favorable Action on the budget appropriation of \$55,420,815 for the School Department.

Lawrence School Renovation

Although not in the School budget, the following update on the Lawrence School renovation may be of interest:

The School Committee, Building Commission, and Building Department all express "cautious optimism" that the Lawrence School renovation will be completed in time for students to occupy the building in September. After delays caused by the slow progress of

the initial contractor and negotiations with the bonding company following the removal of that contractor from the project, the current contractor, Consigli Construction appears to be making rapid progress toward substantial completion by July 7. There is no margin for error, however, and many punch list items will remain to be completed after substantial completion. Parents, teachers, and administrators are making plans for moving back from the Old Lincoln School.

The most recent budget figures for the Lawrence School renovation indicate that it may be possible to complete the project without an additional appropriation. The project is over budget in several categories of soft costs:

Architect Costs:	\$445,468
Peer Review:	\$5,977.50
Project Management/Clerk:	\$106,838
Transportation:	\$75,941.64 (with \$120,000 expected)
	<hr/>
	\$634,225.14 (plus \$120,000)

This likely total of \$850,000 or more exceeds the \$240,572 project contingency by over \$600,000. It may be possible, however, to cover some of these costs with funds obtained from the surety. For example, the extension of the architect's contract added \$189,149 to the budget. Transportation costs are over budget because the relocation of Lawrence to the Old Lincoln School has been extended. Town Counsel and the Building Department need to review potential claims for these expenses in light of the tender agreement with the surety. The Town may be able to collect liquidated damages.

There is currently a balance of \$863,887.26 in the construction contingency. Additional change orders of about \$60,000 are pending and there may be another \$250,000 before the project is completed. Any remaining balance in the construction contingency could be applied to cover other costs.

There is also a deficiencies adjustment of \$331,990 available to cover costs attributable to deficiencies in the work performed by Sciaba Construction. Some of the change orders from Consigli Construction, including one of \$51,422.38 are the result of these deficiencies. Another for \$66,776.00 is for disputed deficiencies. If these change orders were charged to the deficiencies adjustment, the balance in the construction contingency would exceed \$863,887.26. Similarly, some of the architect costs (at least \$15,182.42) can be attributed to additional work related to the deficiencies and could be covered by these funds. Any remaining balance in the deficiencies adjustment would be returned to the surety and cannot be used to fund other expenses.

The Advisory Committee votes unanimously for favorable action on the School Department's fiscal year 2005 budget appropriation request.

III. CAPITAL IMPROVEMENTS PROGRAM

Project Descriptions

**35. HEALTH DEPARTMENT RENOVATIONS/ PLANS and SPECS
\$400,000. (T)**

THESE FUNDS ARE FOR PLANS AND SPECIFICATIONS TO RENOVATE THE HEALTH DEPARTMENT BUILDING. THE PLANS WILL BE BASED ON THE FEASIBILITY DESIGNS MADE BY BH + A ARCHITECTS. THE BUILDING WILL GET A NEW HVAC SYSTEM, LIGHTING, WINDOWS, ELEVATOR, ROOF AND NEW INTERIOR LAYOUT. THE DESIGN WILL BRING THE BUILDING UP TO PRESENT BUILDING CODE AND ADA STANDARDS. THE BUILDING DESIGN WILL UTILIZE AS MANY "GREEN" COMPONENTS AS IS POSSIBLE. WHILE CONSTRUCTION OCCURS, THE STAFF WILL BE HOUSED AT THE OLD LINCOLN SCHOOL.

**36. PUBLIC BUILDING FURNISHING
\$31,469. (T)**

THE PUBLIC BUILDING FURNITURE AND EQUIPMENT CAPITAL PURCHASE IS AN ONGOING PROGRAM THAT BEGAN IN FY99 TO UPDATE AND IMPROVE OFFICE FURNITURE IN TOWN OFFICES. SINCE THE MAJORITY OF FURNITURE AT THAT TIME WAS 30+ YEARS OLD, THERE WERE ERGONOMIC, WEAR AND FIRE CODE ISSUES THAT NEEDED TO BE ADDRESSED. WE STANDARDIZED ON A BRAND AND PURCHASED MATERIALS, OFFICE FURNITURE, CABINETS, CHAIRS AND RELATED FURNITURE WITH A LIFETIME GUARANTEE. A PHASED IN APPROACH, 2 TO 3 DEPARTMENTS PER FISCAL YEAR, ALLOWED US TO REFIT ALL OFFICES IN TOWN HALL, INCLUDING THE SCHOOL DEPT ON THE 5TH FLOOR.

AS WE MOVE FORWARD, THE EXPENDITURES FOR ENTIRE DEPARTMENTS ARE COMPLETED, HOWEVER SMALLER FURNITURE REPLACEMENTS FOR SPECIFIC AREAS, SUCH AS INDIVIDUAL OFFICES AND WORKSTATIONS, AS WELL AS SPECIAL ITEMS, SUCH AS LARGE FILE CABINETS AND LATERAL FILES ARE REQUIRED.

**37. ASBESTOS REMOVAL
\$50,000. (T)**

THIS APPROPRIATION, WHICH IS REQUESTED EVERY YEAR THROUGH FY 2010, WILL ALLOW FOR THE REMOVAL OF ASBESTOS WHENEVER IT IS DISCOVERED IN A TOWN/SCHOOL FACILITY. MANY TIMES WHEN MECHANICAL SYSTEM REPAIRS ARE IN PROGRESS, EXPENSIVE ASBESTOS ABATEMENT HAS BEEN REQUIRED. THESE FUNDS WILL ALLOW FOR THE PROPER ABATEMENT OF ASBESTOS.

**38. ADA RENOVATIONS-TOWN/SCHOOL
\$50,000. (T)**

THIS ANNUAL PROGRAM OF ADA IMPROVEMENTS, IS REQUESTED IN ORDER TO BRING THE TOWN'S BUILDINGS INTO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), WHICH REQUIRES THAT THE TOWN MAKE PUBLIC BUILDINGS ACCESSIBLE

TO ALL. THESE FUNDS WILL BE USED ON BUILDINGS THAT ARE NOT PART OF CURRENTLY PLANNED MAJOR RENOVATIONS OR NEW PROJECTS.

**39. TOWN/SCHOOL BUILDING SECURITY/LIFE SAFETY
\$100,000. (T)**

OVER THE LAST FEW YEARS, THERE HAVE BEEN SEVERAL LARGE CAPITAL PROJECTS THAT HAVE IMPROVED THE SECURITY SITUATION AT THESE BUILDINGS. THIS PROGRAM WILL EXTEND THIS AND ADD TO THOSE AREAS WHERE SECURITY MAY BE LACKING. IN GENERAL, THE PLAN CALLS FOR MAKING ALL THE DOORS AROUND THE PERIMETER OF A BUILDING MORE SECURE BY REPLACING THE DOORS, FRAMES AND DOOR HANDLES AND LOCKS. ONLY THE FRONT MAIN ENTRANCE OF THE BUILDINGS WOULD ALLOW FOR GENERAL ACCESS, THESE DOORS WOULD HAVE ELECTRIC LOCKS AND ONLY BE ALLOWED TO OPEN ON A SPECIFIC SCHEDULE OR WITH A KEYPAD. AT THE FRONT DOOR A SPEAKER WILL BE ADDED TO INTERCONNECT TO THE BUILDINGS' EXISTING INTERCOM OR PHONE SYSTEM FOR THOSE PERSONS WHO ARE VISITORS AND A DOORBELL WILL ALSO BE ADDED. THE LIGHTING AROUND EACH BUILDING WILL ALSO BE IMPROVED, AND BE ON A TIMER. A SMALL CAMERA SYSTEM CONNECTED TO A COMPUTER WILL BE ADDED AT THE MAIN ENTRANCE TO MONITOR ACCESS TO THE BUILDING. IT IS NOT THE INTENT TO INSTALL A LARGE SCALE MONITORING SYSTEM DUE TO COMPLEXITY, MONITORING ISSUES, AND COSTS. THIS IS A FIRST STEP AT PROVIDING SOME ASSURANCES TO THE STAFF IN THE MAIN OFFICE AS TO WHO IS LOCATED AT THE FRONT AREA OF A BUILDING AND TO PROVIDE SOME MEANS OF RECORDING ACTIVITIES. THE SCHOOL BUILDINGS WOULD BE A PRIORITY. MOST SCHOOLS ARE IN GOOD CONDITION BUT FROM AN ASSESSMENT BY THE POLICE DEPARTMENT THINGS CAN AND SHOULD BE IMPROVED. THESE FUNDS WILL BE USED AT VARIOUS LOCATIONS AND AT THESE SPECIFIC LOCATIONS, BALDWIN SCHOOL, BAKER SCHOOL, DEVOTION SCHOOL, HIGH SCHOOL, RUNKLE SCHOOL, FIRE STATIONS, SOULE RECREATION CENTER AND ELIOT RECREATION CENTER.

**40. TECHNOLOGY APPLICATIONS
\$250,000. (T)**

THIS \$250,000 IS FOR FUNDING THE PROJECTS DETAILED IN THE INFORMATION TECHNOLOGY DEPARTMENT'S LONG-TERM STRATEGIC PLAN, WHICH WAS FINALIZED IN 2002 AND SERVES AS THE FRAMEWORK FOR TECHNOLOGY EXPENDITURES. THESE PROJECTS MEET THE SHORT-TERM OBJECTIVES SET BY THE CHIEF INFORMATION OFFICER (CIO) AND APPROPRIATE COMMITTEES. INCLUDED IN THESE PROJECTS ARE A SCHOOL AND STUDENT INFORMATION MANAGEMENT SYSTEM, A TOWN-WIDE DOCUMENT MANAGEMENT SYSTEM, AND PUBLIC LIBRARY WIRELESS TECHNOLOGY. IN ADDITION, THERE WILL BE FURTHER DEPLOYMENT OF THE EXISTING MAINTENANCE MANAGEMENT, PUBLIC SAFETY, NETWORK STORAGE, AND GEOGRAPHICAL INFORMATION SYSTEMS. THE FIVE-YEAR IT CIP WILL BE UPDATED ANNUALLY AND INTEGRATED INTO THE TOWN CIP.

COOLIDGE CORNER PARKING-FEASIBILITY STUDY
\$40,000. (O)

BEGINNING MORE THAN A DECADE AGO, AND INCREASINGLY EVERY YEAR, BOTH RESIDENTS AND THE BUSINESS COMMUNITY ARE FRUSTRATED BY THE LIMITED PARKING CAPACITY IN COOLIDGE CORNER. THE COMPREHENSIVE PLAN DISCUSSIONS HAVE REPEATEDLY IDENTIFIED ADDITIONAL PARKING IN COOLIDGE CORNER AS A TOP CONCERN. THE CHAMBER OF COMMERCE, COOLIDGE CORNER MERCHANTS ASSOCIATION AND THE COMMERCIAL AREAS COMMITTEE ALL HAVE IDENTIFIED INCREASING COOLIDGE CORNER PARKING CAPACITY AS PARAMOUNT TO THE CONTINUED HEALTH AND VITALITY OF THE BROOKLINE BUSINESS COMMUNITY. THE PLANNING DEPARTMENT HAS REPEATEDLY SEEN PARKING COSTS BECOME THE MAJOR LIMITING FACTOR IN PROJECTS, CAUSING PROJECT PUBLIC BENEFITS TO BE EXCLUSIVELY ASSOCIATED WITH AND LIMITED TO, PARKING. SMALL BUSINESS OWNERS HAVE TOLD US THEY LOSE QUALIFIED EMPLOYEES AS WELL AS CUSTOMERS BECAUSE OF THE PARKING CONSTRAINTS.

WITH THE TOWN'S FINANCES UNDER MUCH CHALLENGE, NON-TRADITIONAL SOLUTIONS TO PROBLEMS, SUCH AS PUBLIC/PRIVATE DEVELOPMENT PARTNERSHIPS, MUST BE EXPLORED. THIS FEASIBILITY STUDY WILL EXPLORE VARIOUS OPTIONS FOR ADDRESSING COOLIDGE CORNER'S PARKING AND DEVELOPMENT NEEDS - INCLUDING PUBLIC/PRIVATE PARTNERSHIPS FOR A DEVELOPMENT WITH PARKING, AND FINANCING OPTIONS. IT WILL PROVIDE A FRAMEWORK FOR THE TOWN TO SELECT A COURSE OF ACTION.

41. STREETSCAPE/CIVIC SPACE IMPROVEMENTS
\$205,000. (T)

THE MAJORITY OF BROOKLINE RESIDENTS ARE IN THE ENVIABLE POSITION OF BEING ABLE TO WALK TO A LOCAL COMMERCIAL CENTER. THIS PROJECT TARGETS BENEFITS FOR PEDESTRIANS. THE PREVIOUSLY FUNDED STREETSCAPE MASTER PLAN FIRST COMPLETED EXTENSIVE DOCUMENTATION OF THE EXISTING STREETSCAPE OF EACH COMMERCIAL DISTRICT. THE DISTRICTS STUDIED WERE: COOLIDGE CORNER, BROOKLINE VILLAGE, WASHINGTON SQUARE, JFK CROSSING, CHESTNUT HILL/PUTTERHAM AND ST. MARY'S STATION. THE REVIEW TEAM ANALYZED EACH AREA, DEVELOPING A SET OF OBSERVATIONS AND RECOMMENDATIONS UNIQUE TO EACH AREA. THE TEAM IDENTIFIED TWO OR THREE SPECIFIC PROJECTS CONSIDERED TO HAVE THE GREATEST POTENTIAL FOR POSITIVE IMPACT IN EACH OF THE COMMERCIAL AREAS, GIVEN THE ALLOTTED BUDGET AND CONTEXTS. THE DESIGN REVIEW COMMITTEE THEN SELECTED ONE OF THESE PROJECTS FROM EACH AREA TO BE DEVELOPED INTO A CONCEPTUAL SKETCH. THE PRIORITY PROJECTS SELECTED FOR THE SKETCHES WERE CHOSEN TO EXHIBIT A RANGE OF POSSIBLE STREETSCAPE IMPROVEMENTS. THESE DRAWINGS SERVE AS CONCEPT ILLUSTRATIONS AND ARE NOT FINISHED DESIGNS. THE PROJECTS ARE GROUPED INTO RECOMMENDATIONS FOR EITHER A GATEWAY OR A POCKET PARK. THIS FUNDING IS TO IMPLEMENT THE PRIORITY PROJECT FOR COOLIDGE CORNER. IT IS PROJECTED THAT IN SUBSEQUENT YEARS A DIFFERENT AREA WILL BE SELECTED FOR IMPROVEMENTS.

**PORTABLE EMERGENCY GENERATOR
\$105,000. (O)**

THE TOWN'S EMERGENCY MANAGEMENT TEAM HAS UNDERTAKEN AS ONE OF ITS RESPONSIBILITIES THE NEED TO DESIGNATE A BUILDING IN TOWN THAT CAN BE USED AS AN EMERGENCY SHELTER. WE HAVE DESIGNATED BROOKLINE HIGH SCHOOL HAS BEEN DESIGNATED AS THE PRIMARY LOCATION AND RED CROSS HAS APPROVED THIS FACILITY. FURTHERMORE, IN ORDER TO PROVIDE SHELTER SERVICES TO OTHER PARTS OF THE TOWN WE ARE ALSO LOOKING AT BAKER SCHOOL ON THE SOUTH SIDE AND EITHER LAWRENCE OR DEVOTION ON THE NORTH SIDE. ONE CRITICAL ITEM ALL OF THESE BUILDINGS ARE LACKING IS AN EMERGENCY GENERATOR. A GENERATOR WILL BE USED TO POWER LIGHTS, HEAT AND COOKING FACILITIES IN A BUILDING WHEN IT IS NECESSARY. UPON FURTHER STUDY, NONE OF THE BUILDINGS IDENTIFIED ABOVE CURRENTLY HAVE A GENERATOR CAPABLE OF MEETING THE NEEDS AS OUTLINED BY THE EMERGENCY MANAGEMENT TEAM.

**42. FIRE STATION DIESEL EXHAUST SYSTEMS
\$200,000. (T)**

THIS APPROPRIATION WILL EQUIP THE TOWN'S FIRE STATIONS WITH NEW "VEHICLE EXHAUST REMOVAL SYSTEMS". THE CURRENT SYSTEM CONSISTS OF A SERIES OF AUTOMATIC FANS WHICH ACTIVATE WHEN THE OVERHEAD DOORS ARE OPENED. THIS SYSTEM IS APPROXIMATELY 10 YEARS OLD AND SERVED ITS PURPOSE, BUT IS NOW CONSIDERED BY MANY FIRE AND HEALTH PROFESSIONALS TO BE OBSOLETE. THE SYSTEM OPERATES ON THE PREMISE THAT ALL DIESEL EXHAUST CONTAMINANTS WILL BE EXHAUSTED TO THE OUTSIDE. AIR QUALITY TESTS WERE CONDUCTED AT THE FIRE STATIONS IN 2003, AND REVEALED THAT DIESEL CONTAMINANTS WERE SPREADING THROUGHOUT EACH BUILDING WHEN THE FIRE TRUCKS WERE STARTED. THIS APPROPRIATION IS FOR THE INSTALLATION OF "SOURCE CAPTURE VEHICLE EXHAUST SYSTEMS" WITH FLEXIBLE HOSES ATTACHED TO THE VEHICLE EXHAUST PIPES AND VENTING DIRECTLY TO THE OUTSIDE, THE MOST EFFECTIVE METHOD OF REMOVING EXHAUST AND MINIMIZING ACCUMULATION IN THE FIRE STATION.

**43. FIRE STATION AIR CONDITIONERS
\$80,000. (T)**

TEMPORARY WINDOW AIR CONDITIONERS WERE INSTALLED AT VARIOUS STATIONS AS A MEANS OF TEMPORARILY PROVIDING RELIEF TO THE OCCUPANTS DURING THE HOT SUMMER MONTHS. THIS MONEY WILL BE USED TO PERMANENTLY INSTALL SPLIT/DUCT OR DUCTLESS AIR CONDITIONING IN THE BEST AND MOST EFFICIENT LAYOUT FOR THE BUILDINGS.

**44. FIRE STATION NUMBER 5 –WINDOWS/PLANS & SPECS
\$30,000. (T)**

THE PLANNED PROJECT FOR FIRE STATION NO. 5 IS TO REPLACE THE EXISTING WINDOWS, ENLARGE FOUR WINDOW OPENINGS, REPLACE SIX VERTICAL SKYLIGHTS, REPLACE SIX STOREFRONT/CURTAIN WALL SECTIONS IN THE FRONT, SIDE AND REAR OF THE BUILDING AND REPLACE 3 DOOR/FRAME/SIDELIGHTS.

**45. MAIN LIBRARY LANDSCAPING
\$100,000. (T)**

IN ORDER TO STAY WITHIN THE PROJECT BUDGET, MOST OF THE LANDSCAPE IMPROVEMENTS PLANNED FOR THE MAIN LIBRARY RENOVATIONS WERE REMOVED FROM THE PROJECT BEFORE IT WENT OUT TO BID. SINCE THAT TIME, THE TRUSTEES HAVE MET WITH PARK DEPARTMENT STAFF AND HAVE TALKED TO MEMBERS OF THE TREE PLANTING COMMITTEE REGARDING THIS ISSUE. AT THE RECOMMENDATION OF THE PARK DEPARTMENT, THE TRUSTEES HAVE SET ASIDE \$20,000 TO DEVELOP A MASTER PLAN FOR THE GROUNDS SURROUNDING THE BUILDING. THE PLAN WILL TAKE INTO CONSIDERATION THE IMPROVEMENTS MADE AROUND THE TOWN HALL AND WILL ENSURE THAT ALL PLANTINGS AND IMPROVEMENTS WILL BE SUSTAINABLE BY THE PARK DEPARTMENT. AN RFP IS NOW BEING DEVELOPED AND A PLANNER SHOULD BE HIRED IN THE SPRING. THESE FUNDS WILL BE USED TO IMPLEMENT THE PLAN, ONCE APPROVED.

**46. COOLIDGE CORNER LIBRARY HVAC UPGRADE
\$200,000 (T)**

THE ENGINEERING FIRM HIRED TO DEVELOP THE PLANS AND SPECIFICATIONS FOR THE UPGRADE OF THE COOLIDGE CORNER LIBRARY HVAC SYSTEM HAS DETERMINED THAT THE ORIGINAL AMOUNT SET ASIDE FOR THIS PROJECT WILL NOT BE ADEQUATE TO ADDRESS ALL OF THE ISSUES THAT NEED TO BE ADDRESSED. THE AMOUNT OF OUTSIDE AIR CURRENTLY BEING SUPPLIED DOES NOT MEET EXISTING CODES. THERE ARE THREE SEPARATE AIR HANDLING UNITS THAT NEED TO BE INTEGRATED INTO ONE UP-TO-DATE SYSTEM. IT HAS BEEN DETERMINED THAT SCALING BACK THE PROJECT TO WITHIN THE EXISTING BUDGETARY LIMIT WOULD LEAVE CRITICAL ASPECTS OF THE PROJECT INCOMPLETE, AND IN THE END, THE TOWN WOULD HAVE TO SPEND AN EVEN GREATER AMOUNT TO FINISH THE JOB. THESE FUNDS WILL BE ADDED TO FUNDS ALREADY ALLOCATED FOR THIS PROJECT.

**47. COOLIDGE CORNER LIBRARY/ FURNITURE-FRONT DESK
\$155,000. (T)**

THE MAIN CIRCULATION/PUBLIC SERVICE DESK WAS CONSTRUCTED IN 1957. OVER THE YEARS, IT HAS BEEN SOMEWHAT MODIFIED TO ACCOMMODATE COMPUTER TECHNOLOGY, BUT DOES NOT MEET THE NEEDS OF LIBRARY PATRONS OR STAFF IN A NUMBER OF WAYS. SINCE 1957, THE VOLUME OF ITEMS MOVING OVER THE DESK HAS INCREASED DRAMATICALLY AND COMPUTERS HAVE CHANGED HOW THESE ITEMS NEED TO BE HANDLED. THE ENTIRE DESK WILL BE REPLACED WITH AN ERGONOMICALLY CORRECT UNIT THAT CAN EASILY ACCOMMODATE COMPUTER TECHNOLOGY AND MEET THE NEEDS OF THOSE WITH DISABILITIES. ALMOST ALL OF THE FURNITURE USED BY THE PUBLIC WAS PURCHASED IN EITHER 1957 OR 1970. ALL TABLES AND CHAIRS WILL BE REPLACED AND SHELVING AND DISPLAY UNITS PURCHASED TO PROPERLY ACCOMMODATE CDS, DVDS AND OTHER LIBRARY MATERIALS.

**48. COOLIDGE CORNER LIBRARY/ DRIVEWAY REHAB
\$40,000. (T)**

THE DRIVEWAY WHICH LEADS TO THE BACK OF THE COOLIDGE CORNER LIBRARY IS BADLY DETERIORATED AND WILL BE COMPLETELY REBUILT. THERE IS A FAIRLY STEEP DROP NEAR PLEASANT STREET, WHICH THE DPW HAS BEEN REPAIRING EACH SPRING FOR MANY YEARS. IT HAS BEEN DETERMINED THAT THE BEST SOLUTION IS TO TEAR UP THE EXISTING PAVEMENT AND TOTALLY REBUILD THE ENTIRE DRIVEWAY. THE PROJECT IS COMPLICATED BY THE EXISTENCE OF A RETAINING WALL ALONG THE NORTH SIDE OF THE PROPERTY.

**49. PUTTERHAM LIBRARY/ ENTRANCE & BATHROOM ADA UPGRADE
\$50,000.(T)**

THE ENTRANCE DOORS TO THE PUTTERHAM LIBRARY WILL BE REPLACED AND AUTOMATED TO MAKE ACCESS EASIER FOR THOSE WITH DISABILITIES AND PARENTS WITH STROLLERS. IN ADDITION, MINOR IMPROVEMENTS WILL BE MADE TO THE REST ROOMS AND OTHER INTERIOR DOORS IN ORDER TO MAKE THE FACILITY MORE ACCOMMODATING FOR THOSE WITH DISABILITIES.

**50. PUTTERHAM LIBRARY/ FLOOR REPLACEMENT
\$25,000. (T)**

THE EXISTING CORK FLOOR IS PART OF THE ORIGINAL 1961 CONSTRUCTION. ALTHOUGH IT HAS WORN VERY WELL, MANY TILES ARE CHIPPED OR IN POOR CONDITION, AND POSE A SAFETY HAZARD TO LIBRARY PATRONS. IF THE BUDGET PERMITS, THE SAME CORK MATERIAL WILL BE USED. IF THE ORIGINAL BIDS ARE TOO HIGH, CARPET TILES WILL BE USED.

**51. PUTTERHAM LIBRARY HVAC
\$173,500. (T)**

THE PUTTERHAM BRANCH LIBRARY WAS CONSTRUCTED IN 1961 AND THE HVAC SYSTEM HAS BEEN OPERATING POORLY FOR MANY YEARS. HEATING AND COOLING IN THE BUILDING IS VERY UNEVEN. SEVERAL TIMES EACH YEAR, THE SYSTEM FAILS TO OPERATE AT ALL AND CUSTODIAL STAFF HAVE TO BE SENT FROM THE MAIN LIBRARY TO RE-START THE EQUIPMENT. THE BUILDING DEPARTMENT HAS BEEN REQUIRED TO MAKE FREQUENT REPAIRS AND HAS RECOMMENDED THAT THE SYSTEM HAVE A COMPLETE OVERHAUL. A FIRM WILL BE HIRED IN THE SUMMER TO DESIGN THE SYSTEM AND DEVELOP THE PLANS AND SPECIFICATIONS. THE ACTUAL REPLACEMENT WILL TAKE PLACE IN THE SPRING OF 2005.

**52. LIBRARIES- SELF CHECKOUT UNITS
\$ 50,000. (T)**

THESE FUNDS WILL BE USED TO PURCHASE TWO UNITS THAT WILL ALLOW LIBRARY PATRONS TO CHARGE OUT BOOKS AND OTHER LIBRARY MATERIALS WITHOUT THE ASSISTANCE OF A LIBRARY STAFF MEMBER. THESE UNITS ACT LIKE AN ATM MACHINE FOR THE LIBRARIES. THE UNITS ARE TIED INTO THE MINUTEMAN LIBRARY NETWORK'S COMPUTER SYSTEM. THEY READ THE BARCODE ON THE PATRON'S CARD, VERIFY THAT THE BORROWER IS IN GOOD STANDING, CHARGES OUT THE BOOK AND THEN

DESENSITIZES THE THEFT DETECTION STRIP IN ONE PROCESS. AT THE END OF THE TRANSACTION, IT PRINTS OUT A RECEIPT FOR THE PATRON. IT IS HOPED THAT 10-15% OF ALL TRANSACTIONS WILL EVENTUALLY FLOW THROUGH ONE OF THESE DEVICES, AND THAT THEY WILL PROVIDE A WELCOME ALTERNATIVE TO A LONG LINE ON OUR BUSIEST DAYS.

**53. SOUTH/GROVE STREETS SIGNAL MODERNIZATION
\$120,000. (T)**

THIS PROJECT CALLS FOR THE MODERNIZATION OF AGING (1964) TRAFFIC SIGNAL EQUIPMENT AND THE REDESIGN OF APPROACHES TO THE INTERSECTION TO PROVIDE BETTER VISIBILITY, CONTROL AND SAFETY. \$25,000 OF DESIGN MONEY WAS APPROPRIATED LAST YEAR FOR THIS WORK.

**54. NEWTON ST/WEST ROXBURY PARKWAY IMPROVEMENTS
\$150,000. (T)**

THIS IS A WIDE OPEN INTERSECTION WITH A HIGH VOLUME OF TRAFFIC AND HIGH VEHICLE SPEEDS. THIS APPROPRIATION WILL BE USED TO IMPLEMENT THE RESULTS OF THE STUDY WHICH WAS FUNDED LAST YEAR TO EVALUATE TRAFFIC ISSUES AT THIS LOCATION AND OTHER NEIGHBORING STREETS.

**55. HORACE JAMES CIRCLE IMPROVEMENTS
\$150,000. (T)**

THIS CIRCLE IS THE LOCATION OF THE CONVERGENCE OF FIVE MAJOR STREETS. THIS APPROPRIATION WILL BE USED TO IMPLEMENT THE RESULTS OF THE STUDY WHICH WAS FUNDED LAST YEAR TO EVALUATE TRAFFIC ISSUES AT THIS LOCATION AND OTHER NEIGHBORING STREETS.

**WASHINGTON/SCHOOL/CYPRESS SIGNAL PLANS
\$25,000. (CDBG)**

THIS LOCATION WILL BE 25 YEARS OLD WHEN SCHEDULED FOR UPGRADING. THE INTERSECTION IS LOCATED AT THE CONVERGENCE OF TWO HEAVILY TRAVELED COMMUTER ROUTES AND IS COMPLICATED BY HIGH PEDESTRIAN SCHOOL TRAFFIC.

**STREET HANDICAPPED ACCESS (ADA)
\$40,000. (CDBG)**

THIS IS THE CONTINUATION OF THE PROGRAM TO PROVIDE HANDICAP RAMPS AT PUBLIC SIDEWALKS, PLAYGROUNDS AND OTHER PUBLIC PLACES IN CONFORMANCE WITH THE LATEST REGULATIONS.

**56. STREET REHABILITATION (TOWN)
\$1,000,000. (T)**

ONE OF THE GOALS IF THE PUBLIC WORKS DEPARTMENT IS TO BRING THE CONDITION OF THE STREETS IN THE TOWN TO A POINT WHERE ONLY PERIODIC MAINTENANCE IS

REQUIRED TO KEEP THE STREETS IN GOOD CONDITION. WITH THE PAVEMENT MANAGEMENT PROGRAM, THE DEPARTMENT IS ABLE TO ESTABLISH A PROGRAM TO REACH THIS GOAL.

**STREET REHABILITATION (CDBG)
\$210,000. (CDBG)**

CERTAIN STREETS ARE ELIGIBLE FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS. IN FY-05 IT IS ANTICIPATED THAT JORDAN ROAD WILL BE RECONSTRUCTED.

**57. TRAFFIC CALMING
\$200,000. (T)**

THIS FUNDING WILL BE USED TO IMPLEMENT APPROVED TRAFFIC CALMING PROJECTS. APPROVED PROJECTS ARE THOSE WHICH HAVE BEEN REVIEWED, ANALYZED AND DESIGNED BY THE TRANSPORTATION DIVISION USING THE TRAFFIC CALMING POLICY AS A GUIDE.

**58. SIDEWALK REPAIR
\$240,000. (T)**

DPW RECEIVES MANY COMPLAINTS ABOUT THE CONDITION OF THE SIDEWALKS IN TOWN. WHEN A STREET IS RECONSTRUCTED, THE SIDEWALKS ARE REPLACED AS PART OF THAT CONTRACT; HOWEVER, THIS DOES NOT KEEP UP WITH THE DEMAND TO REPLACE DETERIORATED SIDEWALKS. A REPLACEMENT PROGRAM SPECIFIC TO SIDEWALKS IS ESTABLISHED EVERY YEAR TO ADDRESS THIS ISSUE. THIS FUNDING WILL BE USED TO CONTINUE IMPLEMENTATION OF THE PROGRAM.

**59. NEWTON STREET LANDFILL- ASSESSMENT/CORRECTIVE ACTION
\$2,000,000. (T)**

THE EXTENT OF THE MATERIALS REQUIRING SPECIFIC CORRECTIVE ACTIONS IN THE FRONT LANDFILL ON NEWTON STREET HAVE BEEN QUANTIFIED AND A REMEDIATION PLAN HAS BEEN DEVELOPED. THIS FUNDING WILL BE USED TO IMPLEMENT THE PLAN IN ACCORDANCE WITH THE APPROPRIATE ENVIRONMENTAL REGULATIONS.

**60. STREET LIGHT REPAIR/REPLACEMENT PROGRAM
\$100,000. (T)**

STREET LIGHTS PURCHASED FROM NSTAR, AS WELL AS THE REST OF THE TOWN OWNED STREET LIGHTS, ARE IN NEED OF REPLACEMENT OR UPGRADING FOR BOTH THE FIXTURES AND ELECTRIC CONDUIT. THIS WORK WILL SUPPLEMENT AND BE COORDINATED WITH THE ANNUAL MAINTENANCE WORK.

**BEACON STREET RECONSTRUCTION/ STATE
\$2,000,000. (G)**

IN GENERAL, THE OVERALL \$9.5 MILLION PROJECT CONSISTS OF ROADWAY IMPROVEMENTS TO THE BEACON STREET CORRIDOR FROM TOWN LINE TO TOWN LINE.

NEW SIGNALS WILL BE INSTALLED, EXISTING SIGNALS WILL BE UPGRADED, NEW ROADWAY PAVEMENT AND ALIGNMENT WILL BE INSTALLED, SELECTIVE SIDEWALKS WILL BE REPLACED AND MADE ADA COMPLIANT, LANDSCAPING AND STREET AMENITIES WILL BE INSTALLED AS WELL AS APPURTANCES CONSISTENT WITH ROADWAY CONSTRUCTION. THE STATE WILL FUND \$5 MILLION FOR THE CORE PROJECT (TRAFFIC/PAVEMENT IMPROVEMENTS) AND \$1.9 MILLION FOR THE DESIGN AND CONSTRUCTION OF THE ENHANCEMENTS PROJECT (LANDSCAPING/STREET AMENITIES). BECAUSE THE DESIGN OF THIS PROJECT HAS TAKEN SEVERAL YEARS, AND THE SCOPE OF WORK HAS EXPANDED FROM WHAT WAS ORIGINALLY ENVISIONED, THE STATE FUNDING WAS NOT SUFFICIENT TO COVER THE COSTS. LAST YEAR THE TOWN AUTHORIZED \$2.6 MILLION TO COVER THE COST OF THESE INCREASES. IT IS ANTICIPATED THAT THE PROJECT WILL BE BID IN THE FALL OF 2004 WITH THE MAJOR CONSTRUCTION BEGINNING IN THE SPRING OF 2005.

**61. LARZ ANDERSON PARK IMPROVEMENTS
\$185,000. (T)**

A MASTER PLAN FOR THE LONG TERM REHABILITATION OF LARZ ANDERSON PARK WAS APPROVED BY THE TOWN IN 1988 AND A HORTICULTURE MASTER PLAN WAS COMPLETED IN 2001. BOTH PLANS ARE GUIDES FOR LONG AND SHORT TERM PLANNING AND IMPROVEMENTS AND OFFER A COMPENDIUM OF INFORMATION RELATED TO THE PRESERVATION, RESTORATION, REHABILITATION, RECONSTRUCTION, MANAGEMENT AND CARE OF THIS HISTORIC LANDSCAPE. THE PRIMARY FOCUS OF IMPROVEMENT IS THE PROTECTION, STABILIZATION, AND PRESERVATION OF HISTORIC ARTIFACTS THAT WILL PREVENT SIGNIFICANT DETERIORATION OF THESE VALUABLE RESOURCES AND REDUCE RISK TO VISITORS. THIS APPROPRIATION OF \$185,000 IS PLANNED FOR THE RESTORATION OF THE PERGOLA, STAIRS, COLUMNS AND WALL AT THE TOP OF THE HILL

**62. PARKS/PLAYGROUNDS REHABILITATION/UPGRADE
\$250,000. (T)**

THIS IS AN ON-GOING TOWN- WIDE PROGRAM FOR THE REPAIR AND REPLACEMENT OF UNSAFE, DETERIORATING, PLAYGROUND, FENCE AND FIELD FACILITIES OR COMPONENTS. IMPROVEMENTS INCLUDE FENCE INSTALLATIONS, BACKSTOPS, MASONRY WORK, RETAINING WALLS, PICNIC FURNITURE REPAIRS, TURF MAINTENANCE AND RESTORATION, BENCH REPLACEMENTS, PLAY STRUCTURES, SAFETY SURFACING AND DRAINAGE IMPROVEMENTS. THIS PROGRAM PREVENTS MORE EXPENSIVE REHABILITATION THAT WOULD BE NECESSARY IF THESE ITEMS ARE CONTINUOUSLY LEFT TO DETERIORATE.

**63. TOWN/SCHOOL GROUNDS REHABILITATION
\$120,000. (T)**

THE TOWN/SCHOOL GROUNDS ARE IN NEED OF EXTENSIVE LANDSCAPING, STRUCTURAL IMPROVEMENTS AND REPAIR. THESE FUNDS WILL BE APPLIED TO CREATE ATTRACTIVE AND FUNCTIONAL LANDSCAPES AND HARDSCAPE IMPROVEMENTS. THESE FUNDS HAVE BEEN USED TO INITIATE SMALL CRUCIAL LANDSCAPE IMPROVEMENTS AT VARIOUS SCHOOLS AND TOWN GROUNDS INCLUDING: PLANT INSTALLATION, REGARDING,

RESEEDING, TREE WORK, NEW CONCRETE OR ASPHALT WALKWAYS, TRASH RECEPTACLES, BIKE RACKS, DRAINAGE IMPROVEMENTS, RETAINING WALLS, REPAIR TO STEPS, RAILINGS, BENCHES, OR OTHER EXTERIOR STRUCTURES.

**64. TENNIS/BASKETBALL COURTS
\$100,000. (T)**

THE TOWN OF BROOKLINE HAS OVER 19 BASKETBALL COURTS AND 36 HARD-COURT TENNIS COURTS. OVER TIME THE COURT SURFACE BEGINS TO DETERIORATE, CRACK AND WEATHER. IN ORDER TO MAINTAIN THE INTEGRITY, SAFETY AND PLAYABILITY OF THE COURTS, THE TOWN NEEDS TO PLAN FOR THE PHASED RECONSTRUCTION/RENOVATION/RESURFACING OF THE COURTS.

**65. DANE PARK RENOVATION-PLANS
\$60,000. (T)**

DANE PARK IS LOCATED IN SOUTH BROOKLINE, NORTH OF PUTTERHAM WOODS ALONG HAMMOND STREET. THIS AREA IS 17.23 ACRES IN SIZE AND USED FOR WALKING, WILDLIFE HABITAT, AND PICNICKING. THE PARK IS NOTABLE FOR ITS UNIQUE GEOLOGICAL FEATURES AND ITS ROLE IN A CONNECTED GROUP OF WOODED OPEN SPACES THAT FORM THE CHARLES TO CHARLES CORRIDOR. DANE PARK HAS ENORMOUS POTENTIAL AS A VALUABLE NATURAL, CULTURAL AND EDUCATIONAL RESOURCE FOR BROOKLINE RESIDENTS. IN THE 1960S THIS PARK WAS DEVELOPED AND PLAY EQUIPMENT, PARKING AND BARBEQUE GRILLS INSTALLED.

THE FUNDING IS INTENDED TO ALLOW FOR A BASE CONDITIONS SURVEY AND MASTER PLAN FOR DESIGN/DEVELOPMENT OF PHASED PARK IMPROVEMENTS INCLUDING TRAIL INSTALLATION, SITE PARKING, PICNICKING, BOARDWALKS, BENCHES, SIGNAGE, TREE PRUNING, INVASIVES REMOVAL, PLANTING AND DEBRIS REMOVAL.

**66. LAWTON PLAYGROUND
\$ 350,000. (T)**

LAWTON PLAYGROUND IS A SMALL PLAYGROUND IN THE NORTH OF BROOKLINE. THE PARK ITSELF IS SEPARATED INTO 2 SECTIONS, BISECTED BY LAWTON STREET. THE PARK IS IN A VERY DENSE NEIGHBORHOOD IN BROOKLINE AND ACCOMMODATES THE ELDERLY, VERY YOUNG AND TEENAGERS. FUNDING IS NEEDED FOR THIS PARK TO INSTALL UPGRADED SAFETY COMPLIANT PLAYGROUND EQUIPMENT, NEW BENCHES, PATHWAYS, PLANTING, BASKETBALL COURT SURFACE AND NETS, A RENOVATED LAWN AREA AND PERIMETER FENCING.

**67. TREE AND SHRUB MANAGEMENT
\$ 25,000. (T)**

THE TREES AND SHRUBS WITHIN THE PARKS AND PLAYGROUNDS ARE IN NEED OF ATTENTION. THE APPROPRIATION UNDER THE "TREE REMOVAL AND REPLACEMENT-TOWN" (BELOW) IS DESIGNATED FOR TREES WITHIN/ALONG THE PUBLIC ROADWAYS. THIS FUNDING WILL BE USED TO MANAGE TREES WITHIN THE PARKS AND PLAYGROUNDS SIMILAR TO THE PROGRAM IN PLACE FOR STREET TREES, BE IT PRUNING, INSTALLATION

OR REMOVAL. THERE ARE A SIGNIFICANT QUANTITY OF TREES AND SHRUBS IN NEED OF ATTENTION IN BROOKLINE'S PARKS AND PLAYGROUNDS.

68. LONGWOOD MALL
\$ 35,000. (T)

LONGWOOD MALL IS IN NEED OF REPLANTING WITH YOUNGER BEECH TREES THAT WILL, OVER TIME, REPLACE THOSE TREES THAT ARE IN DECLINE. IN ADDITION TO REPLANTING NEW BEECH TREES, THIS FUNDING IS ANTICIPATED FOR CABLING/BRACING, SPECIALIZED COMPOST MULCH TREATMENT, AND HEALTH PRUNING.

69. DOWNES FIELD TRACK
\$60,000. (T)

DOWNES TRACK WAS INSTALLED IN 1994. SECTIONS OF THE RUNNING TRACK SURFACE HAVE WORN DOWN OVER TIME DUE TO COMMUNITY AND SCHOOL USE. IN ORDER TO REPAIR WORN/CRACKED/DETERIORATED AREAS AND PROVIDE A SAFE AND USABLE RUNNING SURFACE, THE TRACK SURFACE NEEDS TO BE RESEALED/SPRAYED WITH APPROPRIATE TRACK SURFACING AND PAINTED.

70. TREE REMOVAL AND REPLACEMENT - TOWN
\$100,000. (T)

TREE REMOVAL AND REPLACEMENT - CDBG
\$30,000. (CDBG)

THE TREE REMOVAL AND REPLACEMENT PROJECT REPRESENTS THE TREE PLANTING COMMITTEE'S EFFORT TO BALANCE THE TOWN'S STREET TREES REMOVALS WITH PLANTINGS. AS TREES MATURE OR ARE IMPACTED BY STORM DAMAGE OR DISEASE IT IS CRITICAL TO REMOVE THESE BEFORE THEY BECOME PUBLIC HAZARDS. NEW TREE PLANTINGS ARE ALSO CRITICAL AS THEY DIRECTLY IMPACT THE TREE-LINED CHARACTER OF THE COMMUNITY. IT IS CRUCIAL TO EXPAND THE TOWN'S COMMITMENT TO PLANT THE MUCH NEEDED TREES. CDBG FUNDS ARE USED IN CDBG ELIGIBLE AREAS ONLY.

71. HEMLOCK ASSESSMENT AND HAZARD TREE REMOVAL
\$40,000. (T)

THE FUNDS REQUESTED ARE FOR THE ASSESSMENT, MONITORING AND MANAGEMENT OF THE HEMLOCK TREES IN BROOKLINE INCLUDING HAZARD TREE REMOVAL. IN BROOKLINE, NATURAL STANDS OF HEMLOCK OCCUR ON PUBLIC OPEN SPACES AT BAKER SCHOOL, DANE PARK, BLAKELY HOAR SANCTUARY, LARZ ANDERSON PARK, THE PUBLIC WORKS MUNICIPAL SERVICE CENTER, PUTTERHAM WOODS/ GOLF COURSE, THE SOULE RECREATION CENTER, AND THE WALNUT HILLS CEMETERY. APPROXIMATELY 3,380 EASTERN HEMLOCK TREES ARE LOCATED ON TOWN PUBLIC PROPERTIES. THE MAJORITY OF HEMLOCK TREES IN BROOKLINE ARE AT THE BLAKELY HOAR SANCTUARY (1,225 ACRES) AND PUTTERHAM WOODS (1,286 ACRES). THE TREE IS ALSO FOUND ON MANY PRIVATE PROPERTIES THROUGHOUT BROOKLINE. THE WOOLLY ADELGID IS A PARASITIC INSECT THAT THREATENS TO EXTINGUISH THE

EASTERN HEMLOCK TREE IN THE EASTERN UNITED STATES. TO DATE, THERE ARE LIMITED SOLUTIONS TO SAVE THE HEMLOCK SPECIES. MANY OF THE EASTERN HEMLOCKS HAVE BEEN INFESTED WITH THE WOOLLY ADELGID AND, WITHOUT TREATMENT, MAY DIE. THE TOWN IS CURRENTLY IN A POSITION THAT IT MUST REMOVE DEAD AND DYING EASTERN HEMLOCK TREES ANNUALLY IN ORDER TO PREVENT PERSONAL OR PROPERTY DAMAGE.

**72. WALNUT HILLS CEMETERY UPGRADE
\$35,000. (T)**

THE WALNUT HILLS CEMETERY HAS UNDERGONE A LANDSCAPE MASTER PLANNING PROCESS OVER THE PAST YEAR. THE LANDSCAPE MASTER PLAN HAS IDENTIFIED BOTH LONG-RANGE AND IMMEDIATE CAPITAL IMPROVEMENTS THAT ARE REQUIRED AT THE CEMETERY. THE FIRST PRIORITY IDENTIFIED IS TO REPAIR THE STONEWALL ALONG ALLENDALE ROAD AND GROVE ST, AND INSTALL A GATE AT THE GROVE STREET ENTRANCE. THE INTENT IS TO SEPARATE THE CEMETERY FROM THE BUSY/NOISY STREET, AND ALSO TO PROVIDE THE SECURITY AND CONTROL NECESSARY TO PROTECT THE CEMETERY. THE CEREMONIAL ENTRANCE STONEWALL AND GATE WILL BE THE MODEL FOR THIS MAIN ENTRANCE. THE CEMETERY ALSO REQUIRES REPAIR AND REPLACEMENT TO THE DAMAGED FENCE SURROUNDING THE PERIMETER OF THE PROPERTY. THE SECOND PRIORITY IS TO RESTORE THE CEREMONIAL ENTRANCE AND PROVIDE TREE AND SHRUB PLANTING/LANDSCAPING. IN ADDITION, THE CEMETERY NEEDS BENCHES AT VARIOUS IDENTIFIED LOCATIONS THROUGHOUT THE PROPERTY, AND ROADWAY IMPROVEMENTS.

**73. SMALL GREEN OPEN SPACES / STREETSCAPES
\$50,000. (T)**

A SIGNIFICANT GREENSPACE RESOURCE THAT IS NOT REFLECTED IN THE TRADITIONAL PARK INVENTORY IS THE STREETSCAPE, INCLUDING TRAFFIC MEDIANS, CIRCLES, SQUARES, TRIANGLES AND OTHER OPEN LAND. FOLLOWING THE RYDER CUP, THERE HAS BEEN A HEIGHTENED DEMAND TO IMPROVE THESE VISIBLE GREENSPACES THROUGHOUT THE TOWN. THE MONIES ALLOCATED IN THIS ITEM ARE FOR THE ESTABLISHMENT OF LANDSCAPE DESIGNS FOR THE RESTORATION AND STRUCTURAL IMPROVEMENTS TO THESE SPACES AND TO INCORPORATE IRRIGATION, WHERE APPROPRIATE. IN ADDITION, THIS MONEY WILL PROVIDE LANDSCAPE IMPROVEMENTS AND AMENITIES ALONG STREETSCAPES, SUCH AS BENCHES, TRASH RECEPTACLES, CONCRETE PADS, COMMERCIAL AREA PLANTINGS AND MAINTENANCE.

**74. SWIMMING POOL – WINDOWS, ROOF, CEILING, LIGHTING, HVAC
\$1,000,000. (T)**

REPLACE WINDOWS WITHIN MAIN POOL AREA. - THESE ARE THE ORIGINAL WINDOWS INSTALLED IN 1958. PLASTIC SHEETS WERE ADDED TO THE WINDOWS MANY YEARS AGO, AS AN ENERGY CONSERVATION ITEM. HAS RESULTED IN CONDENSATION WHICH HAS DESTROYED METAL FRAMING OF WINDOWS.

REPLACE HVAC UNITS - HVAC UNITS ARE ALSO ORIGINAL UNITS FROM 1958. TO BE REPLACED AS WELL IS THE DECTRON UNIT WHICH CONTROLS THE HUMIDITY WITHIN THE POOL BUILDING.

STRUCTURAL WORK ON THE CEILING AND ROOF - A STUDY CONDUCTED IN 2003 RECOMMENDED RENOVATION AND REPLACEMENT OF CERTAIN SECTIONS OF THE POOL ROOF AND INTERIOR CEILING. NEW LIGHTING WILL ALSO BE INSTALLED AT THIS TIME. IN ORDER TO SHORTEN THE LENGTH OF TIME OF CLOSURE THIS WORK MUST BE COMPLETED ALL TOGETHER.

RECREATION FACILITIES MASTER PLAN
\$100,000. (O)

THESE FUNDS WILL GO TOWARDS THE DEVELOPMENT OF COMPREHENSIVE PLAN, WHICH WILL INCLUDE AN INVENTORY ANALYSIS OF PRESENT RECREATION FACILITIES AND PLANS FOR FUTURE RECREATION FACILITIES WITHIN THE TOWN OF BROOKLINE. THE STUDY WOULD INCLUDE CONSIDERATIONS IDENTIFIED IN 2001 NEEDS ASSESSMENT AND THE TOWN'S COMPREHENSIVE PLAN.

CONSIDERATIONS INCLUDED ARE: FUTURE NEEDS OF PRESENT FACILITIES, FEASIBILITY OF FUTURE NEW RECREATION FACILITIES NEEDED TO MEET THE DESIRES OF THE COMMUNITY, INVESTIGATION OF POSSIBLE SITES FOR NEW RECREATION FACILITIES, ETC. SOME OF THE ITEMS IDENTIFIED WITHIN THE COMPLETED NEEDS ASSESSMENT ARE: INDOOR FITNESS CENTER, OUTDOOR POOL, ATHLETIC FIELDS, INDOOR ICE SKATING RINK, ETC. THIS MASTER PLAN WILL BE COMPLETED IN CONJUNCTION WITH THE PARK AND OPEN SPACE MASTER PLAN, WHICH WAS FUNDED IN A PREVIOUS YEAR.

75. SOULE RECREATION CENTER – WINDOWS
\$75,000. (T)

THE WINDOWS IN THE COURT YARD OF SOULE WERE REPLACED FIVE YEARS AGO. THE REMAINDER OF THE WINDOWS ARE THE ORIGINAL WINDOWS AND ARE IN DESPERATE NEED OF REPLACEMENT.

76. SCHOOL FURNITURE UPGRADE
\$50,000. (T)

THIS IS A CONTINUING PROGRAM TO UPGRADE FURNITURE IN ALL SCHOOLS. MUCH OF THE FURNITURE IN THE SCHOOLS IS VERY OLD AND WORN. THIS REPLACEMENT PROGRAM WHICH WILL BE ONGOING FOR SEVERAL YEARS WILL REPLACE THE MOST OUTDATED AND WORN ITEMS.

77. ENERGY MANAGEMENT SYSTEM
\$80,000. (T)

THESE FUNDS WILL UPGRADE THE ENERGY MANAGEMENT SYSTEMS IN ALL TOWN AND SCHOOL BUILDINGS. MOST OF THE LARGER BUILDINGS HAVE OLDER (25 YEARS) ENERGY MANAGEMENT SYSTEMS. THE EXISTING SYSTEMS HAVE GONE BEYOND THEIR

LIFE EXPECTANCY AS PARTS AND REPLACEMENT PARTS ARE NOT AVAILABLE. THESE SYSTEMS WOULD BE REPLACED AND UPGRADED. THE SYSTEMS WOULD BE WEB-BASED AND INTEGRATED INTO THE TOWN'S EXISTING COMPUTER NETWORK SYSTEM.

**78. DRISCOLL SCHOOL HVAC IN AUDITORIUM
\$120,000. (T)**

THESE FUNDS WILL BE USED TO UPGRADE THE HVAC UNIT IN THE AUDITORIUM. THE AUDITORIUM WAS RENOVATED IN 2 PHASES OVER SEVERAL YEARS ABOUT 10 YEARS AGO. THE SPACE USED WAS THE OLD BOYS AND GIRLS GYM. THAT EXISTING PLAN CALLED FOR NEW LIGHTING, SEATING, PAINTING AND CARPETING. DUE TO IS EVER INCREASING USAGE, THE VENTILATION SYSTEM HAS BEEN DETERMINED TO BE INADEQUATE. THESE FUNDS WOULD REPLACE THE EXISTING DIVIDED SYSTEMS (CIRC. 1928) AND INSTALL MODERN VENTILATION AND EXHAUST EQUIPMENT.

**79. OLD LINCOLN SCHOOL ELEVATOR
\$165,000. (T)**

MONIES HAVE BEEN APPROPRIATED FOR THE DESIGN AND CONSTRUCTION OF AN ELEVATOR AT THE OLD LINCOLN SCHOOL ON RTE. 9. PRESENTLY, THE BUILDING HAS NO ELEVATOR. IT WAS BUILT IN 1936 AND HAS 4 FLOORS. HANDICAP ACCESS IS LIMITED TO THE BUILDING BY A RAMP THAT STARTS AT RTE. 9 AND RUNS ALONG THE FRONT FAÇADE. TO GAIN ACCESS TO THE BUILDING IN A WHEELCHAIR, ONE MUST FOLLOW A RAMP TO A REAR DOOR THAT IS AT GRADE. THE ORIGINAL CONCEPT, FUNDED BY THE PREVIOUS APPROPRIATION, WAS TO INSTALL AN ELEVATOR THAT WOULD ALLOW ACCESS TO ALL LEVELS OF THE BUILDING. HOWEVER, A PERSON IN A WHEELCHAIR WOULD STILL HAVE TO NAVIGATE THE RAMP IN THE FRONT OF THE BUILDING TO GET UP TO THE FIRST FLOOR OF THE SCHOOL. ACCESS WOULD BE MADE TO THE ELEVATOR BY A DOOR LEADING TO THE PLAYGROUND AREA. THAT PLAN, ALTHOUGH FEASIBLE, WOULD NOT MEET ADA REQUIREMENTS AND WOULD BE TOO CUMBERSOME.

THIS APPROPRIATION WILL SUPPLEMENT AN EXISTING BUDGET AND ALLOW THE ELEVATOR TO BE INSTALLED IN THE BUILDING. THE ELEVATOR WOULD TRAVEL TO ALL FLOORS, PLUS IT WILL ALSO GO DOWN THROUGH THE BUILDING TO A NEW TUNNEL THAT WOULD ALLOW ACCESS DIRECTLY TO RTE. 9.

**80. PIERCE SCHOOL/ WINDOW REPLACEMENT
\$575,000. (T)**

THESE FUNDS WILL BE USED TO REPLACE EXISTING WINDOWS OPENINGS AT THE SCHOOL WITH WINDOWS THAT CAN BE OPENED. ALSO, NEW WINDOW LOCATIONS WILL BE INSTALLED IN THOSE AREAS WHERE THERE ARE NO WINDOWS. THE ORIGINAL DESIGN OF THE HVAC SYSTEM AT THE PIERCE INCLUDED AIR CONDITIONING. IF THE AIR CONDITIONING IS OFF, AND THE WINDOWS CAN'T OR DON'T OPERATE, IT MAKES IT DIFFICULT FOR THE STAFF AND STUDENTS.

**81. SCHOOLS TRASH COMPACTORS
\$65,000. (T)**

THESE FUNDS WILL BE USED TO REPLACE THE OUTSIDE TRASH BINS AT THE SCHOOLS. THESE UNITS ARE SELF-CONTAINED COMPACTORS THAT CAN HOLD ABOUT ONE WEEK'S WORTH OF REFUSE. THIS ALLOWS FOR LESS PICK-UPS FOR THE DPW. DUMPSTERS ARE PLANNED ON BEING INSTALLED AT THE BAKER, DEVOTION AND NEW LINCOLN SCHOOLS.

**82. WATER METER REPLACEMENTS
\$50,000. (E)**

THE SCOPE OF THE PROJECT INITIATED IN FY 2001 PROVIDED FOR THE INSTALLATION OF A NEW STATE-OF-THE-ART ELECTRONIC METER READING SYSTEM THAT COLLECTS AND PROCESSES 10,000 METER READINGS PER MONTH. THIS ONGOING PROJECT CONTINUES WITH THE REPLACEMENT OF ABOUT 700 METERS EACH YEAR, IN ORDER TO COMPLETE THE OVERALL REPLACEMENT OF THE TOWN'S 10,000 TOTAL METERS.

**83. + 84. MUDDY RIVER RESTORATION/EMERALD NECKLACE PARK
\$905,000. (T)
\$745,000. (B)**

THE MUDDY RIVER RESTORATION PROJECT INVOLVES A RANGE OF PHYSICAL IMPROVEMENTS AND MANAGEMENT PRACTICES THAT WILL PROVIDE FLOOD CONTROL, WATER QUALITY IMPROVEMENTS, HABITAT ENHANCEMENT, HISTORIC LANDSCAPE RESTORATION AND STORMWATER IMPROVEMENTS. THE PROJECT CONSTITUTES THE FIRST PHASE IN THE LONG-TERM RESTORATION OF THE ENTIRE SYSTEM OF EMERALD NECKLACE PARKS IN BOSTON AND BROOKLINE. THE CURRENT CAPITAL FUNDING PROGRAM INCLUDES \$46 MILLION FROM THE US ARMY CORPS OF ENGINEERS, \$25 MILLION FROM THE COMMONWEALTH, \$11 MILLION FROM BOSTON, AND \$1.65 MILLION FROM BROOKLINE, IN ADDITION TO OTHER STATE AND FEDERAL GRANTS ALREADY ALLOCATED. THE EMPHASIS OF THE PROJECT IS BANK TO BANK DREDGING, ENLARGING CULVERTS TO IMPROVE FLOW CAPACITY, BANK STABILIZATION AND REMOVAL OF INVASIVE VEGETATION CONSTRICTING FLOW IN THE RIVER.

(T) TAX (B) BOND (G) GRANT (O) OTHER

(EB) ENTERPRISE BOND (E) ENTERPRISE FUND

(CDBG) COMMUNITY DEVELOPMENT BLOCK GRANT

ADVISORY COMMITTEE'S RECOMMENDATION

The Advisory Committee unanimously recommends FAVORABLE ACTION on the following vote for the fiscal year 2005 budget:

VOTED: To approve the budget for fiscal year 2005 set forth in the attached Tables I and II; to appropriate the amounts set forth for such fiscal year in the departments and expenditure object classifications within departments, as set forth in Tables I and II, subject to the following conditions; to raise all sums so appropriated, unless other funding is provided herein; and to establish the following authorizations:

1.) TRANSFERS AMONG APPROPRIATIONS: Transfers between the total departmental appropriations separately set forth in Tables I and II shall be permitted only by vote of Town Meeting. Within each separate departmental appropriation, expenditures shall be restricted to the expenditure object classifications set forth in the recommendation of the Advisory Committee, and voted by the Town Meeting, for each department, subject to the following exceptions:

- A) Expenditures within the appropriation for the School Department shall not be restricted.
- B) The following transfers within the appropriations for each department (other than the School Department and the Library Department), shall be permitted only with the prior written approval of the Board of Selectmen and Advisory Committee:
 - i) Transfers from the appropriation for the capital outlay object classification to any other object classification.
 - ii) Transfers to the appropriation for the personal services object classification from any other object classification.
 - iii) Any transfer which has the effect of increasing the number of positions or the Compensation for any position, exclusive of adjustments in wages and benefits voted separately by Town Meeting.
 - iv) Within the Building Department appropriation, any transfer of more than \$5,000 to or from the repairs to public building appropriations.
 - v) Transfers within the Department of Public Works from the Parks Division to any other purpose.
- C) Transfers within the Library Department appropriation shall be permitted with the approval of the Board of Library Trustees, and upon the condition that written notice of such approval shall be submitted promptly to the Advisory Committee, Town Administrator and Town Comptroller.
- D) All other transfers within the total appropriation for a particular department shall be permitted with the written approval of the Town Administrator, subject to review and approval of the Board of Selectmen, and upon the condition that written notice of each such approval shall be submitted promptly to the Advisory Committee.

2.) PROCUREMENT CONTRACTS AND LEASES: The Chief Procurement Officer is authorized to lease, or lease with an option to purchase, any equipment or capital item funded within the FY2005 budget, and to solicit and award contracts for terms of more than three years, provided that in each instance the longer term is determined to be in the best interest of the town by a vote of the Board of Selectmen.

3.) ALLOCATION OF SALARY ADJUSTMENTS: Appropriations for salary and wage adjustments (Item #20) shall be transferred by the Town Comptroller to the various affected departments within (60) days from the beginning of the fiscal year, or in the absence of duly approved collective bargaining agreements, within (60) days of the approval of the collective bargaining agreements by Town Meeting. The Board of Selectmen shall determine the salaries, which may include merit adjustments, for employees not included in any collective bargaining agreement.

Should a balance remain after the Town Comptroller has made the transfers specified herein, said balance shall be transferred by the Town Comptroller to a budget line entitled Personal Services Reserve, which shall be used to fund costs incurred over the course of the fiscal year pursuant to employee contracts and/or established personnel policies. The Town Comptroller shall include an accounting of all transfers made from this reserve in the Annual Financial Report.

4.) SALARIES OF ELECTED OFFICIALS: The salaries of members of the Board of Selectmen shall be at the rate of \$3,500 per year for the Chairman and at the rate of \$2,500 per year for each of the other four members. The annual salary of the Town Clerk shall be at the rate of \$82,631 effective July 1, 2004, plus any adjustment approved by vote of the Board of Selectmen. The Town Clerk shall pay all fees received by the Town Clerk by virtue of his office into the Town treasury for Town use.

5.) VACANT POSITIONS: No appropriation for salaries, wages, or other compensation shall be expended for a position which has become vacant during the fiscal year unless the Board of Selectmen, at an official meeting, has determined that the filling of the vacancy is either essential to the proper operation of the Town or is required by law. This condition shall not apply to appropriations of the School Department.

6.) GOLF ENTERPRISE FUND: The following sums, totaling \$1,412,686 shall be appropriated into the Golf Enterprise Fund, and may be expended under the direction of the Park and Recreation Commission, for the operation of the Golf Course:

Salaries	\$191,081
Purchase of Services	\$635,830
Supplies	\$61,100
Capital	\$580
Reserve	<u>\$42,411</u>
Total Appropriations	\$931,002
Indirect Costs	<u>\$481,684</u>
Total Costs	\$1,412,686

Total costs of \$1,412,686 to be funded from golf receipts with \$481,684 to be reimbursed to the General Fund for indirect costs.

7.) WATER AND SEWER ENTERPRISE FUNDS: The following sums, totaling \$20,676,306, shall be appropriated into the Water and Sewer Enterprise Fund, and may be expended under the direction of the Commissioner of Public Works for the Water and Sewer purposes as voted below:

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
Salaries	1,735,120	232,748	1,967,867
Purchase of Services	109,317	125,766	235,082
Supplies	94,815	8,535	103,350
Other	3,600	0	3,600
Capital	124,000	171,500	295,500
Intergovernmental	3,992,242	9,119,839	13,112,081
Reserve	<u>95,382</u>	<u>112,873</u>	<u>208,255</u>
Total Appropriations	6,154,475	9,771,260	15,925,735
Indirect Costs	<u>3,434,357</u>	<u>1,316,214</u>	<u>4,750,571</u>
Total Costs	9,588,832	11,087,475	20,676,306

Total costs of \$20,676,306 to be funded from water and sewer receipts with \$4,750,571 to be reimbursed to the General Fund for indirect costs.

8.) REVOLVING FUNDS:

- a.) The Park and Recreation Commission is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2, a revolving fund for special recreation programs and events. All receipts from said programs and events shall be credited to the fund. Annual expenditures from the fund shall not exceed \$1,013,532.
- b.) The Building Commissioner is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2, a revolving fund for the repair and maintenance of the Town's rental properties, including all those listed in the vote under Article 13 of the Warrant for the 1999 Annual Town Meeting plus the Brookline Public Health Center building. All receipts from said rental properties shall be credited to the fund, except that one half of the proceeds from the Health Center shall be used to fund graduate student interns for the Health Department. Annual expenditures from the fund shall not exceed \$100,000.
- c.) The Commissioner of Public Works is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2, a revolving fund for the construction and reconstruction, upkeep, maintenance, repair and improvement of sidewalks and walkways along public streets and ways over, across and through

town owned property. Annual expenditures from the fund shall not exceed \$400,000.

- d.) The Director of Planning and Community Development is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2, a revolving fund for the Façade Improvement Loan Program. Annual expenditures from the fund shall not exceed \$30,000.

9.) SCHOOLHOUSE MAINTENANCE AND REPAIR: The sum of \$3,117,777, included within the Building Department appropriation for school building maintenance, shall be expended for School Plant repair and maintenance and not for any other purpose. The listing of work to be accomplished shall be established by the School Department. The feasibility and prioritization of the work to be accomplished under the school plant repair and maintenance budget shall be determined by the Superintendent of Schools and the Building Commissioner, or their designees.

10.) INTERFUND TRANSFERS: In order to fund the appropriations voted for the various departments itemized on Table 1 and to provide funding toward the subsequent retiree healthcare obligation, the Town Comptroller is authorized to make the following interfund transfers:

Parking Meter Special Revenue Fund (to the Department of Public Works - \$962,500) (to the Police Department - \$962,500)	\$1,925,000
State Library Aid Special Revenue Fund (to the Library)	\$ 41,555
Cemetery Perpetual Care Expendable Trust Fund (to the Department of Public Works)	\$ 10,000
Cemetery Sales Special Revenue Fund (to the Department of Public Works)	\$ 40,000
Recreation Revolving Fund (to the General Fund for benefits reimbursement)	\$ 112,781
Adult Education (School Department) (to the General Fund for benefits reimbursement)	\$ 30,000
Title I (School Department) (to the General Fund for benefits reimbursement)	\$ 25,000
Special Education Grant (School Department) (to the General Fund for benefits reimbursement)	\$ 34,500
Gear-Up Grant (School Department) (to the General Fund for benefits reimbursement)	\$ 10,500

11.) BUDGETARY REPORTING: The Town Comptroller shall provide the Advisory Committee with a report on the budgetary condition of the Town as of September 30, December 31, March 31, and June 30, within 45 days of said dates. This financial report shall include a summary of the status of all annual and special appropriations voted in this article; a report on the status of all special appropriations voted in prior years which remain open at the reporting date; and a summary of the status of all revenues and inter-fund transfers which have been estimated to finance the appropriations voted under this article.

12.) SPECIAL APPROPRIATIONS: The appropriations set forth as items 35 through 84, inclusive, in Table 1 shall be specially appropriated for the following purposes:

- 35.) Raise and appropriate \$400,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for engineering or architectural services for plans and specifications for remodeling, reconstructing, or making extraordinary repairs to the Stephen Glover Train Memorial Health Building.
- 36.) Raise and appropriate \$31,469, to be expended under the direction of the Chief Procurement Officer, with the approval of the Board of Selectmen, for furnishings and equipment for Town Buildings.
- 37.) Raise and appropriate \$50,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for removal of asbestos from Town and School buildings.
- 38.) Raise and appropriate \$50,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for ADA renovations to Town and School buildings.
- 39.) Raise and appropriate \$100,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for improvements to life safety systems in Town and School facilities and for the purpose of improving building security in Town and School facilities.
- 40.) Raise and appropriate \$250,000, to be expended under the direction of the Chief Information Officer, with the approval of the Board of Selectmen, for the enhancement of town-wide hardware and software.
- 41.) Raise and appropriate \$205,000, to be expended under the direction of the Director of Planning and Community Development, with the approval of the Board of Selectmen and the Preservation Commission, for streetscape and civic space improvements in the Coolidge Corner area.
- 42.) Raise and appropriate \$200,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for the purchase and installation of a vehicle exhaust fume removal system at each fire station.

- 43.) Raise and appropriate \$80,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for the design and installation of air conditioning systems at various fire stations.
- 44.) Raise and appropriate \$30,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen, for the replacement of windows at Fire Station #5 (49 Babcock Street) and all associated expenses.
- 45.) Raise and appropriate \$100,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Board of Library Trustees, for landscaping improvements at the Main Library.
- 46.) Raise and appropriate \$200,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Board of Library Trustees, for the upgrade of the HVAC system at the Coolidge Corner Library.
- 47.) Raise and appropriate \$155,000, to be expended under the direction of the Library Trustees, with the approval of the Board of Selectmen, for furnishings at the Coolidge Corner Library.
- 48.) Raise and appropriate \$40,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Board of Library Trustees, for the rehabilitation of the driveway at the Coolidge Corner Library.
- 49.) Raise and appropriate \$50,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Board of Library Trustees, for ADA renovations to the entrance and bathrooms at the Putterham Library.
- 50.) Raise and appropriate \$25,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Board of Library Trustees, for the replacement of the floor at the Putterham Library.
- 51.) Raise and appropriate \$173,500, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Board of Library Trustees, for the upgrade of the HVAC system at the Putterham Library.
- 52.) Raise and appropriate \$50,000, to be expended under the direction of the Board of Library Trustees, with the approval of the Board of Selectmen, for the purchase of self check-out units.
- 53.) Raise and appropriate \$120,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the modernization of a traffic signal at the South Street / Grove Street intersection.
- 54.) Raise and appropriate \$150,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the

- implementation of the study of traffic improvements at the Newton Street / West Roxbury Parkway intersection and/or neighboring streets.
- 55.) Raise and appropriate \$150,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the implementation of the study of traffic improvements at Horace James Circle, Francis X. Ryan Circle (Putterham Circle), and/or nearby streets.
 - 56.) Raise and appropriate \$1,000,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the rehabilitation of streets.
 - 57.) Raise and appropriate \$200,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for traffic calming studies and improvements.
 - 58.) Raise and appropriate \$240,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the rehabilitation of sidewalks.
 - 59.) Raise and appropriate \$2,000,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for assessment and corrective action associated with the Newton Street Landfill.
 - 60.) Raise and appropriate \$100,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for streetlight replacement and repairs.
 - 61.) Raise and appropriate \$185,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the construction and reconstruction of facilities at Larz Anderson Park, including, but not limited to, the restoration of the pergola, stairs, columns, and wall at the top of the hill.
 - 62.) Raise and appropriate \$250,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the renovation of playground equipment, fields, and fencing.
 - 63.) Raise and appropriate \$120,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the rehabilitation of Town / School grounds.
 - 64.) Raise and appropriate \$100,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the rehabilitation of tennis courts and basketball courts.

- 65.) Raise and appropriate \$60,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the study and design of improvements to Dane Park.
- 66.) Raise and appropriate \$350,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the design of and improvements to Lawton Playground.
- 67.) Raise and appropriate \$25,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the tree and shrub management program.
- 68.) Raise and appropriate \$35,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the removal and replacement of certain trees on the Longwood Mall.
- 69.) Raise and appropriate \$60,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the repair of Downes Field track.
- 70.) Raise and appropriate \$100,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen and the Tree Planting Committee, for the removal and replacement of trees.
- 71.) Raise and appropriate \$40,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the removal and replacement of Hemlock Trees.
- 72.) Raise and appropriate \$35,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for improvements to the Walnut Hills Cemetery.
- 73.) Raise and appropriate \$50,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for improvements to small green open spaces / streetscapes.
- 74.) Raise and appropriate \$1,000,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Park and Recreation Commission, for remodeling, reconstructing or making extraordinary repairs to the Evelyn Kirrane Aquatics Center (the Municipal Swimming Pool), including, but not limited to, the roof, ceiling, lighting, HVAC system, and the replacement of windows.
- 75.) Raise and appropriate \$75,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the replacement of windows at the Soule Recreation Center.

- 76.) Raise and appropriate \$50,000, to be expended under the direction of the Chief Procurement Officer, with the approval of the Board of Selectmen and the School Committee, for school furniture upgrades.
- 77.) Raise and appropriate \$80,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the School Committee, for upgrades to the energy management system of School facilities.
- 78.) Raise and appropriate \$120,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the School Committee, for the upgrade of the HVAC system in the Driscoll School Auditorium.
- 79.) Raise and appropriate \$165,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the School Committee, for the installation of an elevator at the Old Lincoln School.
- 80.) Raise and appropriate \$575,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the School Committee, for the replacement of windows at the Pierce School.
- 81.) Raise and appropriate \$65,000, to be expended under the direction of the Building Commissioner, with the approval of the Board of Selectmen and the School Committee, for trash compactors at various schools.
- 82.) Raise and appropriate \$50,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for water meter replacement.
- 83.) Raise and appropriate \$905,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the Muddy River Restoration Project.
- 84.) Appropriate \$745,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for the public works project known as the Muddy River Flood Control, Water Quality, Habitant Enhancement and Historic Landscape Preservation Project, including engineering and architectural services and plans and specifications, and to meet the appropriation authorize the treasurer, with the approval of the board of selectmen, to borrow \$745,000 under General Laws, chapter 44, section 7, clauses (21) (22) (25) and (27), as amended, or under chapter 74 of the Acts of 1945, as amended, and all other laws thereto enabling; and authorize the board of selectmen to apply for, receive and expend state and federal funds, aid, grants, loans, reimbursements or other assistance for said project.

13.) **FREE CASH:** Appropriate and transfer \$6,966,241 from free cash for the following purposes:

- a.) Reduce the tax rate (Capital Improvements) – \$5,675,361;
- b.) Stabilization Fund (MGL Chapter 40, Section 5B) – \$246,892;
- c.) Operating Budget Reserve Fund (MGL Chapter 40, Section 6) – \$ 369,076
- d.) Worker’s Compensation Fund (MGL Chapter 40, Section 13A) – \$153,704;
- e.) Housing Trust Fund – \$348,312;
- f.) Liability/Catastrophe Fund – \$172,896.

XXX

ARTICLE 9

ARTICLE NINE

To see if the Town will authorize the Finance Director to sell, in accordance with the requirements of G.L. c. 30B, and the Board of Selectmen to execute, acknowledge and deliver the necessary title documents for such sale of the land and buildings known and numbered as 154 University Road, in Brookline, for consideration of not less than \$575,000, with the balance of the proceeds, after payment of the outstanding taxes, fees and interest, to be added to, deposited into, and become a part of the Housing Trust Fund for the development of affordable housing, or act on anything relative thereto.

SELECTMEN'S RECOMMENDATION

Article 9 requests permission from Town Meeting to dispose of Town-owned property and to distribute the proceeds, less taxes and other expenses, to the Affordable Housing Trust Fund. The property being sold is 154 University Road, which was acquired by the Town through a tax foreclosure in 1997. The previous owner continued to live in the house through 2003. Earlier this year, the property became vacant.

In the event Town Meeting authorizes the disposal of this property, the Town will utilize Chapter 30B, Section 16, the real property disposition bid process, with a minimum bid of \$575,000 required. The bid/auction will be properly advertised and a scheduled open house arranged. In the event that the highest submitted bid is offered by more than one party, an auction will be held in which those who offered the highest bid will be allowed to participate.

There are back taxes owed on the property in the amount of \$59,709.64. In addition, there has been \$2,000 in building maintenance expenses to prepare the property for sale. The remainder of the proceeds will be distributed to the Affordable Housing Trust Fund.

The Selectmen recommend FAVORABLE ACTION, by a vote of 5-0 taken on April 27, 2004 on the following vote:

VOTED: That the Town authorize the Finance Director to sell, in accordance with the requirements of G.L. c. 30B, and the Board of Selectmen to execute, acknowledge and deliver the necessary title documents for such sale of the land and buildings known and numbered as 154 University Road, in Brookline, for consideration of not less than \$575,000, with the balance of the proceeds, after payment of the outstanding taxes, fees and interest, to be added to, deposited into, and become a part of the Housing Trust Fund for the development of affordable housing.

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND

Article 9 seeks Town Meeting's permission to sell a specific piece of town-owned property (154 University Rd.), and deposit the net proceeds into the Town's Affordable Housing Trust.

The Town acquired 154 University Rd. as the result of a tax foreclosure in 1997. The property has recently become vacant, and the Town seeks to sell it through the Real Property Disposition bid process, Chapter 30B, section 16. After the house has been advertised and an open-house held, there will be a bid/auction. This open process will begin with a minimum bid of \$575,000. In the event there is more than one highest bidder, and auction among those bidders will be held.

DISCUSSION

Town Meeting, expressing the values of the community, has been strongly supportive of affordable housing. It has established an Affordable Housing Trust and appropriated funds for it. In addition, the Town requires developers to provide affordable units, or make contributions to the Trust. Also, the Town's free-cash policies allow for structured contributions to the Trust at certain prescribed levels. No one source is considered adequate enough to fund the needs of the Trust, but together they advance the Town's commitment to affordable housing. These funds provide both leverage and flexibility in seizing and creating opportunities.

The Town strives to create 25 new affordable housing units per year. While there is approximately \$1.8M in developer obligations to the Trust, it is anticipated that it will be several more years until all of these payments are fully made. No other substantial developments are on the horizon. Meanwhile, current commitments have reduced the Trust to just \$241K of available funds.

HAB was asked to review this property as potential affordable housing. It soon became apparent that much greater leverage (and therefore greater good) could be had by selling the property, rather than rehabbing it, and putting the net funds into the Town's Affordable Housing Trust.

RECOMMENDATION

The net proceeds from the sale of this property provide an opportunity to make a one-time contribution to the Trust. This is felt to be particularly timely, since there is a strong possibility that contributions through the use of free-cash may not occur for two years.

It is the sense of the Advisory Committee that there is no value to the Town in holding this property. The value is in selling it. The approach being offered is a fair and open process.

Furthermore, the Committee feels this is a good opportunity to strengthen the Affordable Housing Trust.

By a vote of 12-2, the Advisory Committee recommends **FAVORABLE ACTION** on the vote offered by the Selectmen.

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ARTICLE 10

TENTH ARTICLE

To see if the Town will amend ARTICLE 3.11, DEPARTMENT OF FINANCE, in the By-Laws of the Town, to read as follows:

ARTICLE 3.11
DEPARTMENT OF FINANCE

There shall be a Department of Finance in accordance with Chapter 25 of the Acts of 1993, as amended by Chapter 29 of the Acts of 2004. The Department shall be responsible for the overall management and administration of the Town’s financial and administrative support services. The Department consists of the following divisions:

<u>DIVISION</u>	<u>DIVISION HEAD</u>
ACCOUNTS	COMPTROLLER
ASSESSING	CHIEF ASSESSOR
PURCHASING	CHIEF PROCUREMENT OFFICER
TREASURY	TREASURER/COLLECTOR

or act on anything relative thereto.

SELECTMEN’S RECOMMENDATION

Warrant Article 10 is an administrative article that is necessary due to Chapter 29 of the Acts of 2004, which is the Home Rule legislation approved at the 2002 Annual Town Meeting (Article 8) regarding the removal of Information Technology from the Finance Department. Now that ITD is officially outside of the Finance Department, the Town’s By-Laws need to be amended to reflect that. Specifically, Information Technology needs to be removed from Article 3.11, and that is what Article 10 does.

The Selectmen recommend FAVORABLE ACTION, by a vote of 5-0 taken on April 13, 2004, on the vote offered by the Advisory Committee.

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND

On February 12, 2004, Chapter 29 of the Acts of 2004 (Chapter 29) was signed into law. Chapter 29, originally filed as a petition by the Town, amends Chapter 25 of the Acts of 1993 governing the responsibilities of the Department of Finance. Specifically, the position of the Chief Information Officer (CIO) was removed from under the Department of Finance.

DISCUSSION

Article 10 is a housekeeping matter to make the Town's By-Laws consistent with the changes in Chapter 29 and the reality of the changes to the Department of Finance. Article 3.11 of the By-Laws would be changed to delete reference to the Division of Information Services from the Department of Finance's responsibility.

RECOMMENDATION

The Advisory Committee unanimously recommends FAVORABLE ACTION on the following vote:

VOTED: That the Town amend ARTICLE 3.11, DEPARTMENT OF FINANCE, in the By-Laws of the Town, to read as follows:

ARTICLE 3.11
DEPARTMENT OF FINANCE

There shall be a Department of Finance in accordance with Chapter 25 of the Acts of 1993, as amended by Chapter 29 of the Acts of 2004. The Department shall be responsible for the overall management and administration of the Town's financial and administrative support services. The Department consists of the following divisions:

DIVISION

DIVISION HEAD

ACCOUNTS

COMPTROLLER

ASSESSING
PURCHASING

CHIEF ASSESSOR
CHIEF PROCUREMENT OFFICER

TREASURY

TREASURER/COLLECTOR

XXX

ARTICLE 11

ELEVENTH ARTICLE

To see if the Town will authorize and empower the Board of Selectmen to file a petition, in substantially the following form, with the General Court:

AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO INCREASE THE EXPENDITURE CAP ON CHAPTER 44, SECTION 53E1/2 REVOLVING FUNDS

Be It Enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, a board, department or officer in Brookline is hereby authorized to expend in any one fiscal year from all Chapter 44, Section 53E1/2 revolving funds under its direct control an amount equivalent to two and one-half percent of the amount raised by the town in the most recent fiscal year for which a tax rate has been certified under section twenty-three of chapter fifty-nine.

SECTION 2. This act shall take effect upon its passage.

or act on anything relative thereto.

SELECTMEN'S RECOMMENDATION

Article 11 is a Home Rule petition that would allow the Town of Brookline to have expenditure caps on its Chapter 44, Section 53 E ½ revolving funds equal to 2 ½% of the property tax levy, a level that is above the current cap of 1% of the property tax levy. This is being requested for the following reasons:

1. The Recreation Department would be able to enhance and expand its program offerings.
2. Budgeting both expenditures and revenues for the Recreation Department would be greatly simplified.
3. Cumbersome administrative processes (e.g., payroll, accounts payable, revenue allocation) would be eliminated.
4. Taxpayers and those who pay the fees will be assured that user fees are used solely for the purpose they are generated.

Chapter 44, Section 53 E ½ allows municipalities to establish a revolving fund for the purpose of funding those programs that receive income from providing goods and/or services

to users or participants in a program, and expend those proceeds to cover the costs of delivering such goods and/or services. Simply stated, the programs pay for themselves. The revolving fund is a mechanism that allows for fluctuations in levels of activity. The primary requirements of these revolving funds include the following:

- They can only be established in a town by a vote of Town Meeting.
- Once established, they must be approved annually by Town Meeting (**Article 11 does nothing to change these first two requirements**).
- *Each revolving fund has an expenditure cap of 1% of the municipality's property tax levy (it is this part of the current law that Article 11 addresses).*
- The aggregate of all revolving funds may not exceed 10% of the municipality's property tax levy.
- Wages or salaries for full-time employees may be paid from the revolving fund only if the fund is also charged for all associated fringe benefits.
- Interest earned on the fund is treated as General Fund revenue.

Brookline currently has four Ch. 44, Sec. 53 E ½ revolving funds, each of which is presented annually to Town Meeting as part of the budget vote:

- **Recreation Revolving Fund**, under the control of the Park and Recreation Commission (\$1.1M), was established at the 1992 Annual Town Meeting.
- **Repair and Maintenance of Town Rental Properties Revolving Fund**, under the control of the Building Commissioner (\$100K), was established at the 1999 Annual Town Meeting.
- **Sidewalk Betterment Fund**, under the control of the Commissioner of Public Works (\$400K), was established at the 2002 Annual Town Meeting.
- **Façade Improvement Loan Program Revolving Fund**, under the control of the Director of Planning and Community Development (\$30K), was established at the 2003 Annual Town Meeting.

The Recreation Revolving Fund is the largest of these funds and is the one that would be most affected by the warrant article, if approved by Town Meeting and the State.

As previously stated, Article 11 proposes increasing the 1% cap to 2 ½%, as Brookline is currently very close to the cap. Using the FY04 tax levy as the base, if approved, the Recreation Revolving Fund expenditure ceiling could increase from \$1.147M to \$2.867M. **It should be clearly noted that the fund would not automatically be authorized to this level;** Town Meeting would have to approve the expenditure ceiling as part of the annual budget vote. Having this ability, however, is what we seek to gain.

Why does the Recreation Revolving Fund need to have this cap increased? The primary reason for increasing the cap centers on the administrative burdens caused by the 1% cap. Specifically, current budgeting, revenue accounting, payroll, and accounts payable functions are unnecessarily complicated due to the fact that the Recreation Department must maintain budgets for its programs under both the General Fund and the Revolving Fund.

A simple example that illustrates the headaches associated with having two separate funds is paying the part-time employees. If an employee works a certain number of hours a week on a program funded out of the General Fund and the balance of his/her hours on a program funded out of the Revolving Fund, then the payroll needs to be split accordingly. If there were just a handful of employees, this would not be such an undertaking; however, there are well over 100 part-time employees being paid during the peak periods. If the 1% cap were eliminated, all part-time employees could be paid from the Revolving Fund, thereby eliminating the cumbersome payroll process. In addition, the accounting of revenue, charging of non-payroll expenses, and overall budgeting would be made much simpler, as similar complications arise in those areas.

The Board of Selectmen recommends FAVORABLE ACTION, by a vote of 5-0 taken on April 13, 2004, on the following vote:

VOTED: That the Town authorize and empower the Board of Selectmen to file a petition, in substantially the following form, with the General Court:

AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO INCREASE THE EXPENDITURE CAP ON CHAPTER 44, SECTION 53E1/2 REVOLVING FUNDS

Be It Enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, a board, department or officer in Brookline is hereby authorized to expend in any one fiscal year from all Chapter 44, Section 53E1/2 revolving funds under its direct control an amount equivalent to two and one-half percent of the amount raised by the town in the most recent fiscal year for which a tax rate has been certified under section twenty-three of chapter fifty-nine.

SECTION 2. This act shall take effect upon its passage.

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND

Article 11 seeks home rule legislation that would permit the town to increase the size of its revolving funds. Revolving funds are accounting devices used to match income from certain fee based activities with the expenses of those activities. Income and expenses of such are paid from the associated revolving fund rather than from the General Fund. This permits more flexible budgeting since revolving funds by their nature anticipate fluctuation in levels of activities.

The town currently has four revolving funds which would be affected by this home rule petition:

- **Recreation Revolving Fund**, under the control of the Park and Recreation Commission (\$1.1M), was established at the 1992 Annual Town Meeting.
- **Repair and Maintenance of Town Rental Properties Revolving Fund**, under the control of the Building Commissioner (\$100K), was established at the 1999 Annual Town Meeting.
- **Sidewalk Betterment Fund**, under the control of the Commissioner of Public Works (\$400K), was established at the 2002 Annual Town Meeting.
- **Façade Improvement Loan Program** under the control of the Director of Planning and Community Development (30k)

Currently, the primary requirements of these revolving funds include the following:

1. They can only be established in a town by a vote of Town Meeting.
2. Once established, they must be approved annually by Town Meeting (Article 11 does nothing to change these first two requirements).
3. *Each revolving fund has an expenditure cap of 1% of the municipality's property tax levy (it is this part of the current law that Article 11 addresses).*
4. The aggregate of all revolving funds may not exceed 10% of the municipality's property tax levy. (Brookline is nowhere near this limit.)
5. Wages or salaries for full-time employees may be paid from the revolving fund only if the fund is also charged for all associated fringe benefits.
6. Interest earned on the fund is treated as General Fund revenue.

Article 11 requests that the individual revolving fund cap be raised to 2 ½ % of Brookline's property tax levy.

Revolving funds operated by the Schools would not be affected (ie., Adult Ed and School Lunch.) Enterprise funds, another accounting device to match program income with that program's expenses would also not be affected by this home rule legislation.

DISCUSSION

The only revolving fund to be immediately affected by the proposed legislation is the Recreation Revolving Fund. That Revolving Fund is currently operating at its maximum level. In fact, recreation programs as a whole are currently bringing in about \$350,000 more than the revolving fund maximum. This requires that the overage be operated out of the general fund. This forces the Recreation Department to carefully project participation levels of various programs and apportion programs to either the general fund or the revolving fund. If a program is more popular than projected, if the program is in the revolving fund which is at its max, participants might have to be turned away.

Additional benefits are:

1. Ability of the Recreation Department to enhance and expand its program offerings.
2. Simplification of budgeting both expenditures and revenues for the Recreation Department.
3. Elimination of the cumbersome payroll process the Recreation Department must currently undertake in order to account for employee earnings.
4. Assurance that user fees are used solely for the purpose they are generated.

The Advisory Committee sees no downside to this change since:

1. Revolving funds and the level at which they operate must be reauthorized every year by Town Meeting.
2. The revenue and spending plan are fully disclosed in the Town's financial plan and after the fact in the financial statements.

RECOMMENDATION

The Advisory Committee recommends by a 17-1 vote FAVORABLE ACTION on the vote offered by the Selectmen.

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ARTICLE 12

TWELTH ARTICLE

To see if the Town will amend the Zoning By-law as follows:

I. With respect to the Village Square General Business District G-2.0 (VS):

- A. Amend the Floor Area Ratio Maximum and Height Maximum for the G-2.0 (VS) District within TABLE 5.01, TABLE OF DIMENSIONAL REQUIREMENTS as referenced in SECTION 5.00 – DISTRICT REGULATIONS of ARTICLE V DIMENSIONAL REQUIREMENTS, as follows (new in italics and bolded).

SECTION 5.01 TABLE OF DIMENSIONAL REQUIREMENTS							PBI ¹¹		MINIMUM YARD ³ (feet)			OPEN SPACE (% of gross floor area)	
DISTRICT	USE	LOT SIZE MINIMUM (sq. ft.)	FLOOR AREA RATIO MAXIMUM	PBI ¹¹ NB ONLY	LOT WIDTH MINIMUM (feet)	HEIGHT ⁹ MAXIMUM	B	NB	Front ^{1,6}	Side ²	Rear	Landsc.	Useable ¹³
G-2.0	Any Structure or principal use (dwelling-footnote 5)	none ⁴	2.0 <i>4.0 (VS) ¹⁷</i>	2.5	none ⁴	45 <i>125 (VS) ¹⁷</i>	60 45 (CA)	70 55 (CA) <i>100 (VS)</i>	none	none ⁷	<i>10 + $\frac{L^8}{10}$</i>	none	none ⁵

- B. Insert the following new footnote 17 after the Floor Area Ratio Maximum and Height Maximum permitted within the G-2.0 (VS) District, as shown in the above revised TABLE 5.01, TABLE OF DIMENSIONAL REGULATIONS and in the footnote section below the table.

17. See SECTION 5.06 – SPECIAL DISTRICT REGULATIONS, 4. *Village Square General Business District G-2.0 (VS)*.

- C. In ARTICLE V - DIMENSIONAL REQUIREMENTS, by adding a new paragraph 4 to SECTION 5.06, to read as follows:

- 4. Village Square General Business District G-2.0 (VS)
 - a. All applications for new structures, outdoor uses, and exterior alterations or additions in the G-2.0 (VS) District **which exceed a floor area ratio of 2.5 or a height of 100 feet** shall be subject to the requirements of § 5.09, Design Review, obtain a special permit per § 9.03, and meet the following requirements.
 - 1. The maximum height shall not exceed 125 feet and the maximum gross floor area ratio shall not exceed 4.0.
 - 2. no less than 25% of the Lot Area shall be devoted to landscaped open space.
 - 3. no less than 60% of the parking spaces required by the Board of Appeals shall be provided completely below grade.

4. no less than 25% of the provided parking spaces shall be offered to residents for overnight parking.
 5. no less than 1% of the hard construction costs of constructing a building on a Lot (exclusive of tenant fit-up) shall be devoted to making off-site streetscape improvements (such as, but not limited to, lighting, street furniture and widening sidewalks) and undertaking transportation mitigation measures. A plan of the proposed off-site streetscape improvements and a description of the proposed transportation mitigation measures shall be submitted for the review and approval of the Planning Board or its designee.
- b. The parking requirements for applications in the G-2.0 (VS) District in light of the proximity to rapid public transit shall be as follows:

retail use: one parking space per 350 g.s.f. of floor area

office use: one parking space per 600 g.s.f. of floor area

research laboratory use (Use 36A): one parking space per 1,000 g.s.f.

The number of parking spaces for the above uses in a G-2.0 (VS) District may be reduced by **special permit**, however, by no more than 15%, where it can be demonstrated to the Board of Appeals that it is warranted due to provisions in a Transportation Access Plan that includes recognized Transit Demand Management programs. A **Transportation Access Plan Agreement** shall be a condition of the special permit, shall be submitted for review to the Director of Transportation and the Director of Planning and Community Development, and shall require an annual report to the Director of Transportation. This **annual report** shall be accepted only after a determination by the Director of Transportation and the Director of Planning and Community Development that the Transportation Access Plan is working satisfactorily, and if not, that the plan will be changed and implemented to their satisfaction.

II. With respect to Section 4.07 – Table of Use Regulations: To apply only to parcel known as Brookline Place II.

In ARTICLE IV – USE REGULATIONS, by replacing the text of Principle Use 36A in SECTION 4.07 – TABLE OF USE REGULATIONS with the following:

36A. Research laboratory for scientific or medical research, **with a Biosafety Level of Level 1 or Level 2 as defined by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, and National Institutes of Health**, provided the use is operated in compliance with all town, state and federal health and safety regulations, and that thirty days prior to a Board of Appeals hearing on the use, and annually, a report detailing hazardous materials operations, processes, disposal and storage **shall be reviewed and**

approved in writing by the Fire Chief and Director of Public Health and Human Services.

or act on anything relative thereto.

We sixty one (61) signers of the petition are residents of Brookline Village. We are not town meeting members nor are we employed by the Town of Brookline. We are in favor of the three Articles presented at the March 4th Special Town Meeting.

We have made two changes to those articles in the hope of gaining greater support and passing the Articles in the June Town Meeting:

- We have asked for an increase in the required amount of green space from 20% to 25%
- We ask that approval of use as Bio Lab Level 2 be specifically restricted to the Brookline Place II site.

Brookline needs smart, sensible, economically-viable development to provide continued support for the schools and other town services that make our community a great place to live.

A development of this scale would raise issues and questions of balance in some locations, but Brookline Place is not one of them: It is the right proposal in the right place at the right time. Specifically:

- The Property will generate additional tax revenue of between \$900,000 and \$1.2 Million per year, ENOUGH TO HIRE 25 NEW TEACHERS OR 20 FIREMEN.
- A ground lease will be entered into between the Town and the developer. In the eventuality that the property is ever sold to a tax-exempt owner, the new owner will pay lease rent equal to the lost tax revenue.
- Brookline Village's small business owners have expressed their strong support for the project; it will bring much needed daytime foot traffic to their businesses.
- The site is well suited for office or lab development:
- The plan includes more green space than currently offered at the site
- The transportation plan is well-thought-out and the new parking is adequate
- Even with a height of 125 feet, shadow studies show that the impact on the closest residential neighbors will be minor
- The developer will make improvements in the existing MBTA stop

The Project Review Team has done an excellent job of addressing some of the initial concerns about the project. Their work will ensure that, beyond much-needed revenue for the town, the Brookline Place development will bring added benefits to the community. It deserves the enthusiastic support of Town Meeting.

SELECTMEN'S RECOMMENDATION

Article 1 of the Special Town Meeting, which is the zoning article related to the proposed B2 project, is an alternative approach to the petition language submitted under Article 12. It was reviewed by the Planning Board on May 6, 2004. This Board reviewed it, along with Articles 13 and 14, on May 11. We will review them again and vote on them at our May 18 meeting, a date that is after the mailing of the Combined Reports. Therefore, a Supplemental Report that includes the Selectmen's recommendation for Articles 13 and 14 of the Annual Town Meeting and Article 1 of the Special Town Meeting will be mailed prior to Town Meeting.

ADVISORY COMMITTEE'S RECOMMENDATION

The Advisory Committee will provide information on this article, along with other B2 articles, in a supplementary mailing prior to Town Meeting.

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ARTICLE 13

THIRTEENTH ARTICLE

To see if the Town will authorize and empower the Board of Selectmen to file a petition, in substantially the following form, with the General Court:

AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO LEASE
CERTAIN TOWN OWNED LAND.

Be It Enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Brookline is hereby authorized to lease any part or portion of the property generally known and referred to as Lot A in the B-2 Parcel, shown as Parcel 1 in Block 138 on Sheet 29B of the Town's 2001 Assessors Atlas, now or hereafter owned by it, for a period not to exceed 95 years, to Village Plaza Limited Partnership or its designee, upon such terms and conditions as the board of selectmen shall determine to be in the best interests of the town, including terms and conditions regarding the payment of real estate taxes or payments in lieu of real estate tax obligations.

SECTION 2. This act shall take effect upon its passage.

or act on anything relative thereto.

We sixty one (61) signers of the petition are residents of Brookline Village. We are not town meeting members nor are we employed by the Town of Brookline. We are in favor of the three Articles presented at the March 4th Special Town Meeting.

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We have made two changes to those articles in the hope of gaining greater support and passing the Articles in the June Town Meeting:

- We have asked for an increase in the required amount of green space from 20% to 25%
- We ask that approval of use as Bio Lab Level 2 be specifically restricted to the Brookline Place II site.

Brookline needs smart, sensible, economically-viable development to provide continued support for the schools and other town services that make our community a great place to live.

A development of this scale would raise issues and questions of balance in some locations, but Brookline Place is not one of them: It is the right proposal in the right place at the right time. Specifically:

- The Property will generate additional tax revenue of between \$900,000 and \$1.2 Million per year, ENOUGH TO HIRE 25 NEW TEACHERS OR 20 FIREMEN.
- A ground lease will be entered into between the Town and the developer. In the eventuality that the property is ever sold to a tax-exempt owner, the new owner will pay lease rent equal to the lost tax revenue.
- Brookline Village's small business owners have expressed their strong support for the project; it will bring much needed daytime foot traffic to their businesses.
- The site is well suited for office or lab development:
- The plan includes more green space than currently offered at the site
- The transportation plan is well-thought-out and the new parking is adequate
- Even with a height of 125 feet, shadow studies show that the impact on the closest residential neighbors will be minor
- The developer will make improvements in the existing MBTA stop

The Project Review Team has done an excellent job of addressing some of the initial concerns about the project. Their work will ensure that, beyond much-needed revenue for the town, the Brookline Place development will bring added benefits to the community. It deserves the enthusiastic support of Town Meeting.

SELECTMEN'S RECOMMENDATION

Article 1 of the Special Town Meeting, which is the zoning article related to the proposed B2 project, is an alternative approach to the petition language submitted under Article 12. It was reviewed by the Planning Board on May 6, 2004. This Board reviewed it, along with Articles 13 and 14, on May 11. We will review them again and vote on them at our May 18 meeting, a date that is after the mailing of the Combined Reports. Therefore, a Supplemental Report that includes the Selectmen's recommendation for Articles 13 and 14 of the Annual Town Meeting and Article 1 of the Special Town Meeting will be mailed prior to Town Meeting.

ADVISORY COMMITTEE'S RECOMMENDATION

The Advisory Committee will provide information on this article, along with other B2 articles, in a supplementary mailing prior to Town Meeting.

XXX

ARTICLE 14

FOURTEENTH ARTICLE

To see if the Town will authorize the Board of Selectmen to enter into a sale-leaseback arrangement, pursuant to which: (a) the Town acquires, in consideration for the benefits to be derived by the Town thereby, any portion of all of the property generally known as Lot A in the B-2 Parcel, shown as Parcel 1 in Block 138 on Sheet 29B of the Town's 2001 Assessors Atlas (the "Property"); and (b) the Town leases the portion of the Property so acquired by the Town, for a period not to exceed ninety five (95) years, to Village Plaza Limited Partnership or its designee, upon such terms and conditions as the Board of Selectmen shall determine to be in the best interests of the town, including terms and conditions regarding the payment of real estate taxes or payments in lieu of real estate tax obligations, and that this authorization shall be implemented if and only if the General Court passes the special act approved under Article 2 of the warrant for this meeting, or act on anything relative thereto.

We sixty one (61) signers of the petition are residents of Brookline Village. We are not town meeting members nor are we employed by the Town of Brookline. We are in favor of the three Articles presented at the March 4th Special Town Meeting.

We have made two changes to those articles in the hope of gaining greater support and passing the Articles in the June Town Meeting:

- We have asked for an increase in the required amount of green space from 20% to 25%
- We ask that approval of use as Bio Lab Level 2 be specifically restricted to the Brookline Place II site.

Brookline needs smart, sensible, economically-viable development to provide continued support for the schools and other town services that make our community a great place to live.

A development of this scale would raise issues and questions of balance in some locations, but Brookline Place is not one of them: It is the right proposal in the right place at the right time. Specifically:

- The Property will generate additional tax revenue of between \$900,000 and \$1.2 Million per year, ENOUGH TO HIRE 25 NEW TEACHERS OR 20 FIREMEN.
- A ground lease will be entered into between the Town and the developer. In the eventuality that the property is ever sold to a tax-exempt owner, the new owner will pay lease rent equal to the lost tax revenue.

- Brookline Village's small business owners have expressed their strong support for the project; it will bring much needed daytime foot traffic to their businesses.
- The site is well suited for office or lab development:
- The plan includes more green space than currently offered at the site
- The transportation plan is well-thought-out and the new parking is adequate
- Even with a height of 125 feet, shadow studies show that the impact on the closest residential neighbors will be minor
- The developer will make improvements in the existing MBTA stop

The Project Review Team has done an excellent job of addressing some of the initial concerns about the project. Their work will ensure that, beyond much-needed revenue for the town, the Brookline Place development will bring added benefits to the community. It deserves the enthusiastic support of Town Meeting.

SELECTMEN'S RECOMMENDATION

Article 1 of the Special Town Meeting, which is the zoning article related to the proposed B2 project, is an alternative approach to the petition language submitted under Article 12. It was reviewed by the Planning Board on May 6, 2004. This Board reviewed it, along with Articles 13 and 14, on May 11. We will review them again and vote on them at our May 18 meeting, a date that is after the mailing of the Combined Reports. Therefore, a Supplemental Report that includes the Selectmen's recommendation for Articles 13 and 14 of the Annual Town Meeting and Article 1 of the Special Town Meeting will be mailed prior to Town Meeting.

ADVISORY COMMITTEE'S RECOMMENDATION

The Advisory Committee will provide information on this article, along with other B2 articles, in a supplementary mailing prior to Town Meeting.

XXX

ARTICLE 15

FIFTEENTH ARTICLE

To see if the Town will amend the by-laws of the Town of Brookline by adding a new ARTICLE 7.12, entitled “Undergrounding Utilities” to read as follows:

Section 7.12.1 Definitions:

For the purposes of this Bylaw, the definitions set forth in General Laws, Chapter 166, Section 22A shall apply in addition to the following. Reference in Article 7.12 to Sections 22D and 22I shall mean G.L.C.166, and 22D and 22I.

Alternative Coordination Plan – A plan to coordinate the implementation of the utility specific plans required by this underground bylaw. In the event that the utilities and the Town are not able to reach agreement on any aspects of a negotiated project coordination plan, the Town will use reasonable discretion to establish an alternative coordination plan. The objective of this alternative coordination plan will be to use a single qualified general contractor to perform the excavation and civil work necessary for the installation of all of the underground facilities, contemplated by this underground bylaw, as well as a proposed formula for apportioning the cost of that qualified general contractor. This alternative project coordination plan will assume that each utility will directly install and energize its own cable and wire in the conduits and manholes constructed by the qualified general contractor. In establishing such alternative coordination plan, the Town shall be guided by the objective of achieving efficient coordination among the utilities, a cost effective underground project, with the minimum disruption of the public way.

Company Specifications – Detailed specifications provided by each utility regarding the number and size of duct banks, the type and quantity of cable or wire, and the number and precise specifications of manholes and hand holes, the description of and quantification of the equipment necessary to construct and install customer’s service facilities, and all other specifications regarding all other facilities necessary to replace overhead service in the Town, with underground services, all prepared in sufficient detail to be included in a request for bid from a qualified general contractor.

Cost Per Linear Foot – When reporting the cost of demolition or construction per linear foot, the cost should be reported per linear foot of the overhead or underground system. For example, the 1,000 feet of overhead or underground facilities that are located on 1,000 feet of one side of a public way would be reported as 1,000 feet of overhead facilities or underground facilities removed or constructed. If a particular utility has two lines or two conduits on a given set of poles or in a given duct bank, and therefore 2,000 feet of overhead wire or underground wire in this 1,000 foot span of public way, the cost per linear foot

must be reported using the 1,000 feet of public way as the denominator, and must not be reported using the 2,000 feet of wires as the denominator.

Customer Service Facilities – The facilities required to connect a customer’s building or structure to the underground services mandated by this bylaw, which customer’s service facilities are more specifically defined in Section 22I .

Direct Cost of Demolition and Construction – The direct cost of construction labor, construction materials and construction equipment to implement the demolition and construction mandated by this bylaw. This shall include the direct cost of construction labor, construction materials, and construction equipment used to install the customer’s service facilities. Direct costs of demolition and construction shall also include the following costs: (A) the direct cost of completing an “Existing Conditions Plan”, to the extent such cost is incurred at the request of the Town in order to expedite said schedule, and then reimbursed by the utility; (B) interest on any amounts spent for such direct costs in excess of the required 2% annual expenditure, to the extent such excess expenditure is directly associated with an effort to expedite the actual construction schedule at the request of the Town; (C) the direct cost of any communication ducts installed at the request of the Town, which communication ducts are to be reserved for municipal use.

Petition – The petition, timely filed, that is required by section 22D, relating to the permission to install underground facilities mandated by this bylaw. Such petition shall request permission for the shared common duct banks trenches by and among other utilities and the Town, or include a justification explaining why such shared use of common duct banks and common trenches is not possible.

Plan for Continuation of its Service, for their Replacement with Underground Facilities – The plan, timely filed, that is required by Section 22D to the removal of that particular utility’s overhead wires and associated overhead equipment and the construction of a particular utility’s underground service facility to provide service to its consumers. This utility specific plan that meets the requirements of this bylaw must include, at a minimum, the following components:

- 1) The company’s specifications for the underground project
- 2) An estimate of the total direct cost of demolition and construction of the project which includes the cost of installing customer’s service facilities
- 3) An estimate of the total salvage value of the overhead property to be removed
- 4) A statement of the total company revenues received in the community in the proceeding calendar year, and an estimate of the total company revenues to be received in the community in the current year
- 5) An estimate of the total duration of the demolition and construction project assuming that the company allocates and expends 2% of such annual revenues (plus the reasonable salvage value of the removed

overhead equipment) to the direct cost of demolition and construction of that company's project

- 6) A proposed coordination plan that describes a plan for utilizing a single qualified general contractor to perform the excavation and civil work necessary for the installation of all of the underground facilities, including cable facilities, electric facilities, telephone facilities and municipal facilities, contemplated by this underground bylaw as well as a proposed formula for apportioning the cost of that qualified general contractor among the various users of the underground facilities constructed
- 7) A statement that the utility will participate in good faith in a negotiation conducted by the Town, that includes all of the utilities covered by this bylaw, in which the Town attempts to develop a negotiated coordinated plan is acceptable to each utility and to the Town
- 8) A statement that the company's plan will be implemented in a fashion that complies with any alternative coordination plan that may be established by the Town

Such plan must be filed no later than December of the calendar year prior to the calendar year in which the first expenditures for the direct cost of demolition and construction are required to be made.

Negotiated Project Coordinated Plan – The Town will review the coordination plans that are included in the cable company plan, electric company plan, and telephone company plan filed with the Board of Selectmen pursuant to this bylaw. The Town will host a project coordination meeting to be attended by representatives of the Town and each of said utilities, and use reasonable efforts to negotiate a project coordination plan that is acceptable to each of said utilities and the Town. The objective of this negotiated coordination plan will assume that each utility will directly install and energize its own cable and wire in the conduits and manholes constructed by the qualified general contractor. In negotiating such coordination plan, the Town shall be guided by the objective of achieving efficient coordination among the utilities, a cost effective project, with minimum disruption of the public way.

Negotiated Project Coordinated Plan – The Town will review the coordination plans that are included in the cable company plan, electric company plan, and telephone company plan filed with the Board of Selectmen pursuant to this bylaw. The Town will host a project coordination meeting to be attended by representatives of the Town and each of said utilities, and use reasonable efforts to negotiate a project coordination plan that is acceptable to each of said utilities and the Town. The objective of this negotiated coordination plan will be to use a single qualified general contractor to perform the excavation and civil work necessary for the installation of all of the underground facilities, including cable facilities, electric facilities, telephone facilities, and municipal facilities, contemplated by this underground bylaw, as well as a proposed formula for apportioning the cost of that qualified general contractor. This negotiated project coordination plan will assume that each utility will directly install and energize its own contractor. In negotiating such coordination plan, the Town shall be guided by the objective of achieving efficient coordination among the utilities, a cost effective project, with minimum disruption of the public way.

Qualified General Contractor – A contractor appropriately licensed, insured and bonded with extensive experience in designing and construction underground utilities in Massachusetts, as evidenced by letters of recommendation from Massachusetts utilities that have contracted for services of such qualified general contractor in the past.

Statement – Annual statement, timely filed, that is required by Section 22D. This annual statement must, at a minimum, include the following information regarding the removal of overhead facilities and construction of replacement underground facilities, completed by said utility in the prior calendar year:

- 1) Linear feet of overhead facilities removed
Street names on which such removal occurred
Direct cost of demolition associated with such removal for the calendar year in question
- 2) Linear feet of underground facilities constructed
Street names on which underground construction occurred
Direct cost of construction for the calendar year in question
Direct cost of construction per linear foot of such construction completed
- 3) Number of customer service facilities completed
Street names on which customer service facilities occurred
Direct cost of construction associated with customer service facilities demolition and construction spent in any year prior to the preceding calendar year, which amount was in excess of the 2% of the standard defined in section 22D and which excess amount the utility is allocating as a credit to reduce the dollar expenditures required by this bylaw for the direct cost of demolition and construction in the calendar year that is the focus of this financial report
- 4) The dollar amount of the direct cost of demolition and construction spent in any year prior to the preceding calendar year, which amount was in excess of the 2% standard defined in section 22D and which excess amount the utility is allocating as a credit to reduce the dollar expenditures required by this bylaw for the direct cost of demolition and construction in the calendar year that is the focus of this financial report
- 5) Gross revenues derived from that utility's customers in Brookline in the calendar year preceding the expenditures reported in items 1, 2, and 3 plus any credit as described in item 4, equals (or exceeds the 2% of the gross revenue report in 5) above

Section 7.12.2 Prohibiting Installation of New Poles and Overhead Wires

No utility shall install or construct, except by way of replacement or upgrading of existing facilities, any poles and overhead wires and associated overhead structures upon, along or across any public way within the Town. Any poles and overhead structures and

associated overhead structures installed or constructed in violation of this bylaw shall be immediately removed by the utility responsible therefore.

Any person who installs or constructs any poles and overhead wires and associated overhead structures in violation of any such bylaw shall be punished by a fine of not less than \$1,000 and not more than \$5,000 for each consecutive fifteen day period during which his failure continues.

Section 7.12.3 Removal of Existing Poles and Overhead Wires

Any utility presently owning or operating poles and overhead wires and associated overhead structures along or across any public way within the Town shall begin to remove such poles and overhead wires and associated overhead structures following the effective date of this bylaw in accordance with Section 22D.

Section 7.12.4 Installation of Customer's Service Facilities

Any utility providing underground replacement facilities pursuant to this bylaw, shall also install customer's service facilities as defined in Section 22I. Such installation of customer's service facilities shall be incorporated into the plan filed with the Board of Selectmen pursuant to this bylaw and the cost associated with such installation of customer's service facilities shall be included in the report of direct cost of demolition and construction reported to the Board of Selectmen pursuant to Section 22D (d).

Section 7.12.5 Severability

If any provision of this bylaw is determined to be invalid, such determination shall not affect the validity of the other provisions of this bylaw, which other provisions shall remain in full force and effect

or act on anything relative thereto.

The recent addition of new wired service providers utilizing existing electric and telephone poles has exacerbated the unsightliness of those areas of Brookline that currently have overhead wiring. Such wiring and the required poles are unsightly, interfere with proper street planting and sidewalk layout and can be dangerous in storm and high wind conditions. Overhead wiring was originally installed in order to quickly and inexpensively bring electric power and telephone access to Brookline. Many sections of the Town, including commercial areas, have had the overhead wires placed underground. This bylaw will require overhead wires to be placed underground and require the development of a program to implement undergrounding.

PLANNING BOARD REPORT ON UNDERGROUND WIRE TOWN BYLAW

In accordance with Chapter 166, MGL 22B of the Commonwealth of Massachusetts, after due notice had been given, the Planning Board held a public hearing on April 8, 2004 in Town Hall on a proposed Town Bylaw related to requiring the burying of utility wires as described below. The advertisement for the public hearing appeared in the Brookline TAB on April 1, 2004 and April 8, 2004. The minutes of the hearing and record of citizen attendance are on file in the Planning and Community Development Department.

Dr. Melvin Clouse, M.D. representing the seven member Underground Wiring Selectmen Committee gave a PowerPoint presentation with the following information:

- Selectmen's Committee was formed after Nov.'02 Town Meeting to investigate, report, and make recommendations on an Underground Wires By-law.
- The mandate of the Committee was to free all Brookline streets from overhead wires and an explanation of the rationale, including aesthetics and safety.
- Explanation of how wires are set up on poles and images from the Town. Explanation that: there are 100 miles of street in Town and 76 miles of wires; cost would be \$500,000 to \$2,000,000 per mile, for a total of \$38-150 million; 2% surcharge is allowed on utilities bills to fund the project; time frame would be 50 to 100 years; and per household cost would be approximately \$24 a year.
- Massachusetts law allows towns to require all existing and new utilities to be underground and permits utilities to collect a 2% surcharge for implementation.
- Undergrounding would be phased and work of utilities would be coordinated.
- Other towns require undergrounding. North Andover was seen as a good model.

The following issues were raised by Planning Board members and citizens who attended the public hearing:

- Reliability of buried cables during rainstorms vs. downed above ground power lines.
- Potential increase in cost of resurfacing the streets in future with numerous roadway penetrations, i.e. manholes.
- Disruptive noise from cars driving over the manholes on the street; consideration should be given to placing covers at edge of roadway or on sidewalk.
- Impact to street trees' root systems, especially historic trees, from digging up street.

- Danger to dogs and people from electricity possibly being conducted through manhole covers.
- Impact on property values from burying utilities
- Opportunities for raising Town revenue through leasing underground conduits.
- Value of competitive price bidding rather than having utilities perform work themselves.

The Committee emphasized that all these issues would be studied and, where possible, addressed in the by-law.

SELECTMEN'S RECOMMENDATION

The Selectmen's Underground Wiring Committee was formed per the vote of Town Meeting on Article 21 of the 2002 November Town Meeting. The Committee was charged with investigating the Town's options with regard to the issues associated with overhead wiring, including the possibility of placing all wired utilities underground. The primary reasons for this investigation included:

- public safety -- downed wires can harm those who come in contact with them.
- reliability -- when wires go down, the electricity, telephone, and/or cable goes out.
- aesthetics -- the wires and poles are unsightly.

The proposed by-law is the result of the Committee's diligent work. The proposal is to place all overhead wires underground over a period of 50 – 100 years, to be funded by a 2% surcharge on all wired utility bills. This is allowable under M.G.L. Chapter 166, Section 22. The utilities would collect the 2% monthly surcharge and use those funds to pay for all construction costs associated with this major undertaking.

The scope of an undertaking of this magnitude is significant: of the approximately 100 miles of streets in the Town, about 76 miles of these streets have overhead wires. Based on estimates from other towns, the cost to underground can range from \$500,000/mile to \$2,000,000/mile. Using this estimate, it would cost between \$38 million - \$150 million to underground all of the wires. With the 2% generating approximately \$800,000 - \$1,200,000 annually, the total time it would take to accomplish this work is 50 – 100 years.

The cost to residents would vary, depending on the number and types of utilities used by the house. For example, a house with a satellite dish, gas or oil heat, and a telephone would pay a minimal amount per month compared to a house with cable TV, a broadband connection, electric heat, and large monthly telephone bills. Based on the average monthly bills of customers statewide, the impact on an "average" house would be between \$36 - \$72:

	ANALYSIS A				ANALYSIS B			
	Monthly	Annual	2% Surcharge per Month	2% Surcharge per Year	Monthly	Annual	2% Surcharge per Month	2% Surcharge per Year
Electricity	\$70	\$840	\$1.40	\$16.80	\$100	\$1,200	\$2.00	\$24.00
Cable TV - Standard Package	\$45	\$540	\$0.90	\$10.80				
Cable TV - Premium Package + HDTV					\$85	\$1,020	\$1.70	\$20.40
Telephone - Local	\$35	\$420	\$0.70	\$8.40	\$35	\$420	\$0.70	\$8.40
Telephone - Long Distance					\$25	\$300	\$0.50	\$6.00
Broadband					\$50	\$600	\$1.00	\$12.00
TOTAL	\$150	\$1,800	\$3.00	\$36.00	\$295	\$3,540	\$5.90	\$70.80

This Board must exercise great caution when recommending any action that would burden residents with additional expenses. When actions taken by us would impact the cost of living for residents in Brookline, we attempt to involve as much public discussion and public education as possible. We do not believe that there has been enough public discussion on this warrant article. This is by no means a criticism of the Committee (they did hold a joint-public hearing with the Planning Board); rather, this reflects the sheer enormity of the issues associated with involving the community to the extent necessary when virtually every household is effected.

The number of questions and concerns that have arisen since this article began going through the Selectmen's and Advisory Committee's standard public process for all warrant articles is illustrative. Examples of these concerns include how the surcharge would impact residents of low- and moderate-incomes and what the criteria would be for prioritizing where the undergrounding would take place. With more public process, debate about this proposed by-law could be better informed. Also, with additional public outreach, additional questions may arise.

As previously stated, the Selectmen commend the Committee members for the excellent work they performed for the residents of the Town. However, due to a level of public discourse that has not yet met the level likely necessary for an initiative of this scope, the Board recommends FAVORABLE ACTION, by a vote of 4-0 taken on May 11, 2004, on the following vote:

VOTED: To refer Article 15 back to the Selectmen's Committee on Underground Wires for further study and a report back to the November, 2004 Town Meeting.

ROLL CALL VOTE:

Favorable Action

Geller

Hoy

Sher

Merrill

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND

This article seeks to amend the by-laws of the Town of Brookline to provide for the “undergrounding of utilities”. If adopted, this would require the utility companies to bury all wired utility service underground and would be funded by an additional 2% surcharge on utility bills. This would include, but not be limited to, NStar, Verizon, RCN, and Comcast. The Town has approximately 100 miles of streets containing 76 miles of overhead wiring. Street lighting poles would be replaced by concrete poles, and no external wires would then be permitted to be connected to these poles. This would happen over many years due to encumbrances such as costs, time, oversight, and implementation. Under Massachusetts General laws (Chapter 166, Section 22), the Town can require all utility companies to install their cables underground

DISCUSSION

Other towns such as Lexington, North Andover, Concord, Canton, Burlington, and Bedford have enabled legislation to require underground cabling by utility companies.

In a comparison of other towns, the costs range from \$500,000 to \$2,000,000 per mile based on a number of conditions. This translates to \$38 million to \$150 million in expenditures in current (2004) dollars over the next 50 to 100 years for the Town of Brookline. In order to pay for this project, the utility companies are allowed to apply a 2% surcharge to all monthly bills. It would be approximately two years before invoices from the utility companies would reflect the surcharge, and it is estimated that one million dollars per year would be collected. The average cost to a homeowner would be between \$36 per year and \$71 per year. This is based on two scenarios:

1. standard cable TV, local telephone, and electricity.
2. premium cable TV, long distance telephone, broadband, or DSL, and electricity.

These price estimates do not include electricity for electric heating or central air conditioning.

The Town would also have to pay the 2% surcharge which is estimated to cost about \$50,000 per year. However, once wires are buried and run through a public way, they may be taxed by the Town.

The DPW would be responsible for the planning and implementation. Priorities would be adopted based on new service, new utilities, safety, and linkage to the Town’s current street work.

All associated costs to bring underground wiring to a residence or to a commercial property are paid for by the 2% surcharge; there is no direct cost to the property owner.

RECOMMENDATION

If this is adopted, it is recommended that an Underground Public Utility Board be instituted to monitor the revenues of the public utilities and to provide recommendations to DPW for implementation.

However, the Advisory Committee feels that first additional consideration should be given to the following points:

- The public should be notified by mail from DPW as to the impact of this article on the citizens.
- Reliability of buried cables vs. downed cables off poles during high wind conditions assessed.
- Potential increase in cost of resurfacing the streets quantified.
- Impact to street trees' root systems, especially historic trees.
- The value increase to properties by burying the cables underground.
- Opportunities for revenue enhancements by leasing underground conduits to utility companies.
- The role of an Underground Public Utility Board and the guidelines for implementing this project.

The Advisory Committee unanimously votes FAVORABLE ACTION on the following motion:

VOTED: To refer Article 15 back to the Selectmen's Committee on Underground Wires for further study.

XXX

ARTICLE 16

SIXTEENTH ARTICLE

To see if the Town will adopt the following resolution: Town Meeting will encourage parents and caregivers of children to refrain from the use of corporal punishment; use alternative nonviolent methods of child discipline and management with the ultimate goal of mutual respect between parent and child.

WHEREAS, the nations pediatric professionals and children's advocates advise against the use of corporal punishment of children; and

WHEREAS, corporal punishment teaches children that hitting is an acceptable way of dealing with problems and that violence works; and

WHEREAS, there are effective alternatives to corporal punishment of children; and

WHEREAS, children, like adults, have the right not to be physically assaulted; and

WHEREAS, 25% of infants are hit before they are 6 months old; and

WHEREAS, about 1200 children die each year from corporal punishment in the United States; and

WHEREAS, studies demonstrate that the more children are hit, the greater the likelihood that they will engage in aggression and anti-social behavior;

WHEREAS, in a study of 8000 families, children who experience frequent corporal punishment are more likely to physically attack siblings, develop less adequately-developed consciences, experience adult depression, and physically attack a spouse as an adult; and

WHEREAS, this country has extremely high rates of violence compared to other developed countries;

NOW, THEREFORE BE IT RESOLVED: That Town Meeting encourages parents and caregivers of children to

Refrain from the use of corporal punishment; and

Use alternative nonviolent methods of child discipline and management with an ultimate goal of mutual respect between parent and child,

or act on anything relative thereto.

MOTION TO BE OFFERED BY THE PETITIONER

To see if the Town will adopt the following resolution: Town Meeting will encourage parents and caregivers of children to refrain from the use of corporal punishment; use alternative nonviolent methods of child discipline and management with the ultimate goal of mutual respect between parent and child.

WHEREAS, the nations pediatric professionals and children’s advocates advise against the use of corporal punishment of children; and

WHEREAS, corporal punishment teaches children that hitting is an acceptable way of dealing with problems and that violence works; and

WHEREAS, there are effective alternatives to corporal punishment of children; and

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WHEREAS, studies demonstrate that the more children are hit, the greater the likelihood that they will engage in aggression and anti-social behavior;

WHEREAS, in a study of 8000 families, children who experience frequent corporal punishment are more likely to physically attack siblings, develop less adequately-developed consciences, experience adult depression, and physically attack a spouse as an adult; and

WHEREAS, this country has extremely high rates of violence compared to other developed countries;

NOW, THEREFORE BE IT RESOLVED: That Town Meeting encourages parents and caregivers of children to

Refrain from the use of corporal punishment; and

Use alternative nonviolent methods of child discipline and management with an ultimate goal of mutual respect between parent and child,

[Town Meeting requests that appropriate Town groups such as the Domestic Violence Roundtable, the Advisory Council on Public Health, and the PTOs explore how they can raise awareness of this issue, and organizations that deal with children's welfare shall be informed of this resolution.](#)

EXPLANATION

This voluntary resolution is in no way intended to undermine parental authority or familial autonomy. Its goal is to promote and advocate mutual respectful relationships between children and their parents and encourage thoughtful determination of discipline methods. It seeks to bring attention to this issue and is meant to be a gentle, reasonable, and respectful suggestion. It could result in more support and discussion of options for disciplining children.

Corporal punishment is the intentional infliction of physical pain for the purpose of punishment.

Examples of corporal punishment include slapping, spanking, hitting with objects, shaking and pinching.

Parents who support the use of corporal punishment commit significantly more child abuse than parents who do not.

The more corporal punishment a child receives, the more likely the child will demonstrate physical aggression against an individual outside of the family.

The American Academy of Pediatrics recommends that parents be encouraged and assisted in the development of methods other than spanking for managing undesired behavior.

According to the American Academy of Pediatrics, the following consequences of spanking lessen its desirability as a strategy to eliminate undesired behavior.

- Spanking children <18 months of age increases the chance of physical injury, and the child is unlikely to understand the connection between the behavior and the punishment.
- Although spanking may result in a reaction of shock by the child and cessation of the undesired behavior, repeated spanking may cause agitated, aggressive behavior in the child that may lead to physical altercation between parent and child.
- Spanking models aggressive behavior as a solution to conflict and has been associated with increased aggression in preschool and school children.
- Spanking and threats of spanking lead to altered parent-child relationships, making discipline substantially more difficult when physical punishment is no longer an option, such as with adolescents.
- Spanking is no more effective as a long-term strategy than other approaches, and reliance on spanking as a discipline approach makes other discipline strategies less effective to use. Time-out and positive reinforcement of other behaviors are more difficult to implement and take longer to become effective when spanking has previously been a primary method of discipline.
- A pattern of spanking may be sustained or increased. Because spanking may provide the parent some relief from anger, the likelihood that the parent will spank the child in the future is increased.

“If we are ever to turn toward a kinder society and a safer world, a revulsion of physical punishment would be a great place to start.”-- Dr. Benjamin Spock

“After nearly two decades of research on the causes and consequences of family violence, we are convinced that our society must abandon its reliance on spanking children if we are to prevent intimate violence.” –Richard J. Gelles, Ph.D. and Murray A Straus, Ph.D., sociologists

“The cultural acceptance of violence should be decreased by discouraging corporal punishment at home.” --U.S. Surgeon General’s Workshop on Violence and Public Health

SELECTMEN’S RECOMMENDATION

The Board of Selectmen endorses the core concept of this resolution, which is to encourage parents and caregivers of children to refrain from the use of corporal punishment. Selectmen commend the petitioner for attempting to heighten awareness of this issue through Town Meeting debate. While some Selectmen noted a preference to focus Town Meeting deliberations on matters of municipal governance rather than deliberating broader social issues, they acknowledge Town Meeting’s traditional practice to engage in such matters. Therefore, the Board recommends FAVORABLE ACTION, by a vote of 4-0 taken on May 11, 2004, on the resolution offered by the Advisory Committee.

ROLL CALL VOTE:

Favorable Action

Geller
Hoy
Sher
Merrill

ADVISORY COMMITTEE’S RECOMMENDATION

BACKGROUND

Article 16 is a citizen’s petition asking the Town to adopt a resolution encouraging parents and care givers to refrain from the use of corporal punishment.

This is not legislative, it is a voluntary resolution meant to express the concerns of the Town and to raise awareness about an issue. This is not about child abuse, which is prohibited by various laws and monitored by many agencies. Rather, it concerns the corporal punishment of children. This is defined by slapping, spanking, hitting and pinching, among other things.

DISCUSSION

The petitioner made it clear that this is not intended to undermine the authority of parents. The expressed goal is to advocate for mutual respect between parents and children and

encourage thoughtful methods of discipline. The petitioner offered studies to support the contention that corporal punishment is harmful and counter productive. The Massachusetts Society for the Prevention of Cruelty to Children (MSPCC) also sent a letter supporting this resolution to the Advisory Committee.

While the Committee agrees with the sentiments expressed in the resolution, most members questioned the appropriateness of bringing this before Town Meeting since various agencies exist to deal with these sorts of issues. Neither the Police Department nor Department of Health found evidence of an acute problem in Brookline.

It was suggested that better results may be realized by working directly with existing agencies (e.g. schools, social agencies, and the Domestic Violence Roundtable) to develop strategies for educating the public about the ills of corporal punishment and discouraging its use. It is important, also, to distinguish between child abuse and the mild corporal punishment parents may employ, since child abuse must be reported by teachers, social workers, and others.

RECOMMENDATION

The vast majority of the Committee members (12), while personally opposed to corporal punishment, did not feel it was their place to offer advice on this matter to families in our community, and ABSTAINED from voting.

A small minority of the Committee members (3) felt strongly enough about the issue and its importance to support the resolution offered by the petitioner. They voted for FAVORABLE ACTION.

A smaller minority (2) felt strongly enough that Town Meeting was not the appropriate venue for addressing this issue and voted for NO ACTION.

Therefore, by an unusual vote of 3-2-12, the Advisory Committee recommends FAVORABLE ACTION on the following resolution:

VOTED: That the Town adopt the following resolution:

Town Meeting will encourage parents and caregivers of children to refrain from the use of corporal punishment; use alternative nonviolent methods of child discipline and management with the ultimate goal of mutual respect between parent and child.

WHEREAS, the nations pediatric professionals and children's advocates advise against the use of corporal punishment of children; and

WHEREAS, corporal punishment teaches children that hitting is an acceptable way of dealing with problems and that violence works; and

WHEREAS, there are effective alternatives to corporal punishment of children; and

WHEREAS, children, like adults, have the right not to be physically assaulted; and

WHEREAS, 25% of infants are hit before they are 6 months old; and

WHEREAS, about 1200 children die each year from corporal punishment in the United States; and

WHEREAS, studies demonstrate that the more children are hit, the greater the likelihood that they will engage in aggression and anti-social behavior;

WHEREAS, in a study of 8000 families, children who experience frequent corporal punishment are more likely to physically attack siblings, develop less adequately-developed consciences, experience adult depression, and physically attack a spouse as an adult; and

WHEREAS, this country has extremely high rates of violence compared to other developed countries;

NOW, THEREFORE BE IT RESOLVED: That Town Meeting encourages parents and caregivers of children to

Refrain from the use of corporal punishment; and

Use alternative nonviolent methods of child discipline and management with an ultimate goal of mutual respect between parent and child,

Town Meeting requests that appropriate Town groups such as the Domestic Violence Roundtable, the Advisory Council on Public Health, and the PTOs explore how they can raise awareness of this issue, and organizations that deal with children's welfare shall be informed of this resolution.

XXX

ARTICLE 17

SEVENTEENTH ARTICLE

To see if the Town will determine that Putterham Meadows, including Putterham Woods, shown on a plan by Peter M. Ditto, Director of Engineering & Transportation of said town, made a part hereof, is necessary for environmental protection and the stated purposes of art. 97 of the Articles of Amendment to the Massachusetts Constitution; will designate Putterham meadows as subject to the requirements thereof and will reaffirm that the present uses of Putterham Meadows shall be continued, or act on anything relative thereto.

Putterham Meadows is the Town's largest publicly accessible green space. In addition to the Town's Municipal Golf Course, Putterham Meadows contains wetlands and acres of mature hemlocks, known as Putterham Woods. Putterham Meadows provides a mixture of recreational activities – including golf, cross country skiing, hiking, and bird watching. The expanse of open space in Putterham Meadows provides an important green link for wildlife in the greater Boston area.

The petitioners desire to insure that this important open space resource is afforded the protection offered under Article 97 of the Constitution of the Commonwealth of Massachusetts.

In 1972, Massachusetts voters approved Article 97 of the Articles of the Amendments to the Massachusetts Constitution, which has been referred to as the Environmental Bill of Rights. Article 97 protects land so designated by requiring a two thirds vote of each branch of the state legislature for any change in use of that land which is not consistent with recreational, conservation, or parkland related uses.

Article 97 replaced Article 49 of the Articles of the Amendments to the Constitution, and it was under this prior Article 49 that Putterham Meadows was designated as protected green space. It generally is assumed that all land that had been designated “protected” under the old Article 49 is now protected under Article 97. According to Town Counsel, however, this assumption has on occasion been challenged. In addition, there did not exist a required survey and plan of Putterham Meadows. The Town has just completed a new survey of Putterham Meadows. Therefore, to ensure a lack of ambiguity regarding the status of Putterham Meadows, which the Town already treats as protected by Article 97, the petitioners request that Town Meeting provide for the explicit designation of that land as protected under Article 97, using the survey conducted by the Town.

This article is consistent with and reaffirms Brookline's Open Space Plan 2000.

SELECTMEN'S RECOMMENDATION

Article 17 asks that Town Meeting grant Article 97 protection for Putterham Meadows, the Town's largest publicly accessible green space. Article 97 of the Massachusetts Constitution provides protection of public land for purely park and open space purposes. Such protection means that a two-thirds vote of each branch of the State Legislature is required for any change in the use of the land that is not consistent with recreational, conservation, or parkland related uses.

This is requested because it is not 100% certain if Putterham Meadows currently has Article 97 protection. The petitioners, and this Board, do not want to take any chance, so Article 11 is proposed. If a majority of Town Meeting adopts the article, the present uses of Putterham Meadows would be continued. The Board recommends FAVORABLE ACTION, by a vote of 5-0 taken on April 27, 2004, on the vote offered by the Advisory Committee.

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND

Warrant Article 17 seeks to place Putterham Meadows, the Town's largest publicly accessible green space, which includes, in addition to the Town's municipal golf course, wetlands and acres of mature hemlocks, known as Putterham Woods, under the protection of Article 97 of the Amendments of the Massachusetts Constitution ("Article 97"). The land was originally purchased by the Town for recreational use and related purposes. It is used, not only as a golf course, but also for cross country skiing, hiking and bird watching. The petitioners seek to insure that the land remains as open space.

DISCUSSION

It was believed, until now, that this land was protected under the former Article 49 of the Amendments of the Massachusetts Constitution ("Article 49") but no recorded vote of Town Meeting can be found to corroborate this. Article 49 was annulled in 1972 by Article 97 which inserted a new provision in its place providing, as an additional protective measure, that the land so taken or acquired cannot be used for any other purpose except by a two-thirds vote of each branch of the general court. Also, there has never been a plan of land made measuring the legal boundaries of Putterham Meadows, a vital prerequisite in the process. A survey of land has been performed by professional, registered engineers of the Town's Engineering Division. Therefore, to avoid any lingering doubt as to its legal status, the petitioners seek to place the land under the

protection of Article 97 which will prevent it from being developed or used for any other public purpose except for those purposes for which it has been used up to this time.

It should be noted that Town Counsel is of the opinion that the current operation of the Putterham Meadows golf course restaurant, Grill on the Green, which has been challenged by some residents as an illegal activity, is a valid, related recreational activity that has been performed from the inception of the golf course's operation. Also, the Board of Appeals recently heard a petition from the opponents of the restaurant's recently extended weekend evening hours and ruled that the restaurant was an activity related to recreation, a permitted activity, and was not a nonconforming use under the zoning by-law.

RECOMMENDATION

The Advisory Committee, by a vote of 16-1-1, recommends FAVORABLE ACTION on the following vote:

VOTED: That the Town hereby determines that Putterham Meadows, including Putterham Woods, Shown as 123.84 Acres, more or less, on the Plan entitled: "Plan of Putterham Meadows in Brookline, Massachusetts," by the Brookline Engineering Division, a copy of which Plan is on file in the Town Clerk's Office and made a part hereof, is necessary for the environmental protection and the stated purposes of Article 97 of the Articles of Amendment to the Massachusetts Constitution, and hereby designates Putterham Meadows and Putterham Woods as subject to the requirements of Article 97 and reaffirms that the present uses of Putterham Meadows shall be continued.

XXX

ARTICLE 18

EIGHTEENTH ARTICLE

Reports of Town Officers and Committees

BOARD OF SELECTMEN

Robert L. Allen, Chairman
Joseph T. Geller
Gilbert R. Hoy, Jr.
Michael S. Sher
Michael W. Merrill

ADVISORY COMMITTEE

Harry Bohrs, Chair