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, May 26, 2015

at

7:00 P.M.

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

Town of Brookline

BOARD OF SELECTMEN

Nancy A. Daly **Neil A. Wishinsky**
Benjamin J. Franco **Nancy S. Heller**
Bernard W. Greene

Melvin A. Kleckner, 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 Robert Sneirson, Town of Brookline, 11 Pierce Street, Brookline, MA 02445, 730-2328 Voice, 730-2327 TDD, or email at rsneirson@brooklinema.gov."

MODERATOR

Edward N. Gadsby, Jr.

ADVISORY COMMITTEE

Sean M. Lynn-Jones, Chair, 53 Monmouth Street..... 738-6228
Carla Benka, Vice-Chair, 26 Circuit Road 277-6102
Clifford M. Brown, 9 Hyslop Road 232-5626
Lea Cohen, 1060 Beacon Street, #11..... 947-9713
John Doggett, 8 Penniman Place 739-7266
Dennis Doughty, 57 Perry Street.....566-5474
Kelly Hardebeck, 18 Littell Road 277-2685
Amy Hummel, 226 Clark Road 731-0549
Sytske V. Humphrey, 46 Gardner Road 277-1493
Angela Hyatt, 87 Walnut Street 734-3742
Alisa G. Jonas, 333 Russett Road 469-3927
Janice Kahn, 63 Craftsland Road..... 739-0606
Steve Kanes, 89 Carlton Street 232-2202
Bobbie M. Knable, 243 Mason Terrace..... 731-2096
Fred Levitan, 1731 Beacon Street..... 734-1986
Robert Liao, 55 Meadowbrook Road.....(530)988-8887
Pamela Lodish, 195 Fisher Avenue 566-5533
David-Marc Goldstein, 22 Osborne Road 232-1943
Shaari S. Mittel, 309 Buckminster Road 277-0043
Michael Sandman, 115 Sewall Ave., No. 4 232-7125
Lee L. Selwyn, 285 Reservoir Road 277-3388
Stanley L. Spiegel, 39 Stetson Street 739-0448
Charles Swartz, 69 Centre Street 731-4399
Leonard A. Weiss, 46 Hawthorn Road 277-8403
Karen Wenc, 84 Summit Avenue 232-4983
Christine M. Westphal, 31 Hurd Road..... 738-7981

Anne Braudy, Executive Assistant, Town Hall 730-2115

MAY 26, 2015
ANNUAL TOWN MEETING
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ARTICLE NO.	TITLE
1.	Appointment of Measurers of Wood and Bark. (Selectmen)
2.	Approval of Collective Bargaining Agreements. (Human Resources)
3.	Annual Authorization of Compensating Balance Agreements. (Treasurer/Collector)
4.	Report on the Close-out of Special Appropriations / Bond Authorization Rescission. (Selectmen)
5.	Approval of Unpaid Bills of a Prior Fiscal Year. (Selectmen)
6.	Acceptance of Legislation to Increase Property Tax Exemptions. (Assessors)
7.	FY15 Budget Amendments. (Selectmen)
8.	Annual (FY16) Appropriations Article. (Advisory Committee)
9.	Amendment to Article 2.1.10 of the Town's By-Laws – Town Meeting Members at Large - extending At Large Town Meeting Membership to certain elected Officials. (Petition of Ernest Frey)
10.	Amendment to Article 4.8 of the Town's By-Laws - Living Wage – excepting certain temporary and Recreation Department employees from the provisions of the By-law. (Recreation Department)
11.	Amendment to Article 5.6 of the Town's By-Laws – Preservation Commission & Historic Districts – establishing a Crowninshield Local Historic District (Preservation Commission)
12.	Amendment to Article 7.7 of the Town's By-Laws - Removal of Snow and Ice from Sidewalks – increasing enforcement and penalty provisions. (Selectmen)
13.	Amendment to Town By-laws adding a new Article 8.34 – Drinking Water Access – requiring indoor common victualler licensees to offer town tap water to customers, and amending Articles 10.2 and 10.3 – Prosecution and Enforcement – adding such Article to the penalty provisions therein (Petition of Clint Richmond & Jane Gilman)

14. Amendment to the Town By-laws adding a new Article 8.35 – Bottled Water – prohibiting the sale or distribution of bottled water on Town property and the purchase of bottled water with Town funds, and amending Articles 10.2 and 10.3 of the Town's By-laws – Prosecution and Enforcement - adding such Article to the penalty provisions therein (Petition of Clint Richmond & Jane Gilman)

15. Amendment to the Town's Zoning By-Law Map extending the Renewal Energy Overlay District (SOL) to include the town-owned parcel of land located at 813, 815 and 817 Newton Street. (Department of Planning and Community Development)

16. Authorizing the Board of Selectmen to lease a portion of the town-owned Transfer Station Site located at 813, 815 and 817 Newton Street for a term of not more than 30 years for the purpose of hosting ground-mounted solar photovoltaic installations. (Selectmen)

17. Resolution in Support of Changes to the Affordable Housing Law, Mass G.L.c. 40B (Petition of Nancy Heller and John Sherman)

18. Resolution requesting the Board of Selectmen to study and consider use of Eminent Domain for two green space buffer zones along Russett and Beverly Roads (Petition of Regina Frawley)

19. Resolution opposing Boston 2024's Olympics bid as a Misguided Civic Priority (Petition of Lee Biernbaum)

20. Reports of Town Officers and Committees. (Selectmen)

2015 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 2015 Annual Town Meeting to be held on Tuesday, May, 26, 2015 at 7:00 p.m.

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

ARTICLE 1

FIRST ARTICLE
Submitted by: Board of Selectmen

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.

PETITIONER'S ARTICLE DESCRIPTION

Article 20 of the November, 2000 Special Town Meeting requires that this be the first article at each Annual Town Meeting. It calls for the Selectmen to appoint two Measurers of Wood and Bark.

SELECTMEN'S RECOMMENDATION

The Selectmen recommend FAVORABLE ACTION, by a vote of 5-0 taken on March 17, 2015, on the vote offered by the Advisory Committee.

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND:
Warrant Article 1 seeks Town Meeting's approval to establish the number of Measurers of Wood and Bark at two and to permit the Board of Selectmen to appoint them.

In 2000, Town Meeting directed that the first warrant article of the Annual Town Meeting shall be the proposal to appoint one or more Measurers of Wood and Bark.

State law (Mass. Gen. Laws Ch. 94, §296) requires the Town to "annually choose one or more measurers of wood and bark," with the Board of Selectmen being able to appoint a person(s) to the position(s) after Town Meeting sets the number of measurers.

DISCUSSION:
This article maintains a tradition reflecting Brookline's colonial past. The opposing thought is that this Article is an anachronism and has no place on a modern-day warrant.

The positions do not draw a salary, stipend, or other remunerative benefit, and the Town incurs no current financial cost or future pension or OPEB liability.

There has been at least one recent instance in which a Measurer of Wood and Bark has been called upon to resolve a dispute. And there may be some value to the Measurer in the management of invasive species.

RECOMMENDATION:
The Advisory Committee by a vote of 16 for and 1 opposed and no abstentions recommends FAVORABLE ACTION on the following:

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

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ARTICLE 2

SECOND ARTICLE
Submitted by: Human Resources

To see if the Town will raise and appropriate, or appropriate from available funds, a sum or sums of money to fund the 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.

PETITIONER'S ARTICLE DESCRIPTION

This article is inserted in the Warrant for any Town Meeting when there are unsettled labor contracts. Town Meeting must approve the funding for any collective bargaining agreements.

SELECTMEN'S RECOMMENDATION

There are no Collective Bargaining agreements for Town Meeting authorization at this time. As a result, the Board recommends NO ACTION, by a vote of 5-0 taken on March 17, 2015.

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND:
Warrant Article 2 provides for funding of the Town's collective bargaining agreements.

RECOMMENDATION:
As there are no collective bargaining agreements to consider at this time, the Advisory Committee by a vote of 20–0–0 unanimously recommends NO ACTION on Article 2.

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ARTICLE 3

THIRD ARTICLE
Submitted by: Treasurer/Collector

To see if the Town will authorize the Town Treasurer, with the approval of the Selectmen, to enter into Compensating Balance Agreement(s) for FY2016 in accordance with General Laws Chapter 44, Section 53F, or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

This article authorizes the Town Treasurer to enter into Compensating Balance Agreements, which 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.

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 FY2016 budget to pay for these services directly. 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 5-0 taken March 17, 2015, 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 FY2016 in accordance with General Laws Chapter 44, Section 53F.

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND:
Article 3 asks the Town to authorize the Town Treasurer, with the approval of the Selectmen, to enter into compensating balance agreements for FY2016 in accordance with General Laws Chapter 44, Section 53F.

Compensating balance agreements allow a depositor, in lieu of cash payments for services provided by a bank, to maintain a specified level of non-interest bearing deposits in return for which the bank agrees to perform those services, a form of barter transaction. 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.

DISCUSSION:
Town Meeting must first vote to permit the agreements and note their duration. Thereafter, the Treasurer can solicit banking service providers after complying with a public tender process. Before the agreements can become effective, the Board of Selectmen must approve them. Town Meeting has authorized these arrangements since the mid-1980s.

Annual budgeting practices assume that cash payments will be made for banking services. This authorization, however, will give the Treasurer the ability to enter into such agreements if it should be in the best interest of the Town.

Compensating balance agreements provide value in low interest rate environments, conditions that exist today. However, the Town has had success in maintaining interest bearing deposits that remain more economically beneficial than compensating balance agreements.

RECOMMENDATION:
By a vote of 21–0–0, the Advisory Committee unanimously recommends FAVORABLE ACTION on Article 3.

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ARTICLE 4

FOURTH ARTICLE
Submitted by: Board of Selectmen

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; and rescind the unused portion of prior borrowing authorizations, or act on anything relative thereto.

1) Special Appropriation Closeouts

2) Rescind the bond authorization for improvements to the John D. Runkle School, authorized as Item #58 of Section 3 of Article 4 of the 2009 Special Town Meeting, in the amount of $662,087.

3) Rescind the bond authorization for improvements to the Heath School, authorized as Item #68 of Section 13 of Article 9 of the 2011 Annual Town Meeting, in the amount of $388,366.

PETITIONER'S ARTICLE DESCRIPTION

Section 2.1.4 of the Town's By-Laws requires that each Annual Town Meeting include a warrant article showing the status of all special appropriations. This article is also used for debt rescissions, of which two are recommended.

SELECTMEN'S RECOMMENDATION

This is an annual article required by Section 2.1.4 of the Town's By-Laws. The tables that appear on the following pages 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.

Part two of the article asks Town Meeting to rescind the remaining $10,442 Bond Authorization for improvements to the John D. Runkle School. A Bond Authorization Notice (BAN) issued for the Runkle project was not included in the initial numbers

provided for this warrant article. The Runkle project was authorized for borrowings of $29,100,000. State funds of $10,359,558 provided as reimbursement automatically rescind the equivalent amount and borrowings of $18,730,000 leave $10,442 of unused authorization.

Part three of the article asks Town Meeting to rescind the remaining $388,366 for improvements to the Heath School. The Heath project was authorized for borrowings of $8,500,000. State funds of $2,871,634 provided as reimbursement automatically rescind the equivalent amount and borrowings of $5,240,000 leave $388,366 of unused authorization.

The Selectmen recommend NO ACTION on part 1 of the article and FAVORABLE ACTION on part 2 and 3 of the article, both by a vote of 5-0 taken on April 7, 2015 as follows:

VOTED: That the remaining $10,442 Bond Authorization for improvements to the John D. Runkle School, authorized under Item #58 of Section 3 of Article 4 of the 2009 Special Town Meeting, be reduced and rescinded.

VOTED: That the remaining $388,366 Bond Authorization for improvements to the Heath School, authorized under Item #68 of Section 13 of Article 9 of the 2011 Annual Town Meeting, be reduced and rescinded.

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND:
This article is annually submitted by the Board of Selectmen to close out any Special Appropriations and/or rescind any unneeded Bond Authorizations. The article appears on the Annual Town Meeting Warrant regardless of whether a motion is being offered.

Section 2.1.4 of the Town's By-Laws requires that each Annual Town Meeting include a warrant article:

- showing the status of all special appropriations, and to ensure that surplus funds, if, any, are managed in a timely fashion;
- identifying the unused portion of borrowing authorization that require rescission.

DISCUSSION:
Under state statutes, surplus funds for revenue-financed projects are transferred to free cash by the end of the respective fiscal year. Surplus funds from bond-financed projects are also transferred to free cash, unless they are appropriated under a warrant article by Town Meeting for a purpose similar to the original borrowing.

This Combined Report includes elsewhere information on the remaining status of capital projects and special appropriations that are debt-financed or revenue-funded. No action

by Town Meeting is required if surpluses are returned to free cash. The Comptroller has the statutory authority to close out capital projects.

The rescission of bond authorizations requires Town Meeting action.

The John D. Runkle School project was authorized for borrowings of $29,100,000. State funds of $10,359,558 and borrowings of $18,730,000 leave $10,442 of unused authorization. The warrant article incorrectly shows $662,087, largely the result of omitting $650,000 of borrowings.

The Heath School project was authorized for borrowings of $8,500,000. State funds of $2,871,634 and borrowings of $5,240,000 leave $388,366 of unused authorization.

RECOMMENDATION:
The Advisory Committee recommends unanimously by a vote of 17–0–0 FAVORABLE ACTION on Article 4, which asks the Town to rescind unused portion of the following bond authorizations:

- improvements to the John D. Runkle School, authorized as Item #58 of Section 3 of Article 4 of the 2009 Special Town Meeting, in the amount of $10,442;
- improvements to the Heath School, authorized as Item #68 of Section 13 of Article 9 of the 2011 Annual Town Meeting, in the amount of $388,366.

The Advisory Committee recommends unanimously NO ACTION on Article 4 relating to special appropriations.

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Available Budget Report - Capital Funds (Bond funded) for Fiscal Year 2015 as of 3/16/15

		Revised Budget	YTD Expended	YTD Encumbered	Available	Status
C178	FIRE LADDER TRUCK	900,000	249,487	650,513	0	Expected Delivery in Fall 2015
	FIRE CAPITAL	900,000	249,487	650,513	0	
C142	PUTTERHAM MEADOWS GOLF/CLUBHSE	711,440	8,585	53,216	649,639	On going project
C165	RUNKLE SCHOOL REN/ADD	870,175	153,628	702,148	14,400	To be completed by August, 2015
C167	FY11 TOWN HALL/LIB GARAGE	547,012	542,262	1,500	3,250	To be completed by August, 2015
C168	HEATH SCHOOL ADDITION	583,919	79,697	488,793	15,429	To be completed by August, 2015
C171	REP/REN UNIFIED ARTS BUILDING	161,350	45,674	0	115,676	New Spec package - for bid in fall
C173	MUNICIPAL SERVICE CENTER	2,461,150	122,783	57,610	2,280,758	Out to bid in 2 weeks.
C175	ROOF REPAIRS AND REPLACEMENT	1,267,411	827,829	24	439,559	On going project
C176	OLD LINCOLN SCHOOL REPAIRS	3,000,000	159,196	2,554,185	286,619	On going project
C177	LAWRENCE SCHOOL CLASSROOMS	1,500,000	0	1,500,000	0	On going project
	BUILDING CAPITAL	11,102,458	1,939,654	5,357,476	3,805,328	
C144	WASTEWATER SYSTEM IMPROVEMENTS	17,420	1,100	0	16,320	To be used in Infiltration/Inflow contract going out this spring
C150	MUDDY RIVER RESTORATION	745,000	0	0	745,000	In Progress
C157	NEWTON ST LANDFILL	28,891	2,109	0	26,782	To be used for improvements in materials storage area
C158	WASTEWATER SYSTEM IMP	4,729,522	436,424	165,855	4,127,244	To be used in Infiltration/Inflow contract going out this spring
C160	RESERVOIR AT FISHER HILL PURCH	108,824	58,459	50,365	0	In Progress
C166	CARLTON ST FOOTBRIDGE RESTORAT	1,357,611	7,528	104,434	1,245,649	Responding to 25% comments. Project in FFY16 TIP
C169	STORM DRAIN IMPROVEMENTS	262,358	40,711	1,591	220,056	Preparing for NPDES Ph.2 permit application
C170	WATER MAIN IMPROVEMENTS	119,291	95,537	1,697	22,058	Water system improvements contract complete.
C172	WALDSTEIN PLAYG/WARREN FIELD/P	2,036,243	1,808,690	158,156	69,397	In Progress
C174	FISHER HILL PARK	708,653	708,653	0	0	In Progress
C179	NEWTON ST LANDFILL CLOSE	4,600,000	0	0	4,600,000	Constultant design contract awarded. FY 16 construction
C180	VILLAGE SQUARE IMPROVEMENTS	1,200,000	0	0	1,200,000	Gateway East at 25% Plans Specs and Engineering. Emerald Necklace Xing at 60% Plans Specs and Engineering
	DPW CAPITAL	15,913,813	3,159,210	482,097	12,272,506	

Available Budget Report - Special Warrant Articles (Revenue-Financed) for Fiscal Year 2015 as of 3/17/15

Account	Account Name	Revised Budget	YTD Expended	YTD Encumbered	Available Balance	Comment
K018	SCHOOL FURNITURE UPGRADES	60,105	60,000	0	105	Project completed. Any unspent balance to close out on 6/30/15.
Sub-Total Finance Dept		**60,105**	**60,000**	**0**	**105**	
K084	GATEWAY EAST PROJECT	12,531	3,651	8,881	0	This is an active project still in the design stage.
K100	COMMERCIAL AREA IMPROVEMENTS	156,348	46,044	10,925	99,379	Hickey Triangle & cultural wayfinding signage. Construction/installation expected by end of FY.
K122	RIVERWAY BIKE/PED PATH	40,000	0	0	40,000	This project wil be bid for construction in calendar year 2015.
Sub-Total Dept of Planning & Community Development		**208,880**	**49,695**	**19,806**	**139,379**	
K016	IT HARDWARE-SOFTWARE	294,962	226,224	47,135	21,602	On-going projects.
K126	SCHOOL TECHNOLOGY PROJECTS	352,819	340,745	8,623	3,451	Remaining funds to be spent this summer.
Sub-Total Information Technology Dept		**647,780**	**566,969**	**55,758**	**25,053**	
K095	FIRE ENGINE #3	510,000	0	510,000	0	Complete
K095	FIRE ENGINE #5	580,000	179,805	386,152	14,043	Expected delivery late spring early fall 2015.
Sub-Total Fire Dept		**1,090,000**	**179,805**	**896,152**	**14,043**	
K002	ENERGY CONSERVATION	168,694	160,965	318	7,412	On-going projects.
K010	ENERGY MANAGEMENT SYSTEMS	21,299	21,280	0	20	Complete
K022	TOWN-SCHOOL SECURITY-LIFE SAFETY	308,247	217,254	16,693	74,299	On-going projects.
K036	OLD LINCOLN SCHOOL	514,048	514,048	0	0	On-going projects.
K038	PIERCE SCHOOL RENOVATIONS	92,220	70,255	9,295	12,669	On-going projects.
K038	PIERCE SCHOOL ELECTRICAL SYSTEM	360,410	12,346	172,725	175,339	On-going projects.
K042	CLASSROOM CAPACITY EXPANSION	3,587,619	2,807,431	770,506	9,682	On-going projects.
K047	TOWN/SCHOOL FACILITY ROOF REPAIR	375,000	39,308	0	335,692	On-going projects.
K050	ADA RENOVATIONS	85,665	82,670	2,500	495	Complete
K098	FIRE STATION RENOVATIONS	1,156,245	739,323	9,609	407,313	Work in Fire Stations #5 & 6 out to bid
K099	SENIOR CENTER CARPETING	21,123	0	0	21,123	Project completed. Any unspent balance to close out on 6/30/15.
K109	TOWN/SCHOOL BUILDINGS ELEVATOR	743,353	40,603	394,690	308,059	On-going projects.
K110	TOWN/SCHOOL BUILDINGS ENVELOPE REPAIRS	863,445	597,340	0	266,104	On-going projects.
K112	UNIFIED ARTS BUILDING REPAIR/RENOVATION - DESIGN	28,911	417	0	28,495	Part of final bid package for bid in fall.
K116	GOLF COURSE MAINTENANCE BLDG	5,846	4,527	0	1,318	On-going projects.
K117	EMERGENCY GENERATORS/LIGHTS	171,659	11,564	152,015	8,080	On-going projects.
K119	DEVOTION SCHOOL RENOVATION	1,518,190	1,017,676	215,306	285,208	On-going projects.
K121	GARAGE FLOOR SEALANTS	25,000	0	0	25,000	Bid pending
K123	DEVOTION HOUSE / PUTTERHAM SCHOOL	85,000	0	0	85,000	Bids received. To award contract.
K127	FIRE FLEET MAINT AND TRAINING FACILITY	40,000	1,975	37,525	500	Study 45% complete to date.
K128	COOLIDGE CORNER FEASIBILITY / CONCEPT STUDY	50,000	0	0	50,000	Waiting for Concept study
K131	DRISCOLL SCHOOL RENOVATION	1,000,000	0	0	1,000,000	Re-Appropriated as part of FY16 CIP
Sub-Total Building Dept		**11,221,972**	**6,338,983**	**1,781,182**	**3,101,807**	
K048	TRANSFER STATION FLOOR	70,000	70,000	0	0	Project Complete.
K051	TREE MANAGEMENT	207,147	59,769	107,591	39,787	In Progress
K052	BICYCLE ACCESS IMPROVEMENTS	70,000	17,817	38,705	13,478	Contract awarded. 30% completed with remainder to be done this spring
K054	STREET LIGHTING REPLACEMENT	127,972	68,220	526	59,226	Highway Division installed ornamental fixtures on Harvard St. - Beacon to Stedman
K054	LED STREETLIGHT REPLACEMENT	709,017	14,520	0	694,497	Approx. 900 fixtures installed last year. Awaiting delivery of this years fixtures
K055	CARLTON STREET FOOTBRIDGE	85,186	0	0	85,186	Responding to 25% design comments. Project fund in FFY 2016 TIP
K056	SIDEWALK IMPROVEMENTS	707,516	183,804	15,059	508,653	On-going projects.
K057	CHESTNUT ST DRAIN/WILLOW POND	30,780	0	0	30,780	Project Complete. Any unspent balance to close out on 6/30/15.
K058	STREET REHABILITATION	3,134,900	526,534	175,491	2,432,876	On-going projects.
K062	DANE PARK	29,051	0	0	29,051	Design and installation of wayfinding signage. In Progress.
K065	RIVERWAY PARK IMPROVEMENT	86,369	0	0	86,369	Design on hold until Phase II of Muddy River Restoration Project commences.
K066	PLAYGROUND,FENCE,FIELD, EQUIPMENT	493,519	140,579	303,660	49,280	On-going projects.
K068	OLMSTED PARK IMPROVEMENTS	6,332	0	0	6,332	Planned for Tree Management spring 2015.
K069	TENNIS/BASKETBALL COURT REHAB	15,669	15,669	0	0	In Progress
K070	LARZ ANDERSON PARK	709,911	0	119,500	590,411	Design Development in progress.
K071	LOST POND CONSERVATION AREA	28,812	2,116	2,884	23,812	Design and installation of wayfinding signage. In Progress.
K073	TOWN-SCHOOL GROUNDS REHAB	216,303	107,136	29,916	79,251	On-going projects.
K078	MUDDY RIVER REMEDIATION	1,318,495	0	0	1,318,495	In Progress
K083	TRAFFIC CALMING	29,130	0	0	29,130	To be used in reconst. of Heath St -HPP to Town line -raised x-walk & speed bump - 2015

Available Budget Report - Special Warrant Articles (Revenue-Financed) for Fiscal Year 2015 as of 3/17/15

Account	Account Name	Revised Budget	YTD Expended	YTD Encumbered	Available Balance	Comment
K088	MOUNTFORT ST TRAFFIC SIGNAL	106,438	0	0	106,438	Expect MADOT to reconst St.Mary's St. bridge 2015. Town's contribution to be determined
K089	NEWTON ST/W. ROXBURY PKWY TRAFFIC	147,900	0	0	147,900	Continue on 25% design
K090	PEDESTRIAN ACCESS IMPROVEMENTS	45,000	0	45,000	0	Part of the Gateway East Project.
K096	PARKING METERS	2,345	0	0	2,345	Completing new single head meter installations
K097	LANDFILL SETTLEMENTS	279,153	0	0	279,153	On-going.
K101	MUNICIPAL SERVICE CENTER REPAIRS	324,979	0	0	324,979	Completing construction documents for FY 16
K102	BILLY WARD PLAYGROUND	111,375	91,139	0	20,236	Complete punchlist
K103	CLARK PLAYGROUND	5,112	0	0	5,112	Park Signage in progress.
K113	HARVARD ST/GREEN ST PEDESTRIAN STUDY	25,000	24,900	0	100	Draft report completed. Preparing for presentation to Transportation Board.
K114	FISHER HILL RESERVOIR	3,250,000	782,783	2,467,217	0	In Progress
K115	OLD BURIAL GROUNDS	261,611	156,580	3,950	101,081	In Progress
K120	PARK COMFORT STATIONS	40,000	0	19,200	20,800	In Progress
K124	WOODLAND RD / HAMMOND ST CROSSING STUDY	45,000	13,840	15,560	15,600	Conceptual designs complete. Finalizing preferred alternative for Trans. Board. Review.
K125	BROOKLINE AVE PLAYGROUND	84,127	3,286	0	80,841	Design in Progress
K129	MBTA TRAFFICE SIGNALIZATION	50,000	0	0	50,000	Working with MBTA and their consultant to launch study.
K130	PIERCE PLAYGROUND	90,000	5,500	0	84,500	Design in Progress
Sub-Total DPW		**12,944,148**	**2,284,191**	**3,344,259**	**7,315,698**	
K015	RFID RADIO FREQ IDENT SYSTEM	49,330	13,213	245	35,872	To be spent on materials and maintenance for the RFID system.
Sub-Total Library		**49,330**	**13,213**	**245**	**35,872**	
	TOTAL	**26,222,215**	**9,492,856**	**6,097,403**	**10,631,957**	

ARTICLE 5

FIFTH ARTICLE
Submitted by: Board of Selectmen

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.

PETITIONER'S ARTICLE DESCRIPTION

This article is inserted in the Warrant for every Town Meeting in case there are any unpaid bills from a prior fiscal year that are deemed to be legal obligations of the Town. Per Massachusetts General Law, unpaid bills from a prior fiscal year can only be paid from current year appropriations with the specific approval of Town Meeting.

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. As of the writing of this Recommendation, there are no unpaid bills from a previous fiscal year. Therefore, the Board recommends NO ACTION, by a vote of 5-0 taken on March 17, 2015, on Article 5.

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND:
General Laws, Chapter 44, Section 64, authorize the Town to appropriate funds for and pay previous years' bills. Such bills cannot be paid from current-year appropriations without the specific approval of Town Meeting.

DISCUSSION:
The Town has not identified any previous years' bills.

RECOMMENDATION:
The Advisory Committee by a vote of 20–0–0 unanimously recommends NO ACTION on Article 5.

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ARTICLE 6

SIXTH ARTICLE
Submitted by: Board of Assessors

To see if the Town will elect to establish an additional property tax exemption for fiscal year 2016 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.

PETITIONER'S ARTICLE DESCRIPTION

This article provides for an increase in the property tax exemptions for certain classes of individuals, including surviving spouses, the elderly, and the blind and disabled veterans. The proposed increases, which require annual reauthorizations, have been approved by Town Meeting continually since FY1989. The estimated cost for FY2016 is approximately $54,000 and is funded from the tax abatement overlay reserve account.

SELECTMEN'S RECOMMENDATION

This article provides for an increase in the property tax exemptions for certain classes of individuals, including surviving spouses, the elderly, and the blind and disabled veterans. The proposed increases, which require annual reauthorizations, have been approved annually since FY1989. The estimated cost for FY2016 is approximately $54,000 and is funded from the tax abatement overlay reserve account. The law allows the Town to increase the exemptions by up to 100% as indicated on the following schedule, which are recommended by the Board of Assessors:

Description	Ch.59, Sec.5 Clause	FY2014 #Granted	Basic Amount Exempted	Proposed Amount Exempted
Surviving Spouse	17D	3	$175	$350
Veteran (10% Disability)	22	61	$400	$800
Veteran (loss of one hand, foot or eye)	22A	1	$750	$1,500
Veteran (loss of two hands, feet or eyes)	22B	0	$1,250	$2,500
Veteran (special housing)	22C	0	$1,500	$3,000
Veteran (certain widows of soldiers)	22D	0	$250	$500
Veteran (100% disability, cannot work)	22E	9	$1,000	$2,000
Blind	37A	37	$500	$1,000
Elderly	41C	8	$500	$1,000

The Selectmen recommend FAVORABLE ACTION, by a vote of 5-0 taken on March 17, 2015, on the following vote:

VOTED: That the Town elect to establish an additional property tax exemption for fiscal year 2016 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.

ADVISORY COMMITTEE'S RECOMMENDATION

BACKGROUND:
Article 6 asks the Town to elect for the fiscal year 2016 an increase of 100% in the statutory property tax exemptions for certain taxpayers.

The property tax exemptions are a Commonwealth mandated program. The following table shows the taxpayer categories, the state exemptions and the proposed exemptions:

Taxpayer Category	Ch. 59, Sec.5 Clause	Statutory Amount of Taxes Exempted	Proposed Amount of Taxes Exempted
Surviving Spouse	17D	$175	$350
Veteran (10% Disability)	22	$400	$800
Veteran (loss of one hand, foot or eye)	22A	$750	$1,500
Veteran (loss of two hands, feet or eyes)	22B	$1,250	$2,500
Veteran (special housing)	22C	$1,500	$3,000
Veteran (certain widows of soldiers)	22D	$250	$500
Veteran (100% disability, cannot work)	22E	$1,000	$2,000
Blind	37A	$500	$1,000
Elderly	41C	$500	$1,000

Since 1989, Brookline has voted to increase the statutory exemptions by 100%, the maximum allowable. This decision requires annual authorization.

DISCUSSION:
The Town cannot, on its own, create additional taxpayer exemption categories. The "local" higher exemption may not cause an individual taxpayer's liability to be less than their previous fiscal year's tax liability.

The Chief Assessor estimates that 108 taxpayers will take advantage of the program in 2016, compared with an estimated 120 in 2015, and an actual 130 in 2014. Decreased participation largely reflects mortality.

The estimated total amount of the additional "local" exemptions for FY2016 is approximately $54,000. This amount, combined with a like estimated statutory exemption

($108,000 in total), is absorbed in the Tax Levy Overlay Account. The financial effect is a reduction of revenues that would otherwise be available to the General Fund.

Additionally, the Commonwealth reimburses the Town for the statutory exemptions in certain taxpayer categories. This amount is estimated at $27,000 for FY2016, and is accounted for as revenue in the General Fund.

RECOMMENDATION:
By a vote of 19–0–0 the Advisory Committee unanimously recommends FAVORABLE ACTION on Article 6.

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ARTICLE 7

SEVENTH ARTICLE
Submitted by: Board of Selectmen

To see if the Town will:

(A) Raise and appropriate or appropriate from available funds additional funds to the various accounts in the fiscal year 2015 budget or transfer funds between said accounts;

(B) And determine whether such appropriations shall be raised by taxation, transferred from available funds, provided by borrowing or provided by any combination of the foregoing; 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 and aid from both federal and state sources and agencies for any of the purposes aforesaid.

or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

The purpose of this article is to make any year-end adjustments to the current year (FY15) budget.

SELECTMEN'S RECOMMENDATION

Article 7 of the 2015 Annual Town Meeting Warrant proposes amendments to the FY15 budget. This article proposes to appropriate money identified as surplus in the Board of Assessor's Overlay Reserve Account to address the deficit in the FY15 snow and ice account. The Assessor's Overlay Reserve Account contains the fund necessary to cover is a reserve for tax abatements and exemptions approved by the Board of Assessors. If the balance in any fiscal year overlay exceeds the amount of potential abatements, the Board of Selectmen may request the Board of Assessors declare the excess balance surplus. The Board of Selectmen anticipate $1.1M of surplus Overlay Reserve Account funds will be made available for appropriation, but at the time the Board voted its recommendation for this article official declaration had not yet been made. The Board will reconsider its action on this warrant article when it receives the official notification declaration of the surplus, but wanted to provide Town Meeting with the general background on this Article in time for the Combined Reports.

Current estimates have the Snow and Ice account with a deficit of $3.4M. The DPW Commissioner and Deputy Town Administrator are working on identifying any departmental turnbacks that can help offset the deficit. The Town anticipates FEMA will reimburse the Town for $400k of eligible snow and ice expenses, leaving a deficit of $3.0M that must be covered with Town funds. The current balance in the Reserve Fund is $1.8M, but the entire balance is not available for use to offset the snow and ice deficit; there are other department requests that need to be addressed. The Deputy Town Administrator assumes $1.6M can be used for snow and ice. Given these considerations the preliminary scenario in front of Town Meeting is as follows:

(in Millions)	
-3.4	Current Deficit
0.4	Anticipated FEMA Reimbursement
1.6	Potential Reserve Fund
1.1	Potential Overlay account
-0.3	Shortfall to be addressed with dept. turnbacks/transfers

Town staff will work in the coming weeks to firm up the numbers, and will have a motion ready for the Board and Advisory Committee in time for the mailing of Supplement 1.

While the State Legislature has given cities and towns up to three years to resolve the deficit without receiving a Free Cash deduction we see no reason to delay the resolution of this deficit. Town Meeting's approval would be needed in order to appropriate the Overlay account surplus under Article 7 (once declared and released by the Board of Assessors). Using the Overlay surplus to address this deficit would comply with the Town's fiscal policies as the expense is one-time in nature.

ADVISORY COMMITTEE'S RECOMMENDATION

A report and recommendation by the Advisory Committee on Article 7 (FY2015 Budget Amendments) will be provided in the Supplemental Mailing.

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ARTICLE 7

BOARD OF SELECTMEN'S SUPPLEMENTAL RECOMMENDATION

Article 7 of the 2015 Annual Town Meeting Warrant proposes amendments to the FY15 budget. This article proposes to appropriate money identified as surplus in the Board of Assessor's Overlay Reserve Account to address the deficit in the FY15 snow and ice account. The DPW Commissioner and Deputy Town Administrator have reviewed the snow and ice account and have recommended a plan to address the $3.2M deficit. Action is needed under Article 7 in order to address $1.1M of that shortfall. The remaining deficit will be covered by DPW salary turn backs ($340K), the Reserve Fund ($1.4M) and an anticipated FEMA reimbursement ($400K).

The Selectmen would like to commend the DPW Commissioner and Department on a tremendous effort on snow removal during the epic snowfall we experienced this past winter. While some communities are still struggling to address their shortfalls we are fortunate that our prudent use of reserves allows us to resolve the deficit without having a detrimental effect on other areas of the budget. Therefore, by a vote of 5-0 taken on May 19, 2015, the Board recommends FAVORABLE ACTION on the following motion:

VOTED: That the Town:

1. Amend the FY2015 budget item number 10 as follows:

   10.) **Snow and Ice Budget:** The Sum of $1,489,091, included within the Department of Public Works appropriation for snow and ice operations, shall be expended for snow and ice operations and not for any other purpose, unless transferred per the provisions of Section 1.B.vi of this Article.

2. Amend the FY2015 budget as shown below and in the attached Amended Tables I and II:

ITEM #	ORIGINAL BUDGET	PROPOSED CHANGE	AMENDED BUDGET
13. Public Works	$14,066,549	+$1,100,000	$15,166,549

and to meet the appropriation transfer $1,100,000 from the overlay surplus account.

ADVISORY COMMITTEE'S SUPPLEMENTAL RECOMMENDATION

BACKGROUND:
Article 7 is included in the Warrant for the Annual Town Meeting to provide for any potential amendments to the Town's current-year budget.

DISCUSSION:
Brookline's Department of Public Works (DPW) traditionally budgets a lower than expected amount for snow removal, and then invokes Chapter 44, Section 31D of the Massachusetts General Laws, which enables the DPW to spend more than the budgeted amount.

The winter of 2014–15 saw record snowfall, primarily during January and February. DPW spending on snow removal thus has been extraordinarily high. There is a deficit in the Snow and Ice account of $3,233,378. Because of the exceptionally high snowfall, the Federal Emergency Management Agency (FEMA) is reimbursing Massachusetts cities and towns for some of their snow removal costs.

Some of the deficit in the DPW Snow and Ice account can be financed as follows:

FEMA expected Reimbursement:	$393,378
DPW wages and salaries surplus:	$340,000
Reserve Fund Transfer:	$1,400,000
Total	$2,133,378

The surplus in the DPW wages and salaries accounts is in Engineering ($50,000), Roadway Maintenance ($170,000), Motor Equipment Maintenance ($20,000), Public Grounds ($50,000), and School Grounds ($50,000). Surpluses reflect unfilled positions. The surplus funds will be transferred to the Snow and Ice account. Some funds are being transferred from the DPW's Parks and Open Space Division. The Advisory Committee has approved the transfer of funds from that division, as is required by the FY2015 Conditions of Appropriation (1. Transfers Among Appropriations).

The remaining $1.1 million deficit can be financed with surplus funds from the Overlay Reserve Account.

Overlay Reserve Account Surplus
The Board of Assessors, by statute (GLC 59, Section 25), has sole responsibility for managing the Tax Levy Overlay Reserve Account. The Board is required to put aside a portion of each year's tax levy for the purpose of handling tax abatements and

exemptions. The financial effect is a reduction of revenues that would otherwise be available to the General Fund.

The Board of Assessors has the responsibility to close out each year's account when it determines that there is little or no remaining risk of any appeal settlement that year. The Board may then release monies to the General Fund, as it so determines. Also, it can respond to requests from the Selectmen to close out prior years.

The Board of Assessors has declared that there is a surplus of $1,165,000 of Overlay Reserve Account funds. Thus $1.1 million is available for appropriation.

Prior to declaration of surplus by the Board of Assessors, remaining overlay account balances for tax years 2009 through 2003 totaled $428,114, with a remaining risk of $12,217, leaving a highly-likely availability to the General Fund of $415,987.

Remaining overlay account balances for tax years 2011 and 2010 were $561,132, with a remaining risk of $371,740, and for tax years 2012 through 2014 totaled $4,006,668, with a remaining risk of $3,445,791. It is highly likely that these remaining risks will settle at considerably reduced amounts. There are large appeals pending in FY2012 thru 2014 for Verizon, RCN, Boston Gas and NStar. Legal fees incurred in these appeals are paid from the General Fund; reserve fund transfers for such of $50,000 were made in both 2012 and 2015.

RECOMMENDATION:
By a vote of 19–0–0 the Advisory Committee recommends FAVORABLE ACTION on the motion offered by the Selectmen.

FY15 AMENDED BUDGET - TABLE 1 May, 2015

		FY12 ACTUAL	FY13 ACTUAL	FY14 BUDGET	FY15 BUDGET	PROPOSED AMENDMENTS	FY15 AMENDED BUDGET	$$ CHANGE FROM FY14	% CHANGE FROM FY14
	REVENUES								
	Property Taxes	162,674,174	169,029,414	175,783,902	181,848,174		181,848,174	**6,064,272**	**3.4%**
	Local Receipts	23,849,795	24,480,797	22,119,366	22,770,225		22,770,225	**650,859**	**2.9%**
	State Aid	13,796,975	15,125,059	16,659,162	17,634,876		17,634,876	**975,714**	**5.9%**
	Free Cash	5,380,264	5,336,413	7,655,155	5,084,152		5,084,152	**(2,571,003)**	**-33.6%**
	Overlay Surplus	400,000	1,750,000	0	1,000,000	1,100,000	2,100,000	**2,100,000**	**-**
	Other Available Funds	6,218,966	10,144,344	6,846,435	6,903,508		6,903,508	**57,073**	**0.8%**
	TOTAL REVENUE	**212,320,174**	**225,866,027**	**229,064,019**	**235,240,935**	**1,100,000**	**236,340,935**	**7,276,915**	**3.2%**
	EXPENDITURES								
	DEPARTMENTAL EXPENDITURES								
	1 . Selectmen	633,913	644,074	666,294	671,197		671,197	**4,904**	**0.7%**
	2 . Human Resources	503,323	574,019	517,681	523,365		523,365	**5,683**	**1.1%**
	3 . Information Technology	1,399,122	1,472,035	1,691,246	1,751,863		1,751,863	**60,618**	**3.6%**
	4 Diversity, Inclusion, and Community Relations	0	0	0	169,109		169,109	**169,109**	-
	5 . Finance Department	2,986,279	2,991,976	2,883,755	2,845,778		2,845,778	**(37,977)**	**-1.3%**
	6 . Legal Services	842,311	821,872	815,521	832,893		832,893	**17,372**	**2.1%**
	7 . Advisory Committee	22,121	14,974	24,156	24,372		24,372	**216**	**0.9%**
	8 . Town Clerk	577,160	775,342	545,728	627,632		627,632	**81,904**	**15.0%**
	9 . Planning and Community Development	634,153	620,599	666,449	765,310		765,310	**98,861**	**14.8%**
	10 . Police	14,947,822	14,954,651	15,211,679	15,312,691		15,312,691	**101,012**	**0.7%**
	11 . Fire	12,855,469	12,844,259	12,959,959	13,005,941		13,005,941	**45,982**	**0.4%**
	12 . Building	6,823,180	6,854,850	7,080,776	7,024,504		7,024,504	**(56,272)**	**-0.8%**
(1)	13 . Public Works	13,283,953	14,480,045	14,051,437	14,066,549	1,100,000	15,166,549	**1,115,112**	**7.9%**
	a. Administration	*799,178*	*823,184*	*826,817*	*864,369*		*864,369*	***37,552***	***4.5%***
	b. Engineering/Transportation	*1,096,910*	*1,105,748*	*1,240,771*	*1,262,215*		*1,262,215*	***21,445***	***1.7%***
	c. Highway	*4,774,773*	*4,579,656*	*4,940,010*	*5,034,219*		*5,034,219*	***94,208***	***1.9%***
	d. Sanitation	*2,873,192*	*3,003,721*	*2,976,972*	*2,990,830*		*2,990,830*	***13,859***	***0.5%***
	e. Parks and Open Space	*3,325,274*	*3,507,459*	*3,662,776*	*3,525,824*		*3,525,824*	***(136,952)***	***-3.7%***
	f. Snow and Ice	*414,627*	*1,460,278*	*404,091*	*389,091*	*1,100,000*	*1,489,091*	***1,085,000***	***268.5%***
	14 . Library	3,621,074	3,742,982	3,720,993	3,754,728		3,754,728	**33,735**	**0.9%**
	15 . Health and Human Services	1,158,084	1,152,529	1,263,418	1,154,562		1,154,562	**(108,856)**	**-8.6%**
	16 . Veterans' Services	273,859	294,085	295,993	321,818		321,818	**25,825**	**8.7%**
	17 . Council on Aging	770,862	872,570	840,951	840,206		840,206	**(745)**	**-0.1%**
	18 . Human Relations	108,596	117,064	0	0		0	**0**	**-**
	19 . Recreation	1,003,409	1,016,673	1,050,192	1,006,120		1,006,120	**(44,072)**	**-4.2%**
(2)	20 . Personnel Services Reserve	715,000	715,000	715,000	715,000		715,000	**0**	**0.0%**
(2)	21 . Collective Bargaining - Town	1,175,000	1,775,000	1,314,514	2,321,220		2,321,220	**1,006,706**	**76.6%**
	Subtotal Town	*62,444,691*	*64,244,600*	*66,315,741*	*67,734,858*	*1,100,000*	*68,834,858*	***1,419,117***	***2.1%***
	22 . Schools	75,387,189	79,079,823	82,780,770	86,842,575		86,842,575	**4,061,805**	**4.9%**
	TOTAL DEPARTMENTAL EXPENDITURES	**137,831,880**	**143,324,423**	**149,096,511**	**154,577,433**	**1,100,000**	**155,677,433**	**6,580,922**	**4.4%**
	NON-DEPARTMENTAL EXPENDITURES								
(1)	23 . Employee Benefits	41,529,043	45,240,975	50,100,251	50,500,116		50,500,116	**399,865**	**0.8%**
(3)	*a. Pensions*	*14,556,225*	*15,801,983*	*17,385,688*	*17,882,573*		*17,882,573*	***496,885***	***2.9%***
	b. Group Health	*21,546,572*	*22,865,804*	*24,618,704*	*25,136,108*		*25,136,108*	***517,405***	***2.1%***
	c. Health Reimbursement Account (HRA)	*0*	*50,876*	*70,000*	*70,000*		*70,000*	***0***	***0.0%***
(3)	*d. Retiree Group Health Trust Fund (OPEB's)*	*1,801,527*	*2,601,927*	*3,514,360*	*3,311,860*		*3,311,860*	***(202,500)***	***-5.8%***
	e. Employee Assistance Program (EAP)	*25,180*	*27,400*	*28,000*	*28,000*		*28,000*	***0***	***0.0%***
	f. Group Life	*129,889*	*132,118*	*132,500*	*140,000*		*140,000*	***7,500***	***5.7%***
	g. Disability Insurance	*13,279*	*13,376*	*16,000*	*16,000*		*16,000*	***0***	***0.0%***
(3)	*h. Worker's Compensation*	*1,250,000*	*1,200,000*	*1,720,000*	*1,450,000*		*1,450,000*	***(270,000)***	***-15.7%***
(3)	*i. Public Safety IOD Medical Expenses*	*300,000*	*560,660*	*400,000*	*300,575*		*300,575*	***(99,425)***	***-24.9%***
(3)	*j. Unemployment Compensation*	*350,000*	*350,000*	*450,000*	*325,000*		*325,000*	***(125,000)***	***-27.8%***
	k. Medical Disabilities	*26,989*	*18,421*	*40,000*	*40,000*		*40,000*	***0***	***0.0%***
	l. Medicare Coverage	*1,529,382*	*1,618,410*	*1,725,000*	*1,800,000*		*1,800,000*	***75,000***	***4.3%***
(2)	24 . Reserve Fund	605,103	1,250,621	2,161,799	2,122,336		2,122,336	**(39,463)**	**-1.8%**
	25 Stabilization Fund	253,092	0	250,000	0		0	**(250,000)**	**-100.0%**
	26 Affordable Housing	355,264	251,363	555,106	170,390		170,390	**(384,716)**	**-69.3%**
	27 . Liability/Catastrophe Fund	141,959	253,669	154,115	234,839		234,839	**80,724**	**52.4%**

		FY12 ACTUAL	FY13 ACTUAL	FY14 BUDGET	FY15 BUDGET	PROPOSED AMENDMENTS	FY15 AMENDED BUDGET	$$ CHANGE FROM FY14	% CHANGE FROM FY14
	28 . General Insurance	248,469	263,478	335,000	371,500		371,500	**36,500**	**10.9%**
	29 . Audit/Professional Services	129,335	130,000	130,000	130,000		130,000	**0**	**0.0%**
	30 . Contingency Fund	12,895	14,383	15,000	15,000		15,000	**0**	**0.0%**
	31 . Out-of-State Travel	1,403	2,374	3,000	3,000		3,000	**0**	**0.0%**
	32 . Printing of Warrants & Reports	14,219	19,837	25,000	25,000		25,000	**0**	**0.0%**
	33 . MMA Dues	11,178	11,346	11,686	11,979		11,979	**293**	**2.5%**
	Subtotal General	*1,167,814*	*946,450*	*3,640,706*	*3,084,044*		*3,084,044*	***(556,662)***	***-15.3%***
(1)	34 . Borrowing	10,112,066	9,834,605	9,583,111	9,621,757		9,621,757	**38,646**	**0.4%**
	a. Funded Debt - Principal	*7,955,436*	*7,428,882*	*7,207,338*	*7,246,544*		*7,246,544*	***39,206***	***0.5%***
	b. Funded Debt - Interest	*2,142,824*	*2,376,113*	*2,215,772*	*2,215,213*		*2,215,213*	***(560)***	***0.0%***
	c. Bond Anticipation Notes	*0*	*0*	*100,000*	*100,000*		*100,000*	***0***	***0.0%***
	d. Abatement Interest and Refunds	*13,806*	*29,610*	*60,000*	*60,000*		*60,000*	***0***	***0.0%***
	TOTAL NON-DEPARTMENTAL EXPENDITURES	**52,808,923**	**56,022,030**	**63,324,067**	**63,205,920**		**63,205,920**	**(118,147)**	**-0.2%**
	TOTAL GENERAL APPROPRIATIONS	**190,640,803**	**199,346,453**	**212,420,578**	**217,783,353**	**1,100,000**	**218,883,353**	**6,462,775**	**3.0%**
	SPECIAL APPROPRIATIONS								
	35 . Technology Applications (revenue financed)				270,000		270,000		
	36 . Commercial Areas Improvements (revenue financed)				65,000		65,000		
	37 . Fire Engine #5 Replacement (revenue financed)				580,000		580,000		
	38 . Fire Station Renovations (revenue financed)				325,000		325,000		
	39 . Fire Department Fleet Maint. Facility/Training Center - Feasibility Study (revenue financed)				40,000		40,000		
	40 . Coolidge Corner Library Feasibility/Concept Study (revenue financed)				50,000		50,000		
	41 . Bicycle Access Improvements (revenue financed)				30,000		30,000		
	42 . MBTA Traffic Signalization (revenue financed)				50,000		50,000		
	43 . Street Rehabilitation (revenue financed)				1,550,000		1,550,000		
	44 . Sidewalk Repair/Reconstruction (revenue financed)				290,000		290,000		
	45 . LED Streetlight Conversion (revenue financed)				515,000		515,000		
	46 . Pierce Playground - Design (revenue financed)				90,000		90,000		
	47 . Playground Equipment, Fields, Fencing (revenue financed)				295,000		295,000		
	48 . Town/School Grounds Rehab (revenue financed)				85,000		85,000		
	49 . Tree Removal and Replacement (revenue financed)				170,000		170,000		
	50 . Walnut Hills Cemetery - roadway work (special revenue fund)				100,000		100,000		
	51 . School Furniture Upgrades (revenue financed)				60,000		60,000		
	52 . School Technology (revenue financed)				320,000		320,000		
	53 . Town/School ADA Renovations (revenue financed)				65,000		65,000		
	54 . Town/School Elevator Renovations (revenue financed)				250,000		250,000		
	55 . Town/School Energy Conservation Projects (revenue financed)				160,000		160,000		
	56 . Town/School Bldg Envelope/Fenestration Repairs (revenue financed)				730,000		730,000		
	57 . Town/School Building Roof Repair/Replacement (revenue financed)				375,000		375,000		
	58 . Town/School Building Security / Life Safety (revenue financed)				300,000		300,000		
	59 . Driscoll School Addition - Feasibility/Schematic Design (revenue financed - Overlay Reserve Surplus)				1,000,000		1,000,000		
	60 . Classroom Capacity (revenue financed)				1,750,000		1,750,000		
	61 . Ladder #2 Replacement (bond)				900,000		900,000		
	62 . Newton St. Landfill - Rear Landfill Closure (bond)				4,600,000		4,600,000		
	63 . Village Square and Riverway Park Bike/Pedestrian Improvements Projects (bond/CDBG Sec. 108)				1,200,000		1,200,000		
(4)	**TOTAL REVENUE-FINANCED SPECIAL APPROPRIATIONS**	**7,379,000**	**12,933,500**	**8,581,000**	**9,415,000**		**9,415,000**	**834,000**	**9.7%**
	TOTAL APPROPRIATED EXPENDITURES	**198,019,803**	**212,279,953**	**221,001,578**	**227,198,353**	**1,100,000**	**228,298,353**	**7,296,775**	**3.3%**
	NON-APPROPRIATED EXPENDITURES						0		
	Cherry Sheet Offsets	106,839	109,160	111,026	126,443		126,443	**15,417**	**13.9%**
	State & County Charges	5,671,508	6,105,553	6,199,912	6,191,139		6,191,139	**(8,773)**	**-0.1%**
	Overlay	1,910,493	1,958,780	1,726,503	1,700,000		1,700,000	**(26,503)**	**-1.5%**
	Deficits-Judgments-Tax Titles	7,374	12,394	25,000	25,000		25,000	**0**	**0.0%**
	TOTAL NON-APPROPRIATED EXPEND.	**7,696,214**	**8,185,887**	**8,062,441**	**8,042,582**		**8,042,582**	**(19,859)**	**-0.2%**
	TOTAL EXPENDITURES	**205,716,017**	**220,465,841**	**229,064,019**	**235,240,935**	**1,100,000**	**236,340,935**	**7,276,916**	**3.2%**
	SURPLUS/(DEFICIT)	**6,604,157**	**5,400,186**	**0**	**0**	**0**	**0**		

(1) Breakdown provided for informational purposes.
(2) Figures provided for informational purposes. Funds were transferred to departmental budgets for expenditure.
(3) Funds are transferred to trust funds for expenditure.
(4) Amounts appropriated. Bonded appropriations are not included in the total amount, as the debt and interest costs associated with them are funded in the Borrowing category (item #33).

FY15 AMENDED BUDGET - TABLE 2 May, 2015

Department/Board/Commission	Personnel Services/ Benefits	Purchase of Services	Supplies	Other Charges/ Expenses	Utilities	Capital Outlay	Inter-Govt'al	Debt Service	Agency Total
Board of Selectmen (Town Administrator)	643,349	14,118	4,000	7,600		2,130			671,197
Human Resources Department (Human Resources Director)	281,472	200,503	9,000	31,000		1,390			523,365
Information Technology Department (Chief Information Officer)	1,045,042	599,322	33,850	32,550		41,100			1,751,863
Diversity, Inclusion, and Community Relations (Director)	159,709		9,000	150		250			169,109
Finance Department (Director of Finance)	2,041,479	717,294	43,697	18,865	2,143	22,300			2,845,778
Legal Services (Town Counsel)	587,334	127,559	3,500	111,500		3,000			832,893
Advisory Committee (Chair, Advisory Committee)	21,232		2,275	570		295			24,372
Town Clerk (Town Clerk)	527,086	77,887	13,750	1,400		7,510			627,632
Planning and Community Department (Plan. & Com. Dev. Dir.)	731,403	16,945	9,212	4,550		3,200			765,310
Police Department (Police Chief)	13,615,205	505,169	221,750	64,000	425,423	481,144			15,312,691
Fire Department (Fire Chief)	12,217,365	160,755	146,260	27,650	233,334	220,577			13,005,941
Public Buildings Department (Building Commissioner)	2,163,287	2,118,980	23,170	5,350	2,657,117	56,600			7,024,504
Public Works Department (Commissioner of Public Works)	7,627,972	4,530,752	915,750	40,900	1,331,175	700,000	20,000		15,166,549
Public Library Department (Library Board of Trustees)	2,663,832	181,641	562,600	3,700	316,955	26,000			3,754,728
Health & Human Services Department (Health & Human Svcs Dir)	867,016	199,751	15,100	4,120	40,855	27,720			1,154,562
Veterans' Services (Veterans' Services Director)	159,864	2,609	650	158,185		510			321,818
Council on Aging (Council on Aging Director)	706,884	44,083	18,000	2,900	63,139	5,200			840,206
Recreation Department (Recreation Director)	674,976	56,882	91,480	12,400	166,362	4,020			1,006,120
School Department (School Committee)									86,842,575
Total Departmental Budgets	**46,734,507**	**9,554,249**	**2,123,044**	**527,390**	**5,236,503**	**1,602,946**	**20,000**		**152,641,214**
DEBT SERVICE									
Debt Service (Director of Finance)								9,621,757	9,621,757
Total Debt Service								**9,621,757**	**9,621,757**
EMPLOYEE BENEFITS									
Contributory Pensions Contribution (Director of Finance)	17,772,573								17,772,573
Non-Contributory Pensions Contribution (Director of Finance)	110,000								110,000
Group Health Insurance (Human Resources Director)	25,136,108								25,136,108
Health Reimbursement Account (HRA) (Human Resources Director)	70,000								70,000
Retiree Group Health Insurance - OPEB's (Director of Finance)	3,311,860								3,311,860
Employee Assistance Program (Human Resources Director)	28,000								28,000
Group Life Insurance (Human Resources Director)	140,000								140,000
Disability Insurance	16,000								16,000
Workers' Compensation (Human Resources Director)	1,450,000								1,450,000
Public Safety IOD Medical Expenses (Human Resources Director)	300,575								300,575
Unemployment Insurance (Human Resources Director)	325,000								325,000
Ch. 41, Sec. 100B Medical Benefits (Town Counsel)	40,000								40,000
Medicare Payroll Tax (Director of Finance)	1,800,000								1,800,000
Total Employee Benefits	**50,500,116**								**50,500,116**
GENERAL / UNCLASSIFIED									
Reserve Fund (*) (Chair, Advisory Committee)				2,122,336					2,122,336
Liability/Catastrophe Fund (Director of Finance)				234,839					234,839
Housing Trust Fund (Planning & Community Develpoment Dir.)				170,390					170,390
General Insurance (Town Administrator)		371,500							371,500
Audit/Professional Services (Director of Finance)		130,000							130,000
Contingency (Town Administrator)				15,000					15,000
Out of State Travel (Town Administrator)		3,000							3,000
Printing of Warrants (Town Administrator)	5,000	10,000	10,000						25,000
MMA Dues (Town Administrator)				11,979					11,979
Town Salary Reserve (*) (Director of Finance)	2,321,220								2,321,220
Personnel Services Reserve (*) (Director of Finance)	715,000								715,000
Total General / Unclassified	**3,041,220**	**514,500**	**10,000**	**2,554,544**					**6,120,264**
TOTAL GENERAL APPROPRIATIONS	**100,275,842**	**10,068,749**	**2,133,044**	**3,081,934**	**5,236,503**	**1,602,946**	**20,000**	**9,621,757**	**218,883,353**

(*) NO EXPENDITURES AUTHORIZED DIRECTLY AGAINST THESE APPROPRIATIONS. FUNDS TO BE TRANSFERRED AND EXPENDED IN APPROPRIATE DEPT.

ARTICLE 8

EIGTH ARTICLE
Submitted by: Advisory Committee

To see if the Town will:

A.) Fiscal Year 2016 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 2016 budget, including without limiting the foregoing, all town expenses and purposes, debt and interest, out of state travel, operating expenses, and fix the salaries of all elected officers as provided for in General Laws, Chapter 41, Section 108; authorize the leasing, leasing with the option to purchase, or installment purchase of equipment; 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 53E½, and all Enterprise Funds in accordance with G.L. Chapter 44, Section 53F½, and as otherwise authorized; and provide for a reserve fund.

B.) Fiscal Year 2016 Special Appropriations

Appropriate sums of money for the following special purposes:

1. Appropriate $270,000, or any other sum, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen, for the enhancement of town-wide hardware and software.

2. Appropriate $200,000, or any other sum, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen, for data room upgrades.

3. Appropriate $25,000, or any other sum, to be expended under the direction of the Chief Procurement Officer, with the approval of the Board of Selectmen, for town furniture upgrades.

4. Appropriate $125,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen for maintenance of town garage floors.

5. Appropriate $75,000, or any other sum, to be expended under the direction of the Department of Planning and Community Development, with any necessary contracts to be approved by the Board of Selectmen, for a strategic asset plan to focus on public facilities.

6. Appropriate $100,000, or any other sum, to be expended under the direction of the Department of Planning and Community Development, with any necessary contracts to

be approved by the Board of Selectmen, for the development of a conceptual study for the Center Street East Parking Lot and surrounding area.

7. Appropriate $75,000, or any other sum, to be expended under the direction of the Chiefs of Police and Fire, with any necessary contracts to be approved by the Board of Selectmen, for study of the future needs for the public safety computer aided dispatch (CAD) system.

8. Appropriate $300,000, or any other sum, to be expended under the direction of the Fire Chief, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of Fire Department apparatus.

9. Appropriate $31,000, 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; provided that the Department of Public Works and Transportation Board provide status reports to the Board of Selectmen on a semi-annual basis.

10. Appropriate $105,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for bicycle access improvements.

11. Appropriate $1,590,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of streets.

12. Appropriate $297,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of sidewalks.

13. Appropriate $220,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the conversion of Town-owned streetlights to LED’s.

14. Appropriate $650,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for renovations to the Municipal Service Center (MSC).

15. Appropriate $890,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the renovation of Brookline Avenue Playground.

16. Appropriate $40,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the design of the renovation of Corey Hill Playground.

17. Appropriate $60,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the design of the renovation of Emerson Garden Playground.

18. Appropriate $250,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen, for the restoration of the Brookline Reservoir Gatehouse roof.

19. Appropriate $230,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the rehabilitation of tennis courts and basketball courts.

20. Appropriate $300,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the renovation of playground equipment, fields, and fencing.

21. Appropriate $90,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of Town and School grounds.

22. Appropriate $225,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Tree Planting Committee, for the removal and replacement of trees.

23. Appropriate from the Sale of Lots special revenue fund (SW01) $50,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Cemetery Trustees, for the rehabilitation of roadways within Walnut Hills Cemetery.

24. Appropriate $675,000, or any other sum, to be expended under the direction of the Recreation Director, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission for pool repointing and locker room renovations at the Evelyn Kirrane Aquatics Center.

25. Appropriate $70,000, or any other sum, to be expended under the direction of the Chief Procurement Officer, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for school furniture upgrades.

26. Appropriate $80,000, or any other sum, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for costs associated with mobile carts in the Brookline Public Schools.

27. Appropriate $70,000, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for ADA renovations to Town and School facilities.

28. Appropriate $275,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for improvements to elevators in Town and School facilities.

29. Appropriate $165,000, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for energy conservation projects in Town and School facilities.

30. Appropriate $185,000, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for upgrades to energy management systems in Town and School facilities.

31. Appropriate $195,000, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for improvements to life safety systems and building security in Town and School facilities.

32. Appropriate $2,250,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for the expansion of classroom capacity in various schools.

33. Appropriate $980,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the renovation of Pierce Playground.

34. Appropriate $3,000,000, 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 wastewater system improvements.

35. Appropriate $1,000,000, or any other sum, to be expended under the direction of the Recreation Director, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission for golf course improvements.

36. Appropriate $1,550,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for building envelope / fenestration repairs to Town and School facilities.

37. Appropriate $1,200,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for roof repairs and replacements in Town and School facilities.

38. Appropriate $1,000,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for remodeling, reconstructing, or making extraordinary repairs to the Old Lincoln School.

39. To see if the Town will vote to appropriate, borrow or transfer from available funds, $118,400,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee for the renovation of and the construction of additions to the Edward Devotion School located at 345 Harvard Street in the Town of Brookline, Massachusetts and as further described as Parcel ID No. 048-13-00 in the Town of Brookline Assessor's map, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA and any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town of Brookline may receive from the MSBA for the Project shall not exceed the lesser of (1) 35.84% of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA;

C.) Funding

And determine whether such appropriations shall be raised by taxation, transferred from available funds, borrowed or provided 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 noted in this Article, or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

This is the annual appropriations article for FY2016. Included in this omnibus budget article are operating budgets, special appropriations, enterprise funds, revolving funds, and conditions of appropriation. This is the culmination of work that officially began with the publication of the Town Administrator's Financial Plan on February 17th. The proposed budget has since been reviewed by numerous sub-committees of the Advisory Committee,

the full Advisory Committee, and the Board of Selectmen. The vote ultimately recommended to Town Meeting is offered by the Advisory Committee.

SELECTMEN'S RECOMMENDATION

The Selectmen would like to thank the Town Administrator and his staff, the Advisory Committee, the School Superintendent and his staff, and the School Committee for all of their efforts and collaboration toward dealing with this FY16 budget, an extremely challenging one that resulted in the Town seeking relief from Prop 2 ½ to support Town and School services. The Override Study Committee (OSC) also deserves our thanks for their efforts, as their recommendations helped form the basis of the Override that went before the voters on May 5th. Although the Advisory Committee has not offered a vote in time for this Board to consider before the Combined Reports mailing we are confident that we can come to agreement in time for Town Meeting. The information below reflects a summary of Board's vote on how to allocate the additional amounts approved in the Override:

ITEM#	DEPT	AMT
1.	Selectmen	$ 10,000
3.	Information Technology	$ 11,745
5.	Finance Department	$ 16,000
10.	Police	$ 178,835
11.	Fire	$ 116,093
12.	Building	$ 41,792
13.	Public Works	$ 204,725
14.	Library	$ 22,000
15.	Health and Human Services	$ 40,809
17.	Council on Aging	$ 10,000
19.	Recreation	$ 30,000
22.	Schools	$ 5,518,000
	TOTAL	**$6,200,000**

ACTIONS SINCE THE RELEASE OF THE FINANCIAL PLAN

Prior to the Override vote there were a number of changes made to the budget after the release of the Financial Plan on February 17th, which have been approved by the Selectmen. The changes are as follows:

- Increased the Health Insurance budget by $239,209. This was to account for final GIC rates coming in higher less than originally budgeted.
- A combined increase in state aid and reduction of state charges resulted in $266,039 in additional budget capacity. The funds were split 50% / 50% between the Town and the Schools. The School share covered their Group Health deficit ($133,021). The Town share covered the Town group health deficit ($106,288) and the balance was allocated to the Health and Human Services budget to reduce the level of the Mental Health cuts in the non-override budget ($26,732). Due to the favorable

override the $26,732 restored is recommended to go towards pavement markings in the Department of Public Works ($10,000) and Electricity accounts in the Building Department ($16,792).

- The Debt Service total in the Water and Sewer Enterprise Fund was increased by $694 to reflect an updated debt service schedule.

SELECTMEN'S VOTE vs. ADVISORY COMMITTEE"S BUDGET VOTE:

The Advisory Committee had not offered a vote in time for this Board to consider before the Combined Reports mailing. The Board of Selectmen will consider the following items at their next meeting and provide a recommendation in the supplement mailing:

- The Advisory Committee added the language in bold to the Special appropriations listed below

  Raise and appropriate $890,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the renovation of Brookline Avenue Playground, **provided that no funds shall be expended for construction prior to December 1, 2015.**

  Appropriate $980,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the renovation of Pierce Playground., and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $980,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority**, provided that no funds shall be expended for construction prior to December 1, 2015.**

- An additional $14,119 was added to the Planning Department to support the Preservation Commission.
- An additional $2,673 was added to the Department of Public Works for Pavement Markings.
- The committee did not add $16,792 to the Building Department for a projected increase in solar carve out pass through charges for our electricity accounts.

BUDGET SUMMARY

As shown in Table 1 on the following page, the General Fund budget proposed by the Board of Selectmen totals $250 million, of which $241.8 million is appropriated, reflecting an increase of $14.6 million (6.4%). The remaining $8.1 million is the so-called "Non-Appropriated" portion of the budget. Table 2 on page 8-9 details the entire FY16 budget, including enterprise / revolving funds. In total, the $263.7 million reflects a 2.5% increase. This budget recommendation includes a General Fund Operating Budget of $231.6 million, which represents an increase of $13.9 million (6.4%); revenue-financed capital of $10.1 million; enterprise / revolving funds of $32.5 million (gross); and non-appropriated expenses of $8.1 million.

Table 1

	FY2012 ACTUAL	FY2013 ACTUAL	FY2014 ACTUAL	FY2015 BUDGET	FY2016 BUDGET	INCREASE/DECREASE $	INCREASE/DECREASE %
REVENUE							
Property Tax	162,674,174	169,029,414	174,869,775	182,239,297	194,809,198	**12,569,901**	**6.9%**
Local Receipts	23,849,795	24,480,797	25,522,496	22,770,225	23,593,685	**823,460**	**3.6%**
State Aid	13,796,975	15,125,059	16,633,741	17,634,876	18,652,559	**1,017,683**	**5.8%**
Free Cash	5,380,264	5,336,413	7,655,155	5,084,152	5,016,500	**(67,653)**	**-1.3%**
Other Available Funds	6,618,966	11,894,344	6,852,688	7,903,508	7,925,643	**22,135**	**0.3%**
TOTAL REVENUE	**212,320,174**	**225,866,027**	**231,533,856**	**235,632,058**	**249,997,585**	**14,365,527**	**6.1%**
(LESS) NON-APPROPRIATED EXPENSES							
State & County Charges	5,671,508	6,105,553	6,196,321	6,201,536	6,323,012	**121,476**	**2.0%**
Tax Abatement Overlay	1,910,493	1,958,780	1,726,503	2,080,721	1,750,000	**(330,721)**	**-15.9%**
Deficits & Judgments	7,374	16,784	3,049	25,000	25,000	**0**	**0.0%**
Cherry Sheet Offsets	106,839	109,160	111,026	126,443	90,324	**(36,119)**	**-28.6%**
TOTAL NON-APPROPRIATED EXPENSES	**7,696,214**	**8,190,277**	**8,036,899**	**8,433,700**	**8,188,336**	**(245,364)**	**-2.9%**
AMOUNT AVAILABLE FOR APPROPRIATION				**227,198,355**	**241,809,247**	**14,610,892**	**6.4%**
APPROPRIATIONS							
Town Departments	62,444,693	64,244,598	65,964,139	67,734,861	69,116,532	**1,381,671**	**2.0%**
School Department	75,387,189	79,079,823	82,780,770	86,842,577	96,290,380	**9,447,803**	**10.9%**
Non-Departmental Total	52,808,923	56,022,030	60,329,975	63,205,920	66,289,333	**3,083,413**	**4.9%**
General Fund Non-Departmental	50,481,512	53,729,242	57,700,095	60,718,967	63,768,690	**3,049,724**	**5.0%**
Water and Sewer Enterprise Fund Overhead *	1,867,647	1,855,987	2,125,747	1,973,970	1,988,729	**14,758**	**0.7%**
Golf Enterprise Fund Overhead *	163,852	155,037	150,416	163,049	177,791	**14,742**	**9.0%**
Recreation Revolving Fund Overhead *	295,912	281,764	353,717	349,934	354,124	**4,190**	**1.2%**
OPERATING BUDGET SUBTOTAL	190,640,805	199,346,451	209,074,884	217,783,358	231,696,247	**13,912,889**	**6.4%**
Revenue-Financed CIP (Special Appropriations)	7,379,001	12,933,500	8,581,000	9,415,000	10,113,000	**698,000**	**7.4%**
TOTAL APPROPRIATIONS	**198,019,806**	**212,279,951**	**217,655,884**	**227,198,356**	**241,809,247**	**14,610,892**	**6.4%**
BALANCE				**0**	**0**	**0**	

TABLE 2

	FY2015	FY2016	INCREASE/DECREASE $	INCREASE/DECREASE %
REVENUE				
General Fund Revenue	235,632,058	249,997,585	**14,365,527**	**6.10%**
Water and Sewer Enterprise Fund	26,875,588	28,325,606	**1,450,018**	**5.40%**
(less Water & Sewer Overhead included in General Fund Revenue)	(1,973,970)	(1,988,729)	**(14,758)**	**0.75%**
Golf Enterprise Fund	1,331,923	1,376,311	**44,388**	**3.33%**
(less Golf Overhead included in General Fund Revenue)	(163,049)	(177,791)	**(14,742)**	**9.04%**
Recreation Revolving Fund	2,749,478	2,882,651	**133,173**	**4.8%**
(less Rec. Revolving Fund Overhead included in General Fund Revenue)	(349,934)	(354,124)	**(4,190)**	**1.2%**
TOTAL REVENUE	**264,102,094**	**280,061,510**	**15,959,416**	**6.0%**
APPROPRIATIONS				
General Fund Operating Budget	217,783,361	231,696,249	**13,912,888**	**6.4%**
Non-Appropriated Budget *	8,433,700	8,188,336	**(245,364)**	**-2.9%**
Revenue-Financed CIP Budget	9,415,000	10,113,000	**698,000**	**7.4%**
General Fund Total	235,632,061	249,997,585	**14,365,525**	**6.1%**
Water and Sewer Enterprise Fund	26,875,588	28,325,606	**1,450,018**	**5.4%**
(less Water & Sewer Overhead included in General Fund Revenue)	(1,973,970)	(1,988,729)	**(14,758)**	**0.7%**
Golf Enterprise Fund	1,331,923	1,376,311	**44,388**	**3.3%**
(less Golf Overhead included in General Fund Revenue)	(163,049)	(177,791)	**(14,742)**	**9.0%**
Recreation Revolving Fund	2,749,478	2,882,651	**133,173**	**4.8%**
(less Rec. Revolving Fund Overhead included in General Fund Revenue)	(349,934)	(354,124)	**(4,190)**	**1.2%**
TOTAL APPROPRIATIONS	**264,102,094**	**280,061,510**	**15,959,416**	**6.0%**
BALANCE	**0**	**0**	**0**	

* State and County Charges/Offsets, Overlay, Deficits/Judgments.

FY2016 OVERVIEW

In summary, the FY 2016 Budget:

- Projects $280 million in revenue, including a 2.5% increase in the tax levy, an additional $6.2 million will be raised in taxes in FY 2016 as a result of the May 5th Override vote, an additional $1.85 million in taxes resulting from new construction (New Growth), an increase in State Aid of $850,000, and an increase of $823,460 in Local Receipts.

- Recommends the appropriation of $96,290,380 to the School Department, representing an increase of 10.9%.

- Recommends the appropriation of $69,116,532 to fund the operation of all Municipal departments, an increase of 2%.

- Proposes $145 million in funding major capital projects and $12 million in existing debt service, $9.5 million of which is supported by the General Fund, as part of a long-range Capital Improvement Program.

- Meets the requirements of all fiscal policies of the Town including the establishment of financial reserves, the contribution to funding long-term liabilities and the allocation of Free Cash for capital and related purposes.

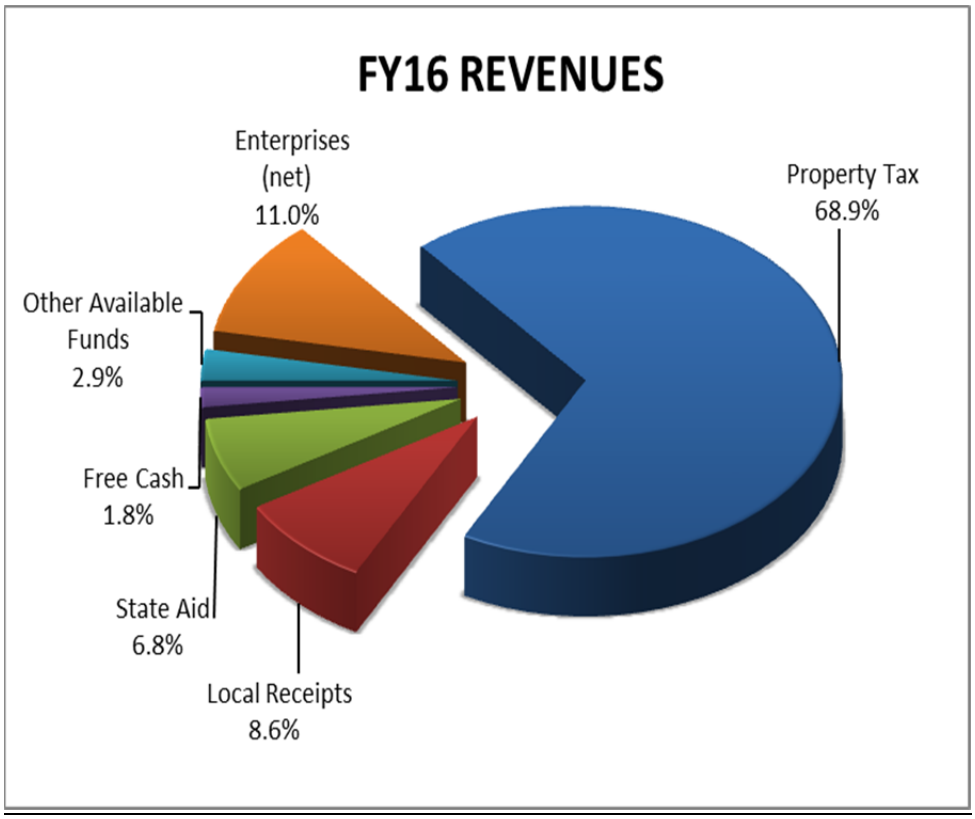
*The narrative below describes the pre-override budget.

Revenues

Taxes: Property taxes are projected to increase by $6.4 million in FY 2016, or 3.5% over FY 2015. Property taxes represent over two-thirds of the total revenue available to the Town. The Property Tax increase is made up of $4.5 million from the allowable 2.5% increase under Proposition 2½ and $1.85 million from the value of new construction (New Growth). Approximately $1 million of the Town's total tax levy is attributable to meet the debt service on the prior High School project that the voters excluded from the Proposition 2½ levy limit. This tax amount will be eliminated after the final debt service payment in FY 2020. The proposed Override would add total of $7.7 million to the Tax Levy limit, but the plan is to levy $6.2 million of that amount in FY 2016.

The Town's goal is to increase the relative share of the commercial tax base. In addition to increased taxes, such development provides relief to residential taxpayers because the Town employs a dual tax rate (classification). The portion of total taxes the commercial sector pays is 171.5% greater than if the Town taxed the commercial and residential properties at the same rate. Additional commercial development adds jobs, vitality and residual revenue (e.g. meals taxes and parking meter receipts) for the Town. Progress has been made on each of the three major commercial projects that will contribute to this growth; 1.) a new hotel at the former Red Cab site on Boylston Street is under construction, 2.) the development of a hotel and related retail/residential development at the former Circle Cinema site in Cleveland Circle has been permitted, and 3.) a major office complex at 2 Brookline Place has reached

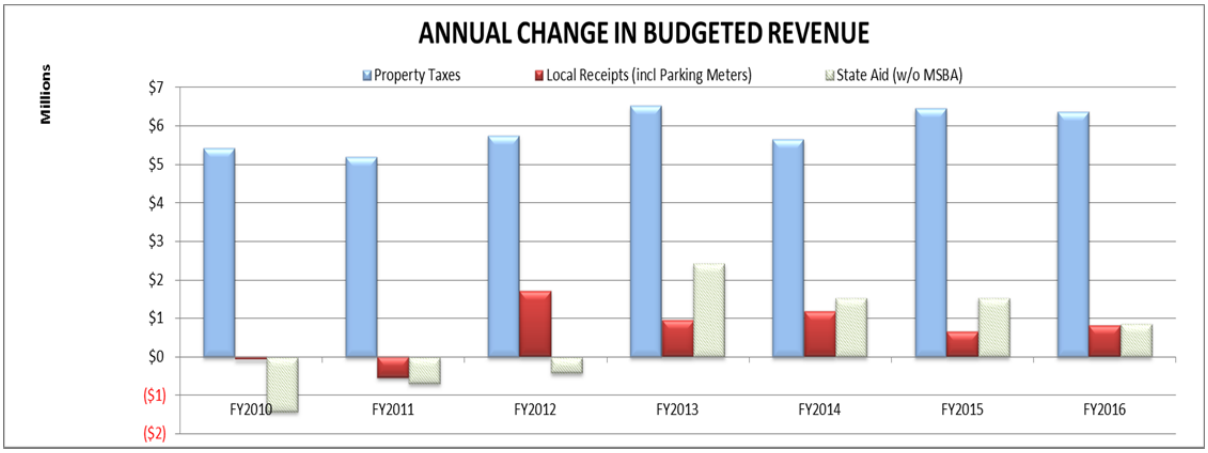
agreement with the Town through amended zoning and an extensive development agreement providing financial value to the Town.



Local Receipts: FY 2016 Local Receipts are projected to increase by $823,460, or 3.6% over FY 2015. This category of revenue represents a variety of sources generated by Town fees and charges. Most prominent are the Motor Vehicle Excise (MVE) tax, Parking and Traffic fines, Building Permit fees, the Trash Collection charge, and Local Option taxes (meals and lodging). Overall, Local Receipts have continued to rebound from the economic recession experienced over the last several years. Non-property tax revenue increases of $2.3 million proposed by the Override Study Committee have not been built into the FY 2016 Budget. If the Override passes, I will implement a series of revenue increases over the remaining two-year period of the plan. Specifically, I will propose a $.25/hour increase in the parking meter rate beginning in FY 2017. I am committed to convert the remaining mechanical meters within commercial areas to digital units that accept credit cards. The Committee made several other revenue recommendations including an increase in the Refuse Fee, an increase in fines for overdue library materials, an increase in cemetery burial fees, increases in the rates for the Soule Early Childhood Center, and increases in the rates for the rental of school buildings. My analysis indicated that the Committee's recommendations cannot be fully achieved based on a number of factors. In order to offset some shortfalls in these areas, I have identified other revenue increases, including Payment in Lieu of Taxes (PILOTs) and a transaction fee for the on-line payment of Motor Vehicle Excise taxes.

State Aid: As the economy improves, aid from the Commonwealth of Massachusetts has increased. Despite a projected shortfall in the State budget this year, we have reason to believe that it will not impact the willingness of the Governor and the Legislature to provide an increased level of education aid. We are projecting an increase in Chapter 70 education

aid of $850,000, or 7.6% over FY 2015. All other State Aid categories are projected to remain level, resulting in an overall increase in State Aid of less than 5%. Each year, revenue from State Aid is uncertain given the politics of the state budget process. This year, there is even greater uncertainty with a new Governor and Senate president. State law permits the new Governor to delay his budget proposal to the Legislature, and he has opted to do so. Naturally, we will carefully follow the state budget process and make modified projections as necessary.



Other Available Funds: The Town will allocate $7.9 million from a number of revenue sources comprising this category. Mostly, this revenue comes from Parking Meter Receipts and charges to separate Enterprise or Revolving Funds that are raised to offset general government expenses benefitting those funds. Similar to last year, we have proposed the use of $1 million in available surpluses from prior year accounts to help fund the Capital Budget. In FY 2016, this revenue will come from the reallocation of surpluses in a series of old capital accounts.

Free Cash: Free Cash is a term specific to Massachusetts local government. Essentially, it is the State's approved amount of a municipality's unreserved fund balance from the prior year's Budget. The Town has a very detailed policy on the use of Free Cash. It is used only for non-recurring purposes such as reserves and capital expenses. The amount of Free Cash to support these purposes in FY 2016 is $5,016,500 (see table). Please note that the total certified Free Cash available for the Town to appropriate is $7,569,881. In order to meet the Town's policies on unrestricted reserves, we will leave $2.55 million unappropriated.

Free Cash Certification	**$7,569,881**
1. Operating Budget Reserve (25% of Operating Budget Reserve)	$550,050
2. Fund Balance	$2,553,381
a. Unreserved Fund Balance (left unappropriated)	$2,553,381
b. Stabilization Fund (appropriated)	$0
3. Liability Reserve (to get fund to 1% of Prior Yr Net Revenue)	$78,970
4. Capital Improvements (to get to 7.5% of Prior Yr Net Revenue)	$3,300,297
5. Affordable Housing Trust Fund (since Fund Balance below $5M)	$163,078
Sub-Total	$6,645,775
Amount available for Special Use (#6)	$924,106
6. Special Use:	
Additional CIP	$924,106

Enterprises: The Town maintains three special funds to account for its business like activities. These include the Golf Course, the Water and Sewer Utility, and the Recreation Revolving Fund. This revenue is offset 100% on the expenditure side of this Budget. In FY 2016, the revenue (and expenses) of these funds will increase by $1.6 million, or 5.6% over FY 2016.

Expenditures

Municipal Departments: For FY 2016, it is proposed that funding for all municipal (non-school) departments be $68,407,803, a modest increase over FY 2015 of 1.0%. This amount is inclusive of a reserve for wage and salary increases for municipal employees, conditional upon negotiated settlements. For the most part, increases in municipal departments are to fund the fixed costs of contractual step increases for eligible personnel. In most cases, increases in municipal departments are less than 1.0%.

The unrelenting school enrollment crisis has limited the availability of revenue for municipal departments. The traditional Town-School Partnership formula has been adjusted to transfer $682,000 of municipal revenue to the School Department. This revenue has been made available through various cuts in municipal staffing, programs and services, and capital equipment. In the event the Override passes, these cuts will be restored. The result would be an increase of 2% over FY 2015. Cuts were made in most large departments, as seen in the following table.

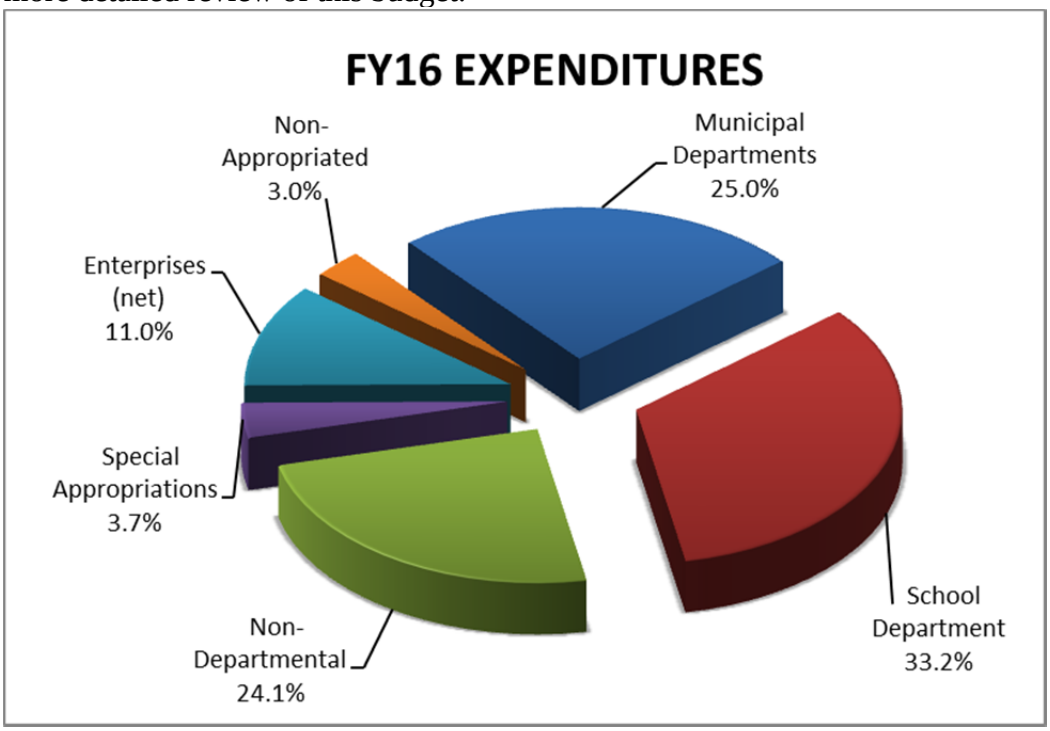
MUNICIPAL REDUCTIONS				
Building	Vehicles		(25,000)	1 less vehicle replacement
COA	Senior Renter program		(10,000)	Reduce funding for program
DPW	Traffic Control Painting		(22,500)	25% reduction
DPW	Gardener/Laborer (LN-2)	(2.00)	(91,828)	Reduce grass cutting frequency
DPW	Park Ranger (PT)	(1.00)	(55,397)	Eliminate Part-Time positions
DPW	Recycling Supplies		(25,000)	1 less "Big Belly" trash receptacle
Fire	Vehicles		(50,000)	Delay replacement of Deputy Chief vehicle
Fire	Firefighter	(1.00)	(66,093)	Eliminate 1 vacant position
Health	Mental Health Program		(42,541)	Reduce by 25%
Health	Daycare inspectors	(0.48)	(25,000)	Some oversight remains, responsibility of the State
Info Tech	GIS Interns	(0.40)	(11,745)	Eliminate
Library	PT Salaries		(22,000)	Department would remain within certification level
Police	Police Officer	(1.00)	(81,783)	Eliminate 1 vacant position
Police	Park Security Interns	(1.00)	(29,052)	Eliminate Part-Time positions
Police	Vehicles		(68,000)	2 fewer vehicle replacements
Purchasing	Vehicles		(16,000)	Delay pool vehicle replacement
Recreation	Vehicles		(30,000)	Delay van replacement
Selectmen	Metro Mayor Membership		(10,000)	Eliminate participation in the MAPC initiative
TOTAL		**(6.88)**	**(681,939)**	

The extent of innovations or investments in municipal departments in FY 2016 was extremely limited given the constraints imposed by the school enrollment crisis and the Override deliberations. Please refer to the Departmental Budget section for a more detailed review of changes in individual budgets. The following highlights some of these changes.

- FY 2016 represents the first full-year of funding for the new Diversity, Inclusion and Community Relations Department. Most of the funding for this department was transferred from expenses previously allocated in the Health and Human Services budget.
- The Assessing Department has proposed a reorganization of its personnel. The Commercial Valuation Director position will be eliminated and funding will be reallocated to database management resources and clerical support. An Assistant Assessor and a part-time Office Assistant positions will be established to meet those demands.
- Expenses in the Town Clerk's budget will be reduced in FY 2016 based on a reduced election cycle.
- The Building Department has established a trial program of performing building inspections on off-hours (evenings and weekends) to better accommodate the schedule of busy homeowners. A premium fee will be assessed to cover the overtime and other costs of performing this work.

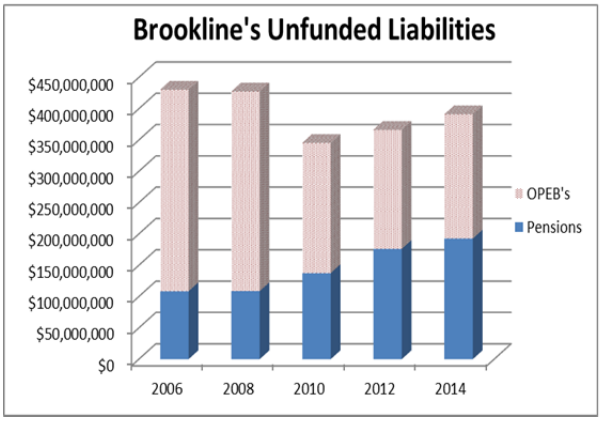
School Department: The School Department's budget is proposed at $90.8 million. Despite a budget increase of 4.5%, including the availability of $682,000 in municipal department revenue, the School Department is forced to make program reductions in order to meet the demands of increasing enrollment in the elementary (K-8) levels. In addition, the Department has prioritized technology and will make investments in this area. The Override would provide an additional $6.2 million in revenue to the Schools, representing an overall budget

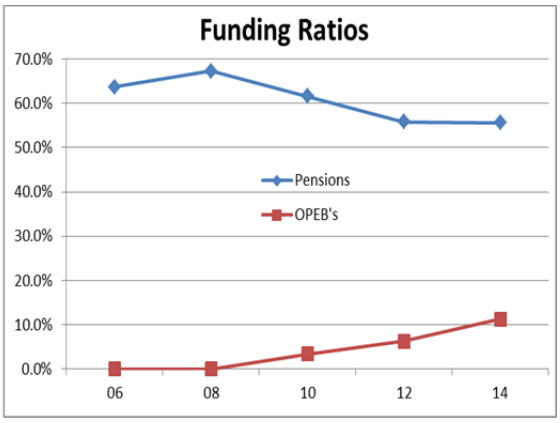
increase from FY 2015 of 10.9%. Please refer to the Superintendent's budget proposal for a more detailed review of this budget.



Non-Departmental: This is a large category of expenses that incorporates personnel benefits for municipal and school employees, debt service on bonds, insurance coverages and special reserve funds. The proposed budget for FY 2016 is $66,050,024, or an increase of 4.5% over FY 2015. The largest component of these expenses is the cost of health insurance for the Town's eligible employees and retirees (including employees and retirees of the School Department). After several years of extremely low rate increases from the Group Insurance Commission (GIC), it appears that FY 2016 will reverse this favorable trend. We are budgeting an increase for Group Health Insurance of $1.8 million, or 7.3%. Partly the result of the improved economic climate, the GIC's plans are also being impacted by new legislative mandates and the complexity of the federal Affordable Care Act. Advances in prescription drugs and other innovative medical care also impacts costs, as does the fact that many of our employees use the teaching hospitals within Boston, the most expensive in the world. Initially budgeted for a 4% rate increase, we were able to increase this to close to 6% by reallocating funds made available by lower than projected cost of gasoline and heating oil and allocating funds that otherwise would have gone toward departmental operations.

The Town continues to proactively fund its long-term liability for pensions and retiree health care benefits (OPEB). I am particularly pleased to be able to maintain the Town's allocation of revenue to the OPEB Trust Fund. In FY 2016, we are appropriating the sum of $3.5 million for this purpose. This will allow the Town to continue to get closer the Annual Required Contribution (ARC), which is an actuarially determined long-term funding plan similar to the one underway to eliminate our unfunded Pension obligation. The Town of Brookline is one of a handful of municipalities who are proactively addressing the OPEB problem.





Special Appropriations: The Town funds its Capital Improvement Program (CIP) through a combination of current funding and debt. The current revenue-financed portion of the CIP is $10.1 million in FY 2016. This includes $4.9 million funded by general operating revenue combined with $4.2 million from Free Cash and $1.03 million from the reallocation of surpluses in prior year capital projects. Together, these funds represent 8.4% of the Town's prior year net revenue. After pursuing a group of projects to expand existing school facilities as recommended by the special "B-Space" Committee, a new direction has emerged. The Town continues to plan to expand and replace the Devotion School, but it will no longer pursue an expansion and renovation at the Driscoll School. The CIP also includes funding to:

- Repair and improve the Old Lincoln School
- Expand and renovate the High School
- Implement short-term projects including modular classrooms and lease private buildings for classroom space
- Convert existing spaces into new classrooms.

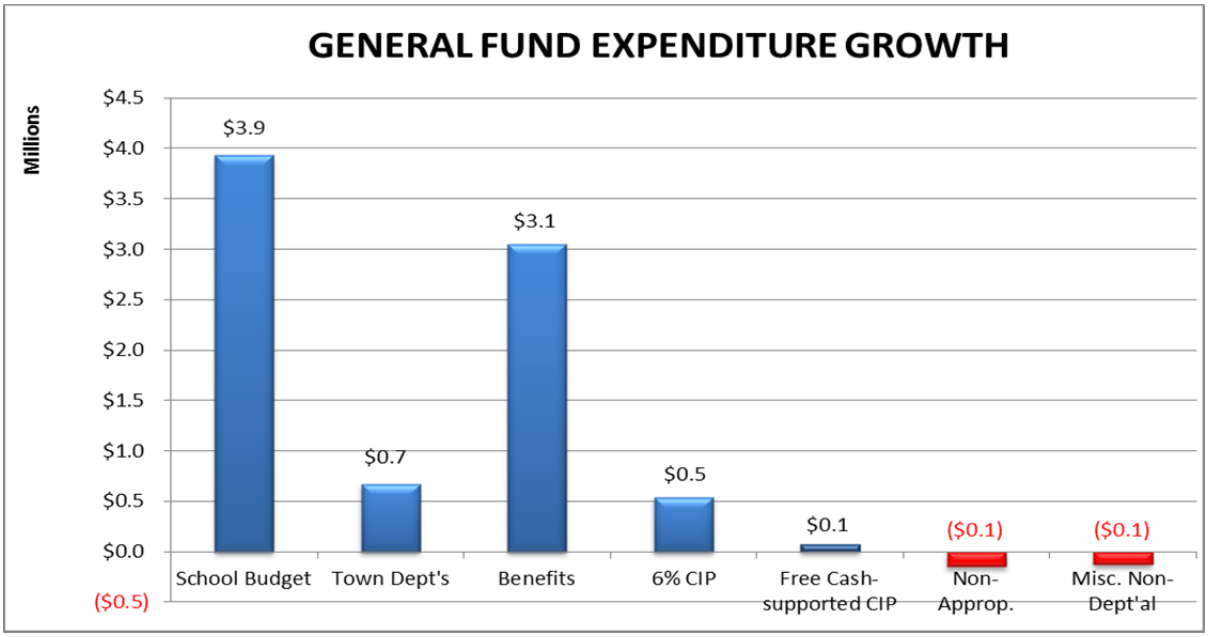
Similar to the Devotion project, a 9th elementary school and expansion of the High School cannot be funded within the Town's tax resources in a Proposition 2½ environment. Debt Exclusions, which allow for debt costs to be covered outside of the Proposition 2½ limit, must be pursued for these major projects.

The FY 2016 component of the CIP funds a range of important capital projects including fire apparatus, building repairs, park and playground renovations and upgrade of public works infrastructure. A more detailed discussion of the CIP is included in Section VII.

Non-Appropriated: This category includes required expenses that are raised directly without appropriation by Town Meeting. This includes State Charges, of which the largest sum is the Town's assessment to the MBTA ($5.2 million); the Overlay, which is a reserve for tax abatements and exemptions issued by the Board of Assessors ($1.75 million); and the Norfolk County assessment ($840,286). Overall, the cost of Non-Appropriated items in FY 2016 is $8.3 million, representing a slight decrease from FY 2015.

Enterprises: The Town funds its Water/Sewer, Recreation and Golf activities largely through self-supporting revenues. These are accounted for separately from the Town's General Fund through formal enterprise and revolving funds. The net cost of Enterprises in FY 2016 is $30.1 million, an increase over FY 2015 of 5.6%. As mentioned in this Budget Message, the

Town aggressively pursues full cost recovery of the Enterprise and Revolving Fund accounts to cover the cost of expenses accounted for in the general budget (including Pension and OPEB contributions). The Town is in the midst of a plan to achieve greater cost recovery in the Recreation Revolving Fund in FY 2016. As discussed in the Policy Issues/Initiatives section of this Budget Message, the Town is more aggressively recovering the full costs of the Recreation Revolving Fund. In FY 2016, we project an increase in revenue attributable to cost recovery of $50,000.



FY 2016 POLICY ISSUES AND INITIATIVES

A Budget can appear to be an exercise in balancing revenues and expenses. In reality, the Budget serves as a policy tool for elected leaders and the administration in developing priorities for the organization. This year, the Override debate has dominated the budget process and our consideration of priorities. The Selectmen's decision to pursue an Override and their desire to limit its impacts upon taxpayers guided our budget deliberations. After covering fixed costs, virtually all of the available budget capacity was reallocated within the traditional Town-School Partnership formula to support the School Budget. As a result, the ability to use revenue to invest in certain programs or services was limited. In fact, the Override package adopted by the Board of Selectmen mandated a reduction of $682,000 in municipal expenditures for FY 2016 (to be restored if the Override passes) and over $500,000 in longer-term efficiencies.

Solid Waste Collection and Disposal: Prompted by the Override challenges, the Town is finalizing a plan to initiate major changes to the way it funds and manages solid waste collection and disposal. The Town will implement a modified Pay-as-You-Throw (PAYT) system effective in FY 2016. PAYT is an established system used in the United States and many parts of the world to enhance recycling, thereby reducing the costly and environmentally unacceptable practices of incinerating or landfilling trash. This will be achieved in Brookline by providing each homeowner with a 35 gallon container that must contain all of the trash collected each week. If trash cannot fit within this container, a

homeowner will be required to purchase an "overflow" bag(s) or second container. The container will also facilitate an automated method of collecting the trash. Currently handled manually by a crew of two laborers, the new system will use one driver operating a trash truck with a mechanical arm to grab and lift the container to deposit the trash into the packer.

In addition to these operational changes, the Town took advantage of market forces and competitively procured a far less expensive contract to dispose of its solid waste.

The savings associated with the move to the modified PAYT program is estimated at approximately $153,000, due mostly to the savings associated with the move to a one-person packer truck operation that will be made possible by investing in the automated trash collection method. Doing so allows for the elimination of three positions. In order to make this move, DPW needs to lease-purchase two automated packer trucks. In addition, the 35-gallon toters need to be procured. The State will be providing the Town with a $200,000 grant to purchase approximately 5,560 toters; the Town will buy 5,500 and lease-purchase the remaining 2,300. The savings realized from the competitive procurement process for the loading, hauling and disposal of solid waste is $200,000. In addition, DPW was able to move metals collection in-house, thereby saving another $87,000. That savings was made possible by investing in "Big Bellies", the solar-powered trash and recycling receptacles that allow for the more efficient delivery of the commercial area trash collection operation. Off-setting that $87,000 in savings is the cost of lease-purchasing the Big Bellies. Once the lease payments for the automated packer trucks, the 35-gallon toters, and the Big Bellies are paid off, a total of $440,000 in annual savings will be realized: $153,000 from modified-PAYT, $200,000 from the re-bidding of the solid waste contract, and $87,000 from taking metals collection in-house.

At this time, it is hoped that the additional revenue generated by the overflow bags will limit the extent to which the annual solid waste fee needs to be increased to meet the non-property tax goal of the Override plan.

In total, the operational and contractual changes will eventually yield an annual savings of $440,000, helping meet the efficiency goal of $560,000 established by the Override Study Committee and Board of Selectmen.

Review of Building Operations and Maintenance: The Town is constantly evaluating the most cost effective and efficient manner of operating and maintaining its buildings and facilities. Each year, the Town evaluates some aspect of its building operations and maintenance for cost effectiveness. In recent years, this analysis has prompted the Town to bring contracted HVAC and Pest Control services back in-house to achieve savings. As the size and complexity of our School buildings increase, and recognizing the residual and long-term costs of in-house staff, this methodology must be reviewed. I have allocated funding in this Budget to conduct a study of the Building Department operations to determine how we compare to similar-sized entities and to review best practices.

Reorganization of Assessing Department: The Town continues to pursue innovative ways to provide enhanced services within constrained resources. The Chief Assessor has proposed a re-organization within his department that allows him to meet the changing expectations and future needs of his department. The strides made by the department in recent years will allow them to eliminate the

Commercial Valuation Director position and reallocate those resources to database management and clerical support. An Assistant Assessor and a part-time Office Assistant positions will be established to meet those demands. These changes will allow the Department to use the Assessor's database to its fullest potential and provide better service to both the public and other Town departments, all without an increase to its budget.

Establishment of Department of Diversity, Inclusion and Community Relations: After several years of contentious debate, Article 10 of the 2014 Annual Town Meeting finally passed a by-law that replaced the former Human Relations/Youth Services division with a new Diversity, Inclusion, and Community Relations (DICR) Department. The former division was funded and operated within the Health and Human Services budget. At the Special Town Meeting in November, I proposed a new budget that reallocated funds from the Health and Human Services Department and added other funds to meet the personnel and programmatic costs of this new agency. FY 2016 reflects the first full year of operation of the new department.

I appointed Dr. Lloyd Gellineau, former Human Service Director, as the first director (interim) of the DICR and the Board of Selectmen have finalized their appointments to the new Commission. We look forward to a new focus on meeting the Town's diversity and community relations challenges and to provide more robust and coordinated management of programs and services in this arena.

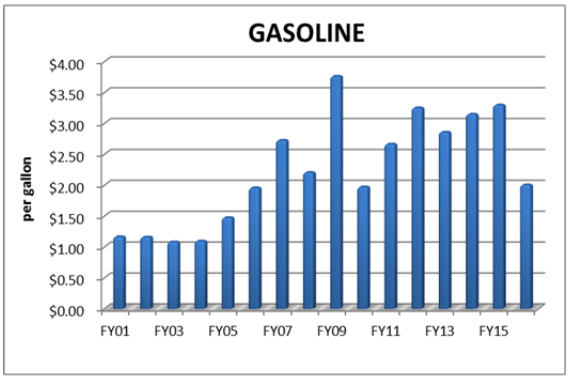
Coordination of School and Town Information Technology: A major focus on the Override Study Committee's consideration of educational programs was the relative lack of progress in technology and/or its inconsistent application across the school district. Whether the Override passes or not, the Town is committed to invest a substantial amount of financial and human resources in technology within the school system. The Committee's report stated, "We support advancing the use of technology in Brookline's classrooms, especially when tied to a strong plan driven by curricular goals and equitable access to high quality and coherent digital learning resources. We underscore the value of clear and measurable goals, and good governance (strategy, technology alignment, implementation, maintenance and staff planning and deployment) to the success of the technology plan." A subgroup of the Committee advocated for more consistent communication and collaboration between the Town and the Schools including an updated Memorandum of Agreement on technology governance.

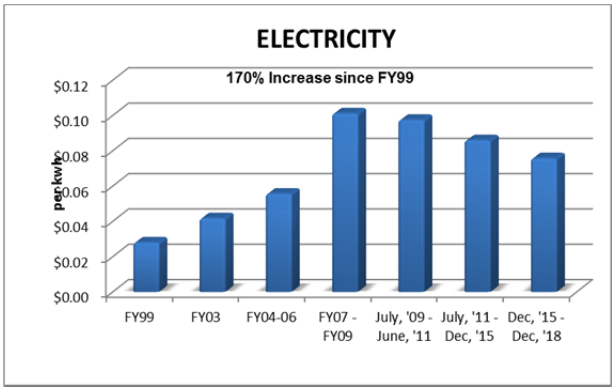
The Superintendent of Schools and I are committed to implementing an organizational model that will meet these goals and maximize our investment in technology. We are currently engaged in a review of this matter with a team from UMass Boston's Collins Center for Public Management. We will work with the Collins Center to help develop a governance model that will support a shared vision and appropriately assign the responsibilities for the educational use of technology as well as the business aspects including procurement, help desk support and training.

Energy Efficiency and Sustainability: The Town continues to work to find ways to stem the growth in energy consumption and mitigate rising energy prices. After facing some unexpected hurtles in the regional solar program, the Town is actively engaged with its solar developer, BlueWave, and is hopeful to have a proposal for solar arrays at several Town-owned sites ready for the Selectmen to consider sometime this spring.

The Department of Public Works' LED Streetlight Replacement Program is underway and the FY2016 budget is reduced by approximately $20,000 as a result. This project meets the Town's goal of saving money by reducing energy while enhancing the effectiveness of the service. Once fully-implemented, the Town's streetlight bill will decrease by approximately $180,000. The payback period is estimated to be less than 10 years.

On the procurement side, the Town is realizing substantial savings in the FY 2016 Budget by taking advantage of the downturn in Gasoline and Diesel prices and has locked in contractual prices that yield approximately $300,000 of savings in these accounts. This savings is recommended to be used as a buffer against anticipated GIC rates as described in the Expenditure summary of the Budget Message. Favorable market conditions also allowed the Town to lock in a supply contract for Electricity that will mitigate price increases announced by the utilities this past fall.

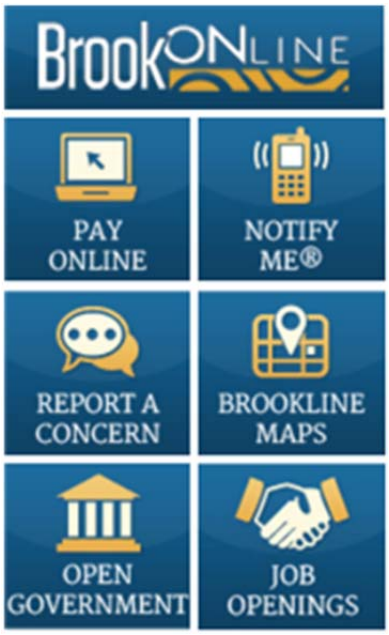




Performance Management and Open Government: Many management fads come and go, but the emphasis on using data to guide decision making will continue to be relevant, especially as computing facilitates the development and sharing of better data. Referred generally in local government as Performance Management, this process has taken hold in many areas of Brookline's government including our budget process. Each department is required to develop performance metrics in their budget development. The challenge is to make these measurements relate to actual performance as opposed to being simply an indicator of output. While it remains important to document workload, we struggle with ways to measure actual performance.

In a service related business like local government, satisfaction by our clients (citizens), can be a useful indicator of performance. Last year, the Town partnered with the National Research Center, Inc. and the International City Management Association to issue an opinion survey to 1,200 residents in Brookline. The National Citizen Survey (NCS) is a tested survey instrument designed to elicit feedback on essential municipal services and other factors that measure our performance. If done periodically, the survey will enable the Town to measure performance as viewed by our residents and to benchmark against the several hundred other

municipalities who participate. The results of our preliminary survey were presented to the Board of Selectmen and the community in early 2014.



Another trend in performance management is to release raw data of the municipality to allow others with interest and expertise to manage this information. There are numerous examples of private citizens manipulating raw data of a government agency to develop better information or applications to for beneficial purposes. With data becoming more robust and timely (e.g. GPS), this will become a powerful trend that the Town of Brookline must embrace. We have begun this process by developing a new data portal on the Town's web site. Already, there are examples of citizens using the Town's GIS and other data for this purpose. Most recently, a citizen has helped the Town use data generated by the BrookOnLine system to more effectively enforce the by-law on sidewalk snow removal.

In addition to sharing data for better decision making, it has the additional benefit of enhancing citizen confidence in government. In an effort to improve the Town's transparency in our municipal government operations and finances, we partnered with several other communities and the Commonwealth of Massachusetts to develop a web-based "Open Checkbook" application. This application, linked directly to the MUNIS financial system, allows a citizen to view detailed expenditure of public funds. The Brookline Open Checkbook went live in early-2014 and I am excited about the opportunity it provides residents to become even more aware of how we spend public funds.

Cost Recovery in Municipal Services: While local government is not a business, the limitation on property taxes and other financial resources has required Brookline to develop fees for non-traditional government services. This also has the benefit of making citizens or others who use the services fund them. Many policy and legal issues arise in this arena. What are non-traditional services and what percentage of them should the Town's property taxes support? If there are private businesses performing a similar service, how should the Town price these services? Should we provide them at all? These are many of the questions the Town faces when managing fees for services. This is especially relevant in the area of recreational services. The Town's Recreation Department provides a range of outstanding programs and services to citizens of all ages. Some services are clearly enterprise based, like the golf course. The Town has created a special fund for this purpose and recovers 100% of its costs, both direct and indirect, for this operation. Other services are funded through a Revolving Fund, which is not fully self-supporting through fees. For example, in FY 2015, the Town's property tax subsidized $584,000 for administration of the Department and over $400,000 for operation of the Aquatic Center. The Soule Early Childhood Center provides quality year-round childcare and early educational services. The Recreation Department has begun a process to move towards 100% cost recovery within a three-year period (FY 2015-FY 2017), increasing fees by 20% in each year. The Override Study Committee has encouraged an even more aggressive approach in tailoring these fees to the market of private childcare enterprises. I will continue to explore with the Recreation Commission, Board of

Selectmen and Advisory Committee, the fundamental policy issues associated with this question.

Legal Staffing and Costs: A review of the Town's legal staffing and costs is underway. As is appropriate for a municipal organization the size and complexity of Brookline, the Town maintains an in-house staff of attorneys, paralegals and related support personnel. More specialized services, such as environmental and labor law, are contracted for with private lawyers or law firms.

With the promotion of an Associate Town Counsel to fill the vacant Town Counsel position, we upgraded the newly vacated position to serve as an Assistant Town Counsel. During the process to fill these positions, I was alarmed to note the volume and expense of contracted legal services for employment related issues. This has prompted a review to determine the appropriate mix of in-house vs. contracted legal services in order to get this cost center under control and to provide the most effective services to the Town.

LONG RANGE FINANCIAL PLANNING

The cornerstone of the Town's budgeting process is the Long-Range Financial Projection, often referred to as "the Forecast". It is essential that a government have a financial planning process that assesses long-term financial implications of current and proposed policies, programs, and assumptions that develop appropriate strategies to achieve its goals. The Forecast also acts as a bridge between a municipality's annual operating budget and its CIP, bringing all of the fiscal policy and economic variables together to establish coordinated managerial direction. Revenue and expenditure forecasting, along with capital planning and debt management, are key elements in developing a strong municipal fiscal position.

Prepared annually, the five-year Forecast serves as the starting point for the ensuing budget year - - and also provides decision makers, taxpayers, and employees with an understanding of the long-term financial challenges the Town faces. In late-November / early-December, the Deputy Town Administrator and the Director of Finance present the Forecast to the Board of Selectmen. This presentation is the culmination of months of work for those two individuals, work involving the analysis of hundreds of revenue and expenditure line-items, making assumptions about economic conditions, and understanding state budget conditions.

The FY 2016 – FY 2020 Long Range Financial Projection for the General Fund makes the following key assumptions:

- New Growth in the Property Tax Levy of $1.8 million per year, augmented by the redevelopment of the former Red Cab Site ($50,000 in FY 2016, $595,000 in FY 2017, and $215,000 in FY 2018) and by the re-development of 2 Brookline Place ($685,000 in FY 2018, $1 million in FY 2019, and $615,000 in FY 2020).
- For State Aid in FY 2016, assume an increase of $850,000. For FY 2017 - FY 2020, annual 2.5% increases in Ch. 70 and Unrestricted General Government Aid (UGGA).
- For Local Receipts, FY 2016 reflects an increase of $823,460 (3.6%). In FY's 2017-2020, limited growth is expected (approximately $300,000 / yr, or 1.2%), augmented by $325,000 in additional Hotel Excise Taxes from the redevelopment of the former Red Cab Site ($50,000 in FY 2017 and $275,000 in FY 2018).

- Use of Free Cash continues to follow the Town's Free Cash Policy, most recently updated by the Selectmen in 2011.
- A 2% wage increase for all years for all unions.
- Inflation in most Services, Supplies, and Capital Outlay accounts of 1.5% - 2.5% (approximately $240,000 per year for the Schools and $250,000 for Town departments).
- Annual utility increases of $150,000.
- Annual Special Education growth of $775,000 - $800,000.
- Enrollment growth cost increases of $800,000 - $900,000 per year.
- Step increases in the School Department of $750,000 per year and $250,000 per year for Town Departments.
- For FY 2016, a Health Insurance rate increase of 4% and an increase in enrollment of 40. For FY's 2017-2020, assume a 4% annual rate increase and 30 new enrollees per year.
- A Pension appropriation based on the most recent funding schedule approved by PERAC (for FY's 2016 and 2017).
- Continue to fund OPEB's by increasing the appropriation by at least $250,000 per year from on-going revenues.
- Debt Service and pay-as-you-go CIP that reflects full-funding of the CIP (6% of net revenue plus the use of Free Cash to get to 7.5%).

These assumptions create an escalating deficit position for FY 2017 and beyond, starting at $737,000 in FY 2017 and reaching $3.1 million by FY 2020. It should be noted that the deficits in the out years are inflated because they are built upon a deficit in the prior fiscal year. In fact, the Town must balance its budget each year, and that balanced budget will become the base for the following year's projection. Nonetheless, the cumulative deficits in the Long Range Projection are a reminder that the Town must find ways to support a sustainable budget in the long term.

The Long Range Financial Projection is detailed on the following pages:

	2016	2017	2018	2019	2020
REVENUE					
Property Taxes	**188,609,198**	**196,014,928**	**203,561,491**	**214,555,185**	**222,193,691**
Local Receipts	**23,593,685**	**23,363,754**	**23,912,672**	**24,206,727**	**24,506,147**
Motor Vehicle Excise (MVE)	5,350,000	5,457,000	5,566,140	5,677,463	5,791,012
Local Option Taxes	2,475,000	2,545,500	2,841,410	2,898,238	2,956,203
Licenses & Permits	1,191,275	1,191,275	1,191,275	1,191,275	1,191,275
Parking / Court Fines	4,200,000	4,200,000	4,200,000	4,200,000	4,200,000
General Government	3,637,210	3,685,179	3,753,382	3,807,532	3,862,567
Interest Income	740,000	758,500	777,463	796,899	816,822
PILOT's	1,335,000	836,700	863,434	890,203	917,007
Refuse Fee	2,650,000	2,650,000	2,650,000	2,650,000	2,650,000
Departmental & Other	2,015,200	2,039,600	2,069,568	2,095,117	2,121,262
State Aid	**18,484,876**	**19,026,111**	**19,481,114**	**19,947,491**	**20,303,433**
General Government Aid	5,750,919	5,892,154	6,036,920	6,185,305	6,337,400
School Aid	12,567,112	12,967,112	13,277,349	13,595,341	13,799,188
Tax Abatement Aid	40,402	40,402	40,402	40,402	40,402
Offset Aid	126,443	126,443	126,443	126,443	126,443
Other Available Funds	**7,925,643**	**6,985,323**	**7,084,540**	**7,188,509**	**7,297,468**
Parking Meter Receipts	4,300,000	4,300,000	4,300,000	4,300,000	4,300,000
Walnut Hill Cemetery Fund	75,000	75,000	75,000	75,000	75,000
Reimb./Pymts from Enterprise Funds	2,166,519	2,245,741	2,328,167	2,414,445	2,504,762
Reimb. from Rec Revolving Fund	354,124	364,582	381,372	399,064	417,705
Capital Project Surplus	1,030,000	0	0	0	0
Free Cash (for Appropriation)	**5,016,500**	**4,100,000**	**4,200,000**	**4,400,000**	**4,500,000**
Capital Improvements/Other Spec Approp.	4,224,403	3,423,311	3,537,875	3,665,011	3,792,830
Operating Budget Reserve	550,050	570,552	589,646	610,835	632,138
Strategic Reserves	242,047	106,138	72,479	124,154	75,032
TOTAL REVENUE	**243,629,902**	**249,490,116**	**258,239,817**	**270,297,913**	**278,800,739**
$$ Increase	7,997,845	5,860,214	8,749,701	12,058,096	8,502,826
% Increase	3.4%	2.4%	3.5%	4.7%	3.1%

	2016	2017	2018	2019	2020
EXPENDITURES					
Departmental	**67,307,803**	**68,946,842**	**70,649,933**	**72,293,475**	**74,161,657**
Personnel	49,671,687	50,918,687	52,173,687	53,648,687	55,053,687
Services	8,225,339	8,430,973	8,641,747	8,857,791	9,079,235
Supplies	2,125,379	2,128,513	2,181,726	2,236,269	2,292,176
Other	563,832	577,928	592,376	607,185	622,365
Utilities	4,943,256	5,093,256	5,243,256	5,393,256	5,543,256
Capital	1,758,310	1,777,486	1,797,141	1,530,288	1,550,938
Intergovernmental	20,000	20,000	20,000	20,000	20,000
Coll. Barg. - Town	**1,100,000**	**1,130,000**	**1,150,000**	**1,180,000**	**1,200,000**
Schools	**89,324,380**	**93,105,297**	**96,906,468**	**100,884,929**	**104,272,942**
Coll. Barg. - School	**1,448,000**	**1,480,000**	**1,510,000**	**1,540,000**	**1,580,000**
Non-Departmental - Benefits	**53,551,265**	**55,891,408**	**58,861,533**	**61,973,254**	**65,203,333**
Pensions	18,707,021	19,681,694	20,699,582	21,768,532	22,901,544
Group Health	26,971,125	27,934,876	29,419,005	30,976,897	32,612,094
Health Reimbursement Account (HRA)	70,000	0	0	0	0
Retiree Group Health Trust Fund (OPEB's)	3,499,119	3,784,838	4,100,330	4,406,299	4,707,676
EAP	28,000	33,000	33,000	33,000	33,000
Group Life	145,000	148,625	152,341	156,149	160,053
Disability Insurance	16,000	16,000	16,000	16,000	16,000
Workers' Compensation	1,550,000	1,588,750	1,628,469	1,669,180	1,710,910
Public Safety IOD Medical Expenses	250,000	275,000	275,000	275,000	275,000
Unemployment Compensation	300,000	300,000	300,000	325,000	325,000
Medical Disabilities	40,000	45,000	50,000	50,000	50,000
Medicare Coverage	1,975,000	2,083,625	2,187,806	2,297,197	2,412,056
Non-Departmental - General	**819,970**	**683,315**	**693,708**	**729,836**	**746,375**
Liability/Catastrophe Fund	78,970	76,509	70,671	78,861	79,104
Affordable Housing	163,078	4,444	271	6,794	611
General Insurance	382,645	401,777	421,866	442,959	465,107
Audit/Management Services	130,000	135,000	135,000	135,000	135,000
Misc.	65,278	65,585	65,900	66,222	66,553
Non-Departmental - Debt Service	**9,478,591**	**11,144,448**	**13,539,175**	**17,366,247**	**17,861,066**
General Fund	9,478,591	11,144,448	13,539,175	17,366,247	17,861,066
Non-Departmental - Reserve Fund	**2,200,198**	**2,282,207**	**2,358,583**	**2,443,340**	**2,528,553**
Tax Supported	1,650,149	1,711,655	1,768,938	1,832,505	1,896,415
Free Cash Supported	550,050	570,552	589,646	610,835	632,138
Special Appropriations	**10,113,000**	**7,080,505**	**5,231,000**	**5,169,782**	**5,277,459**
Tax Supported	4,858,597	3,657,194	1,693,125	1,504,772	1,484,630
Free Cash Supported	4,224,403	3,423,311	3,537,875	3,665,011	3,792,830
Other	1,030,000	0	0	0	0
Non-Appropriated	**8,286,693**	**8,483,376**	**8,684,977**	**8,891,618**	**9,103,425**
State Assessments	6,385,250	6,538,183	6,694,940	6,855,616	7,020,309
Cherry Sheet Offsets	126,443	126,443	126,443	126,443	126,443
Overlay	1,750,000	1,793,750	1,838,594	1,884,559	1,931,673
Tax Titles - Deficits/Judgements	25,000	25,000	25,000	25,000	25,000
TOTAL EXPENDITURES	**243,629,902**	**250,227,399**	**259,585,378**	**272,472,483**	**281,934,810**
$$ Increase	7,997,845	6,597,498	9,357,979	12,887,105	9,462,327
% Increase	3.4%	2.7%	3.7%	5.0%	3.5%

	2016	2017	2018	2019	2020
CUMULATIVE SURPLUS/(DEFICIT)	**0**	**(737,283)**	**(1,345,561)**	**(2,174,570)**	**(3,134,071)**
DEFICIT AS A % OF OP REV	**0.0%**	**-0.3%**	**-0.5%**	**-0.8%**	**-1.1%**
Surplus / (Deficit) Prior to Collective Bargaining	2,548,000	769,608	(980,124)	(2,990,450)	(5,213,767)
Town Share of Surplus / (Deficit)	1,100,000	1,014,325	1,279,537	1,168,669	1,202,808
Town Collective Bargaining	1,100,000	1,130,000	1,150,000	1,180,000	1,200,000
Total Town Surplus / (Deficit)	**0**	**(115,675)**	**129,537**	**(11,331)**	**2,808**
School Share of Surplus / (Deficit)	1,448,000	833,208	33,365	(661,739)	(1,552,195)
School Collective Bargaining	1,448,000	1,480,000	1,510,000	1,540,000	1,580,000
Total School Surplus / (Deficit)	**0**	**(646,792)**	**(1,476,635)**	**(2,201,739)**	**(3,132,195)**

CAPITAL IMPROVEMENT PROGRAM

Capital planning and budgeting is a critical undertaking for any government and is central to the delivery of essential services and the quality of life for residents. In fact, without a sound plan for long-term investment in infrastructure and equipment, the ability of local government to accomplish its goals is greatly hampered. Since FY 1995, the Town has invested more than $400 million in the CIP. These efforts, which have been supported by the Board of Selectmen, the Advisory Committee, Town Meeting, and, ultimately, the taxpayers of Brookline, have helped address the backlog of capital projects, have dramatically improved the Town's physical assets, and have helped yield savings in the Operating Budget through investment in technology and energy efficiency. Although there is more to do in the areas of street and sidewalk repairs, parks/open space improvements, and school and town facilities upgrades, the commitment to capital improvements is clearly showing positive results.

The recommended FY 2016 – FY 2021 CIP calls for an investment of $274.4 million, for an average of approximately $46 million per year. This continues the Town's commitment to prevent the decline of its infrastructure, upgrade its facilities, improve its physical appearance, and invest in opportunities that positively impact the Operating Budget. Over the last 10 years (FY 2006 – FY 2015), the Town has authorized expenditures of $184.9 million, for an average of nearly $18.5 million per year.

While all policies are adhered to, it is not possible to fund the $118.4 million Devotion School project and the lease/rental costs associated with the “short-term” space plan adopted by the School Committee within the 7.5% Financing policy. Therefore, a Debt Exclusion Override is assumed for a portion of the Devotion School project. In order to release some of the pressure on the CIP and fund the aforementioned short-term space plan costs, the recommendation is to use $41 million of CIP capacity for the Devotion School project rather than the $54 million that had been carried for the project two CIP cycles ago. The result is a Debt Exclusion amount of approximately $49.6 million. In addition, this CIP recommends that the $1 million approved for the Driscoll School project last year by Town Meeting be re-appropriated in FY16 to support the Classroom Capacity account.

It should be clearly noted that no capacity exists for any future major elementary school project(s), whether it be an expansion at an existing elementary school or the construction of a new 9th K-8 school. That means an additional Debt Exclusion(s) would be required. Also, this recommended CIP provides funding in FY19 for a portion of a BHS project in an amount

that fits within the 7.5% CIP Financing Policy ($35.1 million Town share). Any amount above that would also have to be funded via a Debt Exclusion.

It was a challenge to develop a balanced CIP that continues to reflect the various priorities of the Town while simultaneously addressing the overcrowding issue in the schools. The school overcrowding issue continues to be the most urgent CIP need, consuming more of the CIP and necessitating Debt Exclusion Overrides. Kindergarten classes of approximately 400 – 425 students have been replaced with classes of 600 – 680. As those classes move forward through the system, there will continue to be annual classroom space deficiencies, absent significant changes to current school policies. This not only results in immediate classroom space needs in the elementary schools, it also means that the High School will face a space crisis in 3-4 years. This recommended CIP continues to address this issue in a comprehensive manner.

School Enrollment is an issue that the Town must continue to address. This recommended CIP includes the following items that address the space needs issue:

- Devotion School – a renovation/addition project that reflects the most recent cost estimates ($118.4 million) is included. This Preliminary CIP assumes that (a) the MSBA's effective reimbursement rate will be 24% and (b) $49.6 million of the Town's share will be funded via a Debt Exclusion, leaving $41 million funded by the CIP and $27.8 million by the MSBA.
- Classroom Capacity – in both FY 2008 and FY 2010, Town Meeting appropriated $400,000 to address space needs, followed by $530,000 in FY 2011 and $1.75 million in FY's 2013-2015. The CIP includes an additional $6 million over the course of the six years, with $2.25 million coming in FY 2016. The amount requested for FY 2016 will go toward the lease of spaces for BEEP ($550,000), the rental of property to help address Pierce School space needs ($150,000), leased modulars at Baker School ($50,000), and costs associated with any further space conversions into classrooms within existing school buildings, a process that is more complex and challenging each year as available space is reduced. The $2.25 million in FY 2016 will also cover the up-front costs associated with preparing rental property to help provide additional classroom space for the Pierce School and for setting up modular classrooms at the Baker School. The $750,000 in each of the out-years covers the annual costs of all leases/rentals.
- High School – with the larger grades making their way through the elementary schools, they will soon be at the High School. The CIP provides funding in FY 2019 for a portion of a high school expansion and renovation project, with the MSBA funding 35% ($18.9 million) and the Town funding the balance ($35.1 million). Any amount above the $35.1 million Town share will have to be funded via a Debt Exclusion Override. In addition, $1.75 million is included in FY 2017 for the feasibility/schematic design portion of the project, with $1.14 million (65%) being the assumed Town's share and $612,500 (35%) the MSBA's. The scope of this project will become clearer once the concept planning study being conducted by Symmes, Maini & McKee Associates is complete. I should note that the Town's share is possible because of a significant amount of debt runoff in FY's 2022-2023. While that timing (FY 2023) does not match the desired construction timeline, the use of

short-term borrowing (BAN's) helps delay the full impact of the debt service associated with the project.

- Major K-8 Project(s) – even with all of the other projects recommended in this CIP, it is likely that additional space will be required, whether it comes from an expansion at an existing elementary school(s) or the construction of a new 9th K-8 school. There is no CIP capacity for this project(s), meaning a debt exclusion override(s) would be necessary. Please see the Strategic Planning section of this report recommending a Site Identification Study to help inform this component of the CIP as we move forward.
- Old Lincoln School – in FY 2014, $3 million was appropriated for preparing the Old Lincoln School to serve as "swing" space for the Devotion School and other future school projects. An additional $1 million is proposed in FY 2016 to cover repairs necessary to make this building a fully functioning school, including work to install new cabinet unit heaters throughout the building and to enhance temperature control systems.
- Driscoll School – this project has been removed because the MSBA notified the Town recently that the Driscoll School Statement of Interest (SOI) will not be invited for participation at this time. As a result, this project is removed from the CIP and the $1M appropriated in May, 2014 for feasibility/schematic design is being recommended for re-appropriation as part of the Classroom Capacity item.

Even with the pressure placed on the CIP by the overcrowding issue, this recommended CIP continues the Town's commitment to public works projects, including upgrading its parks/playgrounds, streets/sidewalks, water/sewer infrastructure, and other areas. There is $21.1 million of specific park projects included, as shown in the table below:

	Total	Prior Year (FY15)	FY2016 Amount	FY2017 Amount	FY2018 Amount	FY2019 Amount	FY2020 Amount	FY2021 Amount	Future Years Amount
Pierce Playground	1,070,000	90,000	**980,000**						
Brookline Ave Playground	890,000		**890,000**						
Emerson Garden Playground	760,000		**60,000**	700,000					
Corey Hill Playground	740,000		**40,000**	700,000					
Brookline Reservoir Park	1,880,000			80,000	1,800,000				
Harry Downes Field & Playground	880,000			80,000	800,000				
Murphy Playground	850,000				60,000	790,000			
Schick Playground	955,000					70,000	885,000		
Soule Athletic Fields	685,000						50,000	635,000	
Larz Anderson Park	8,400,000					2,700,000		2,200,000	3,500,000
Kraft Family Athl. Field Turf Repl.	770,000						70,000	700,000	
Robinson Playground	1,175,000					100,000		1,075,000	
Riverway Park	425,000								425,000
Cypress Playground/Athl. Field	1,650,000								1,650,000
TOTAL	**21,130,000**	**90,000**	**1,970,000**	**1,560,000**	**2,660,000**	**3,660,000**	**1,005,000**	**4,610,000**	**5,575,000**

There is $17.7 million programmed for streets/sidewalks, with $5.7 million funded from the State's Ch. 90 program. In FY 2014, $2.5 million was appropriated for renovations of the Municipal Service Center (MSC), centered on the flooring issue that plagued the building for years. The Commissioner of DPW has worked closely with Building Dept. project management staff and believes that, based on architect estimates, another $650,000 is

required. They will be going out to bid soon and will have a better sense of whether these funds will be required by the time Town Meeting commences. Lastly, there is $6 million for wastewater infrastructure improvements, allowing the Town to continue its efforts to modernize the sewer system and, ultimately, reduce the Town's MWRA assessment.

A few years ago, a study was made of the conditions of the fire stations and what was needed to maintain the integrity of the floors and building in regard to the newer, larger fire equipment. The work outlined in the report included flooring, shoring, beams, columns, and structural work. The report also included recommendations for the HVAC systems, generators, lighting, life safety, and mechanical, electrical, plumbing (MEP), along with other peripheral systems. In FY 2012, $650,000 was appropriated to undertake the structural component. The next phase for implementation was the life safety component, which was funded between FY 2013 – FY 2015 ($890,000). The final phase (mechanical, electrical, plumbing) is included ($1.8 million) in this recommended CIP, starting with $350,000 in FY 2017.

This recommended CIP also addresses a long-standing need in the Fire Department: a modern fleet maintenance facility. The current maintenance facility is located in Station #1 and the shop is not large enough to allow access to many of the Department's vehicles, leaving the mechanics no choice but to do repairs out in the street, the drill yard at Station #6, or on occasion inside another fire station. This is obviously unsafe when on the street and inefficient when working in locations away from the shop and all its tools and equipment. The limited size of the shop and its inability to house the apparatus leaves the Fire Department looking to costly outside repair venders more often than would be necessary if the Department had an adequate facility. The plan is to construct a new facility behind Station #6. In addition, the Fire Chief has expressed his desire to modernize the Department's training facility, which is located at Station #6. In FY 2015, $40,000 was appropriated for feasibility. In FY 2017, $4.5 million is included for design and construction.

The Town has an excellent fire apparatus rehab/replacement schedule that calls for rehabbing engines every 10 years and ladders every 12 years and for replacing front line engines every 17 years and front line ladder trucks every 20 years. Because of this policy, the Fire Department has an excellent and young stable of engines and ladders. The CIP continues to follow the policy and replaces Tower #1 in FY 2018 ($1 million) and Engine #6 in FY 2019 ($660,000). It also includes $920,000 for rehabs.

There are four strategic studies included in the recommended CIP, the first two of which are a direct outcome of the recommendations of the Override Study Committee (OSC):

- Strategic Asset Plan – this would focus on public facilities in order to consolidate all information relative to real property owned by the Town; determine and address any gaps in that information; identify current and projected needs for municipal facilities and services; develop strategies to respond to those needs be it new or expanded municipal buildings, active or passive open space, multiple municipal-use facilities, infrastructure, land banking, etc.; and identify any parcels that may be appropriate for redevelopment opportunities. $75,000 is included in FY16.

• Planning Analysis of Large Properties – the Town is essentially, but not completely, built-up. Simultaneously, as a highly desirable community in which to live and invest, Brookline is subject to intense residential development pressure. The Town needs to be concerned that major privately-owned parcels, most of which are currently in institutional and/or non-profit use, may eventually succumb to that pressure and be developed. $100,000 is included in FY 2017 to fund a study will allow for a comprehensive approach to identifying possible school use or other preferred use for each of these properties and how best to encourage those uses.

• Centre St. East Parking Lot / Harvard St. Study – the Centre Street East parking lot needs significant renovations in terms of curbing, pavement, and associated improvements. Funding for this project has been moving along in the CIP. However, the commitment to address these needs provides an opportunity for the Town to identify and integrate other needs confronting Coolidge Corner into planning for the parking lot, thereby promoting an efficient use of the publicly-owned parcel. The possibility of introducing a solar energy project compatible with the parking lot use has also been identified. Based on a preliminary Reconfiguration Study of the parking lot conducted in early 2014, the Town intends to hire a consultant to further develop conceptual plans. $100,000 is included for this purpose in FY 2016.

• Public Safety Computer Aided Dispatch (CAD) – perhaps the Town's single most important system, the CAD is now 10 years old and in need of either a significant upgrade or replacement. While upgrades and additional modules have been installed over the years, the time is right to take a comprehensive look at the system and determine whether it meets the current and future needs of the Police and Fire Departments. $75,000 in included in FY 2016.

The Village Square/Gateway East and Riverway Park Pedestrian/Bike Path projects are slated for FY 2016-FY 2017. These significant public works projects are both projects being funded 100% with non-Town funding, as shown in the table below:

	FY2016	FY2017
Village Sq. Circulation Improv. - CD	750,000	
Village Sq. Circulation Improv. - Offsite Improvements from 2 Brookline Pl	750,000	
Village Sq. Circulation Improv. - State Grant (TIP)	4,375,971	
Village Sq. Circulation Improv. - Total	**5,875,971**	**-**
Riverway Park Pedestrian/Bike Path - Federal Grant		675,000
Riverway Park Pedestrian/Bike Path - State Grant (DCR)		300,000
Riverway Park Pedestrian/Bike Path - State Grant (Tip)		325,000
Riverway Park Pedestrian/Bike Path - CD		200,000
Riverway Park Pedestrian/Bike Path. - Total	**-**	**1,500,000**

Some of the major projects proposed in the CIP include:

- Devotion School - $90.6 million of Town funding (of which $49.6 million is from a Debt Exclusion) + $27.8 million of State funding (FY 2016)
- BHS - $36.2 million of Town funding + $19.5 million of State funding (FY 2017, FY 2019)
- Classroom Capacity - $6 million (FY 2016-2021)

- Village Square - $5.9 million (FY 2016) - - all outside funding
- Larz Anderson - $4.9 million (FY 2019, FY 2021)
- Fire Fleet Maintenance / Training Facility - $4.5 million (FY 2017)
- Fire Sta. Renovations - $1.9 million (FY 2015, FY 2017-2020)
- Brookline Reservoir Park - $1.9 million (FY 2017-2018)
- Fire Station Renovations - $1.8 million (FY 2017-FY 2021)
- Riverway Park Ped/Bike Path - $1.5 million (FY 2017) - - all outside funding
- Robinson Playground - $1.2 million (FY 2019, FY 2021)
- Old Lincoln School - $1 million (FY 2016)
- Golf Course - $1 million (FY 2016) -- enterprise fund

Continued major investments include:

- Street and Sidewalk Rehab - $20.7 million
- Parks and Open Space - $20.4 million
- Town/School Bldg Envelope/Fenestration Repairs - $11.5 million
- Town/School Roofs - $6.4 million
- Fire Apparatus- $2.6 million
- Water & Sewer Infrastructure - $6 million -- enterprise fund
- Information Technology - $1.7 million
- Tree Replacement - $1.4 million
- Energy Conservation - $1.1 million

CONCLUSION AND RECOMMENDATION

The Board would once again like to thank the Town Administrator, his staff and all of the department heads in preparing this Budget. We continue to be grateful for the quality of the Financial Plan, as it provides an outstanding and useful document for the Selectmen, Advisory Committee and Town Meeting, and creates transparency and confidence among the Town's citizenry and other stakeholders. Our independent Auditor has publicly acknowledged the quality of this document and we are proud to announce that the Town was awarded the Government Finance Officers Association's (GFOA) award for Excellence in Budget Presentation for the tenth consecutive year.

We thank the Advisory Committee again for another excellent job on preparing and reviewing the Town's budget, paying particular attention to applying the Financial Polices that have guided Town budgeting over the past decade. The amount of time the Advisory Committee spent on reviewing the Financial Plan is simply remarkable. The willingness of the Advisory Committee, School Committee, this Board, and, ultimately Town Meeting, to work collaboratively throughout the budget process is a major reason why this community has been able to avoid a number of problems that other communities have had to address.

The Board acknowledges that this budget cycle brought its share of challenging discussions regarding the funding priorities of the Town. Early on given the split vote of the Override Study Committee, we knew that it would be difficult to find an approach that would satisfy all parties. This budget cycle required the preparation of 2 budgets, one assuming the Proposition 2 ½ Override failed and another assuming it passed. The no Override budget required cuts and hard decisions and the Advisory Committee approach to meeting the challenge was different from the Board's. We recognize the importance of rising above these

differences to work together with the Advisory Committee to present a balanced budget to Town Meeting. While the Override vote on May 5th allows us to come to consensus in a less turbulent manner, we know that the conversations must continue because the enrollment pressures beyond the three-year funding plan do not appear to be abating. We will need to adopt strategies to produce sustainable growth on both the revenue and cost sides to delay the need for future Overrides. We are a community who values all town services, but we will need to continue to make difficult choices given the constraints of Proposition 2 ½.

The Board recommends FAVORABLE ACTION by a vote of 5-0 taken on April 28, 2015 on the following vote:

VOTED: To approve the budget for fiscal year 2016 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.) <u>TRANSFERS AMONG APPROPRIATIONS</u>: Transfers between the total departmental appropriations separately set forth in Tables I and II shall be permitted by vote of Town Meeting or as otherwise provided by Massachusetts General Laws Chapter 44, Section 33B(b). 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 $10,000 to or from repairs to public building appropriations.

v) Transfers within the Department of Public Works from the Parks Division to any other purpose.

vi) Transfers within the Department of Public Works from the Snow and Ice budget to any other purpose.

C) Transfers within the Library Department appropriation shall be permitted with the approval of the Board of Library Trustees, and 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 and Town Comptroller.

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 FY2016 budget, and to solicit and award contracts for terms of not more than four 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 #21) 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 Personnel Services Reserve (Item #20), 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.) STIPENDS / SALARIES OF ELECTED OFFICIALS: The stipends of members of the Board of Selectmen shall be at the rate of $4,500 per year for the Chairman and at the rate of $3,500 per year for each of the other four members. The annual salary of the Town Clerk shall be at the rate of $103,784 effective July 1, 2015, 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 any benefit-eligible 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 $1,376,312 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	$470,099
Purchase of Services	$126,648
Supplies	$193,950
Other	$8,100
Utilities	$103,919
Capital	$76,050
Debt Service	$194,755
Reserve	$25,000
Total Appropriations	$1,198,521
Indirect Costs	$177,791
Total Costs	$1,376,312

Total costs of $1,376,312 to be funded from golf receipts with $177,791 to be reimbursed to the General Fund for indirect costs.

7.) WATER AND SEWER ENTERPRISE FUND: The following sums, totaling $28,325,606, 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:

	Water	Sewer	Total
Salaries	2,121,310	399,776	2,521,086
Purchase of Services	190,598	163,200	353,798
Supplies	102,020	21,000	123,020
Other	8,900	1,680	10,580
Utilities	102,945	0	102,945
Capital	268,300	236,500	504,800
Intergovernmental	6,878,359	13,184,091	20,062,450
Debt Service	855,691	1,522,056	2,377,747
Reserve	121,025	159,426	280,451
Total Appropriations	10,649,148	15,687,729	26,336,877
Indirect Costs	1,574,389	414,340	1,988,729
Total Costs	12,223,537	16,102,069	28,325,606

Total costs of $28,325,606 to be funded from water and sewer receipts with $1,988,729 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 and Chapter 79 of the Acts of 2005, 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 $3,100,000.

b.) The Building Commissioner is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2 and Chapter 79 of the Acts of 2005, 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. All receipts from said rental properties shall be credited to the fund. Annual expenditures from the fund shall not exceed $150,000.

c.) The Commissioner of Public Works is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2 and Chapter 79 of the Acts of 2005, 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 $100,000.

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 and Chapter 79 of the Acts of 2005, 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 $4,653,731, 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.) SNOW AND ICE BUDGET: The sum of $497,309, included within the Department of Public Works appropriation for snow and ice operations, shall be expended for snow and ice operations and not for any other purpose, unless transferred per the provisions of Section 1.B.vi of this Article.

11.) INTERFUND TRANSFERS: In order to fund the appropriations voted for the various departments itemized on Table 1, the Town Comptroller is authorized to make the following interfund transfers:

Parking Meter Special Revenue Fund $4,300,000
[to the General Fund for the Department of Public Works - $2,150,000]
[to the General Fund for the Police Department - $2,150,000]

Cemetery Sales Special Revenue Fund [to the General Fund for the Department of Public Works]	$ 75,000
Recreation Revolving Fund [to the General Fund for benefits reimbursement]	$ 354,124

12.) 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.

13.) SPECIAL APPROPRIATIONS: The appropriations set forth as items 35 through 72, inclusive, in Table 1 shall be specially appropriated for the following purposes. In addition, with the exception of Items #67 - 72, they shall be transferred from the General Fund to the Revenue-Financed Capital Fund.

40. Raise and appropriate $270,000, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen, for the enhancement of town-wide hardware and software.

41. Raise and appropriate $200,000, or any other sum, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen, for data room upgrades.

42. Raise and appropriate $25,000, or any other sum, to be expended under the direction of the Chief Procurement Officer, with the approval of the Board of Selectmen, for town furniture upgrades.

43. Raise and appropriate $125,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen for maintenance of town garage floors.

44. Raise and appropriate $75,000, or any other sum, to be expended under the direction of the Department of Planning and Community Development, with any necessary contracts to be approved by the Board of Selectmen, for a strategic asset plan to focus on public facilities.

45. Raise and appropriate $100,000, or any other sum, to be expended under the direction of the Department of Planning and Community Development, with any necessary contracts to be approved by the Board of Selectmen, for the development of a conceptual study for the Center Street East Parking Lot and surrounding area.

46. Raise and appropriate $75,000, or any other sum, to be expended under the direction of the Chiefs of Police and Fire, with any necessary contracts to be approved by the Board of Selectmen, for study of the future needs for the public safety computer aided dispatch (CAD) system.

47. Raise and appropriate $300,000, or any other sum, to be expended under the direction of the Fire Chief, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of Fire Department apparatus.

48. Raise and appropriate $31,000, 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; provided that the Department of Public Works and Transportation Board provide status reports to the Board of Selectmen on a semi-annual basis.

49. Raise and appropriate $105,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for bicycle access improvements.

50. Raise and appropriate $1,590,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of streets, with notification, in advance of plans being submitted for bids, to the Board of Selectmen of any changes to pedestrian, bicycle, or motor vehicle traffic patterns or to pavement markings.

51. Raise and appropriate $297,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of sidewalks.

52. Raise and appropriate $220,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the conversion of Town-owned streetlights to LED's.

53. Raise and appropriate $650,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for renovations to the Municipal Service Center (MSC).

54. Raise and appropriate $890,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the renovation of Brookline Avenue Playground.

55. Raise and appropriate $40,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the design of the renovation of Corey Hill Playground.

56. Raise and appropriate $60,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the design of the renovation of Emerson Garden Playground.

57. Raise and appropriate $250,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen, for the restoration of the Brookline Reservoir Gatehouse roof.

58. Raise and appropriate $230,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the rehabilitation of tennis courts and basketball courts.

59. Raise and appropriate $300,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the renovation of playground equipment, fields, and fencing.

60. Raise and appropriate $90,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of Town and School grounds.

61. Raise and appropriate $225,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Tree Planting Committee, for the removal and replacement of trees.

62. Raise and appropriate from the Sale of Lots special revenue fund (SW01) $50,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Cemetery Trustees, for the rehabilitation of roadways within Walnut Hills Cemetery.

63. Raise and appropriate $675,000, or any other sum, to be expended under the direction of the Recreation Director, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission for pool repointing and locker room renovations at the Evelyn Kirrane Aquatics Center.

64. Raise and appropriate $70,000, to be expended under the direction of the Chief Procurement Officer, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for school furniture upgrades.

65. Raise and appropriate $80,000, or any other sum, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for costs associated with mobile carts in the Brookline Public Schools.

66. Raise and appropriate $70,000, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for ADA renovations to Town and School buildings.

67. Raise and appropriate $275,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for improvements to elevators in Town and School facilities.

68. Raise and appropriate $165,000, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for energy conservation projects in Town and School buildings.

69. Raise and appropriate $185,000, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for upgrades to energy management systems in Town and School facilities.

70. Raise and appropriate $195,000, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for improvements to life safety systems and building security in Town and School facilities.

71. Raise and appropriate $2,250,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for the expansion of classroom capacity in various schools.

72. Appropriate $980,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the renovation of Pierce Playground., and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $980,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority.

73. Appropriate $3,000,000, 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 wastewater system improvements, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $3,000,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority; and authorize the Selectmen to apply for, accept, receive and expend grants, aid, reimbursements, loans, and all other forms of funding and financial assistance from both state and federal sources and agencies for such purpose.

74. Appropriate $1,000,000, or any other sum, to be expended under the direction of the Recreation Director, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission for golf course improvements,

and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $1,000,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority.

75. Appropriate $1,550,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for building envelope / fenestration repairs to Town and School buildings, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $1,550,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority.

76. Appropriate $1,200,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for roof repairs and replacements in Town and School facilities, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $1,200,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority.

77. Appropriate $1,000,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for remodeling, reconstructing, or making extraordinary repairs to the Old Lincoln School, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $1,000,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority.

78. Appropriate, borrow or transfer from available funds, $118,400,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee for the renovation of and the construction of additions to the Edward Devotion School located at 345 Harvard Street in the Town of Brookline, Massachusetts and as further described as Parcel ID No. 048-13-00 in the Town of Brookline Assessor's map, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA and any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town of Brookline may receive from the MSBA for the Project shall not exceed the lesser of (1) 35.84% of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

14.) **FREE CASH**: Appropriate and transfer $5,016,500 from free cash for the following purposes:

a.) Operating Budget Reserve Fund (MGL Chapter 40, Section 6) – $550,050;
b.) Liability/Catastrophe Fund (Chapter 66 of the Acts of 1998, as amended) – $78,970;
c.) Reduce the tax rate (Special Appropriations) – $4,224,403;
d.) Housing Trust Fund – $163,078.

TOWN OF BROOKLINE'S FISCAL POLICIES
Adopted by the Board of Selectmen on June 28, 2011

FREE CASH POLICIES

Free Cash shall not be used for Operating Budget purposes. It shall be utilized in the following manner and order:

1. 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 and as described in the Town's Reserve Policies.

2. Unreserved Fund Balance / Stabilization Fund – Free Cash shall be used to maintain an Unreserved Fund Balance plus Stabilization Fund in an amount equivalent to no less than 10% of revenue, as defined in the Town's Audited Financial Statements, with a goal of 12.5%, as described in the Town's Reserve Policies. If the Stabilization 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.

3. 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 described in the Town's Reserve Policies.

4. Capital Improvement Program (CIP) – remaining Free Cash shall be dedicated to the CIP so that total CIP funding as a percent of the prior year's net revenue is not less than 7.5%, to the extent made possible by available levels of Free Cash.

5. Affordable Housing Trust Fund (AHTF) – in order to support the Town's efforts toward creating and maintaining affordable housing, 15% of remaining Free Cash shall be appropriated into the AHTF if the unreserved fund balance in the AHTF, as calculated in the Town's financial system, is less than $5 million.

6. Special Use – remaining Free Cash may be used to augment the trust funds related to fringe benefits, unfunded liabilities related to employee benefits, including pensions and Other Post-Employment Benefits (OPEB's), and other one-time uses, including additional funding for the CIP and AHTF.

RESERVE POLICIES

The establishment and maintenance of adequate financial reserves provide the Town of Brookline with financial flexibility and security and is recognized as an important factor

considered by bond rating agencies, the underwriting community and other stakeholders. 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 0.75% 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.

- **Unreserved Fund Balance / Stabilization Fund** – the Town shall maintain an Unreserved Fund Balance plus Stabilization Fund in an amount equivalent to no less than 10% of revenue, as defined in the Town's Audited Financial Statements, with a goal of 12.5%. If the balance falls below 10% at the end of the fiscal year, then Free Cash shall be used to bring the amount up to 10%, as described in the Free Cash Policy, as part of the ensuing fiscal year's budget. The Stabilization Fund shall be established under the provisions of MGL Chapter 40, Section 5B.

    1. 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.

    2. 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 #1a. 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 #1b. 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.

3. 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 described 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.

- **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

Planning, budgeting and financing for the replacement, repair and acquisition of capital assets is a critical component of the Town of Brookline's financial system. Prudent planning and funding of its capital infrastructure ensures that the Town can continue to provide quality public services in a financially sound manner. The development of a Capital Improvement Program (CIP) is the mechanism that the Town uses to identify projects, prioritize funding and create a long-term financial plan that can be achieved within the limitations of the Town's budget.

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 - 6% OF NET REVENUES
Total net direct debt service and net tax-financed CIP shall be maintained at a level equivalent to 6% of prior year net operating revenues.

- TAX FINANCED ALLOCATION - 1.5% OF NET REVENUES
  Net tax-financed capital expenditures shall be maintained at a target level equivalent to 1.5% of prior year net operating revenues.

- DEBT-FINANCED ALLOCATION - 4.5% OF NET REVENUES
  Net direct debt service shall be maintained at a target equivalent to 4.5% 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 for projects supported by General Fund revenue shall be reserved for capital projects and expenditures which either cost in excess of $250,000 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. For projects supported by Enterprise Fund revenue, debt financing shall be reserved for capital projects and expenditures that cost in excess of $100,000.

- 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 $2,385, which reflects $2,000 inflated annually since July 1, 2004. This amount shall continue to 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 to supplement the CIP so that total CIP funding as a percent of the prior year's net revenue is not less than 7.5%, to the extent made possible by levels of available free cash.

UNFUNDED LIABILITIES POLICY

Defined as "the actuarial calculation of the value of future benefits payable less the net assets of the fund at a given balance date", unfunded liabilities represent a significant financial obligation for all levels of government across the country. In Brookline and other Massachusetts municipalities, the two primary unfunded liabilities are for Pensions and Other Post-Employment Benefits (OPEB's).

- Pensions – the Contributory Retirement System is a defined benefit program that is governed by Massachusetts General Laws, Ch. 32 and is regulated by the Public Employee Retirement Administration Commission (PERAC), a State entity responsible for the oversight, guidance, monitoring, and regulation of Massachusetts' 105 public pension systems. Funding for this system covers the costs of employees who are part of the Town's retirement system, which does not include teachers, as their pensions are funded by the State.

  In accordance with State law, PERAC regulations and government accounting standards, the Town contracts for an actuarial valuation of the retirement system to quantify the unfunded liability on a biennial basis. Under current State law, the Town then establishes a funding schedule to fully-fund this liability by 2040. The Town shall continue to fund this liability in the most fiscally prudent manner, recognizing

the fact that the adoption of a funding schedule is, by law, the responsibility of the local retirement board.

- OPEB's – these consist primarily of the costs associated with providing health insurance for retirees and their spouses. The Government Accounting Standards Board (GASB) issued Statements No. 43 and No. 45 in 2004 to address the OPEB issue. GASB 43 required the accrual of liabilities of OPEB generally over the working career of plan members rather than the recognition of pay-as-you-go contributions, while GASB 45 required the accrual of the OPEB expense over the same period of time. The reporting requirements of GASB 43 and 45 include disclosures and schedules providing actuarially determined values related to the funded status of the OPEB. This requires that the accrued liabilities be determined by a qualified actuary using acceptable actuarial methods.

  While there is currently no legal requirement to fund OPEB's, the Town shall continue to follow its plan to move toward fully-funding the Annual Required Contribution (ARC), ultimately developing a funding schedule that fully-funds OPEB's according to a schedule similar to the pension funding schedule. This plan should continue to include annual increases in the portion of the appropriation supported by General Fund revenues. It should also include using the "run-off" from the pension system once that system is fully-funded. In order to determine the funding schedule, the Town shall continue its current practice of having an independent actuary prepare biennial valuations, which is in compliance with GASB's requirement.

FY16 BUDGET - TABLE 1 BOS 4/28/15 vote

		FY13 ACTUAL	FY14 ACTUAL	FY15 BUDGET	FY16 BUDGET BOS	$$ CHANGE FROM FY15	% CHANGE FROM FY15
	REVENUES						
	Property Taxes	169,029,414	174,869,775	182,239,297	194,809,198	**12,569,901**	**6.9%**
	Local Receipts	24,480,797	25,522,496	22,770,225	23,593,685	**823,460**	**3.6%**
	State Aid	15,125,059	16,633,741	17,634,876	18,652,559	**1,017,683**	**5.8%**
	Free Cash	5,336,413	7,665,155	5,084,152	5,016,500	**(67,652)**	**-1.3%**
	Overlay Surplus	1,750,000	0	1,000,000	0	**(1,000,000)**	**-100.0%**
	Other Available Funds	10,144,344	6,852,688	6,903,508	7,925,643	**1,022,135**	**14.8%**
	TOTAL REVENUE	**225,866,027**	**231,543,855**	**235,632,058**	**249,997,585**	**14,365,528**	**6.1%**
	EXPENDITURES						
	DEPARTMENTAL EXPENDITURES						
	1 . Selectmen	644,074	670,358	650,023	662,312	**12,289**	**1.9%**
	2 . Human Resources	574,019	615,662	528,952	533,746	**4,794**	**0.9%**
	3 . Information Technology	1,472,035	1,705,110	1,775,260	1,805,725	**30,465**	**1.7%**
	4 Diversity, Inclusion, and Community Relations	0	0	167,807	175,827	**8,019**	**4.8%**
	5 . Finance Department	2,991,976	2,933,343	2,886,893	2,911,236	**24,343**	**0.8%**
	a. Comptroller	*510,643*	*536,293*	*575,876*	*571,047*	***(4,829)***	***-0.8%***
	b. Purchasing	*847,549*	*636,616*	*643,447*	*662,243*	***18,796***	***2.9%***
	c. Assessing	*639,202*	*654,772*	*663,404*	*664,036*	***633***	***0.1%***
	d. Treasurer	*994,582*	*1,105,661*	*1,004,167*	*1,013,910*	***9,743***	***1.0%***
	6 . Legal Services	821,872	888,936	821,489	833,934	**12,445**	**1.5%**
	7 . Advisory Committee	14,974	13,129	24,797	24,900	**103**	**0.4%**
	8 . Town Clerk	775,342	557,591	632,689	611,324	**(21,364)**	**-3.4%**
	9 . Planning and Community Development	620,599	757,716	781,940	796,574	**14,633**	**1.9%**
	10 . Police	14,954,651	15,258,118	15,292,889	16,536,836	**1,243,947**	**8.1%**
	11 . Fire	12,844,259	12,886,490	12,939,265	12,994,548	**55,283**	**0.4%**
	12 . Building	6,854,850	7,163,183	7,068,259	7,300,012	**231,753**	**3.3%**
(1)	13 . Public Works	14,480,045	15,220,421	14,198,548	14,101,250	**(97,298)**	**-0.7%**
	a. Administration	*823,184*	*847,278*	*878,529*	*859,718*	***(18,812)***	***-2.1%***
	b. Engineering/Transportation	*1,105,748*	*1,191,962*	*1,263,478*	*1,282,876*	***19,398***	***1.5%***
	c. Highway	*4,579,656*	*4,644,618*	*5,096,121*	*4,802,733*	***(293,388)***	***-5.8%***
	d. Sanitation	*3,003,721*	*2,988,704*	*3,004,898*	*3,091,137*	***86,239***	***2.9%***
	e. Parks and Open Space	*3,507,459*	*3,552,206*	*3,564,712*	*3,567,477*	***2,765***	***0.1%***
	f. Snow and Ice	*1,460,278*	*1,995,654*	*390,809*	*497,309*	***106,500***	***27.3%***
	14 . Library	3,742,982	3,827,172	3,756,286	3,888,386	**132,099**	**3.5%**
	15 . Health and Human Services	1,152,529	1,280,036	1,169,273	1,151,234	**(18,039)**	**-1.5%**
	16 . Veterans' Services	294,085	327,315	321,981	329,662	**7,682**	**2.4%**
	17 . Council on Aging	872,570	837,172	852,490	875,211	**22,721**	**2.7%**
	18 . Human Relations	117,064	0	0	0	**0**	**-**
	19 . Recreation	1,016,673	1,022,391	1,018,730	1,018,816	**85**	**0.0%**
(2)	20 . Personnel Services Reserve	715,000	715,000	715,000	715,000	**0**	**0.0%**
(2)	21 . Collective Bargaining - Town	1,775,000	1,900,000	2,358,538	1,850,000	**(508,538)**	**-21.6%**
	Subtotal Town	*64,244,600*	*68,579,144*	*67,734,861*	*69,116,532*	***1,381,671***	***2.0%***
	22 . *Schools*	*79,079,823*	*82,780,770*	*86,842,577*	*96,290,380*	***9,447,803***	***10.9%***
	TOTAL DEPARTMENTAL EXPENDITURES	**143,324,423**	**151,359,914**	**154,577,438**	**165,406,912**	**10,829,475**	**7.0%**
	NON-DEPARTMENTAL EXPENDITURES						
(1)	23 . Employee Benefits	45,240,975	49,570,654	50,500,116	53,790,574	**3,290,458**	**6.5%**

		FY13 ACTUAL	FY14 ACTUAL	FY15 BUDGET	FY16 BUDGET BOS	$$ CHANGE FROM FY15	% CHANGE FROM FY15
(3)	*a. Pensions*	*15,801,983*	*17,409,988*	*17,882,573*	*18,707,021*	***824,448***	***4.6%***
	b. Group Health	*22,865,804*	*24,090,743*	*25,136,108*	*27,210,434*	***2,074,326***	***8.3%***
	c. Health Reimbursement Account (HRA)	*50,876*	*55,880*	*70,000*	*70,000*	***0***	***0.0%***
(3)	*d. Retiree Group Health Trust Fund (OPEB's)*	*2,601,927*	*3,514,360*	*3,311,860*	*3,499,119*	***187,259***	***5.7%***
	e. Employee Assistance Program (EAP)	*27,400*	*24,900*	*28,000*	*28,000*	***0***	***0.0%***
	f. Group Life	*132,118*	*137,555*	*140,000*	*145,000*	***5,000***	***3.6%***
	g. Disability Insurance	*13,376*	*12,367*	*16,000*	*16,000*	***0***	***0.0%***
(3)	*h. Worker's Compensation*	*1,200,000*	*1,720,000*	*1,450,000*	*1,550,000*	***100,000***	***6.9%***
(3)	*i. Public Safety IOD Medical Expenses*	*560,660*	*400,000*	*300,575*	*250,000*	***(50,575)***	***-16.8%***
(3)	*j. Unemployment Compensation*	*350,000*	*450,000*	*325,000*	*300,000*	***(25,000)***	***-7.7%***
	k. Medical Disabilities	*18,421*	*20,543*	*40,000*	*40,000*	***0***	***0.0%***
	l. Medicare Coverage	*1,618,410*	*1,734,318*	*1,800,000*	*1,975,000*	***175,000***	***9.7%***
(2)	24 . Reserve Fund	1,250,621	1,615,626	2,122,336	2,200,198	**77,862**	**3.7%**
	25 Stabilization Fund	0	250,000	0	0	**0**	
	26 Affordable Housing	251,363	555,106	170,390	163,078	**(7,312)**	**-4.3%**
	27 . Liability/Catastrophe Fund	253,669	154,115	234,839	78,969	**(155,869)**	**-66.4%**
	28 . General Insurance	263,478	325,017	371,500	382,645	**11,145**	**3.0%**
	29 . Audit/Professional Services	130,000	115,649	130,000	130,000	**0**	**0.0%**
	30 . Contingency Fund	14,383	13,377	15,000	15,000	**0**	**0.0%**
	31 . Out-of-State Travel	2,374	2,704	3,000	3,000	**0**	**0.0%**
	32 . Printing of Warrants & Reports	19,837	27,190	25,000	35,000	**10,000**	**40.0%**
	33 . MMA Dues	11,346	11,516	11,979	12,278	**299**	**2.5%**
	Subtotal General	*946,450*	*3,070,300*	*3,084,044*	*3,020,168*	***(63,876)***	***-2.1%***
(1)	34 . Borrowing	9,834,605	9,304,647	9,621,757	9,478,591	**(143,166)**	**-1.5%**
	a. Funded Debt - Principal	*7,428,882*	*7,209,938*	*7,246,544*	*7,183,044*	***(63,500)***	***-0.9%***
	b. Funded Debt - Interest	*2,376,113*	*2,083,707*	*2,215,213*	*2,135,547*	***(79,666)***	***-3.6%***
	c. Bond Anticipation Notes	*0*	*4,225*	*100,000*	*100,000*	***0***	***0.0%***
	d. Abatement Interest and Refunds	*29,610*	*6,777*	*60,000*	*60,000*	***0***	***0.0%***
	TOTAL NON-DEPARTMENTAL EXPENDITURES	**56,022,030**	**61,945,601**	**63,205,920**	**66,289,333**	**3,083,413**	**4.9%**
	TOTAL GENERAL APPROPRIATIONS	**199,346,453**	**213,305,515**	**217,783,358**	**231,696,246**	**13,912,888**	**6.4%**
	SPECIAL APPROPRIATIONS						
	35 . Technology Applications (revenue financed)				270,000		
	36 . Dataroom Upgrades (revenue financed)				200,000		
	37 . Town Building Furniture (revenue financed)				25,000		
	38 . Garages - Floor Sealant & Water/Oil Separators (revenue financed)				125,000		
	39 . Strategic Asset Plan (revenue financed)				75,000		
	40 . Centre St. East Parking Lot / Harvard St. Study (revenue financed)				100,000		
	41 . Public Safety Dispatch (CAD) System - Study (revenue financed)				75,000		
	42 . Fire Apparatus Rehab (revenue financed)				300,000		
	43 . Traffic Calming / Safety Improvements (revenue financed ($31,000))				31,000		
	44 . Bicycle Access Improvements (revenue financed ($75,000) + Re-Appropriation ($30,000))				105,000		
	45 . Street Rehabilitation (revenue financed)				1,590,000		
	46 . Sidewalk Repair/Reconstruction (revenue financed)				297,000		
	47 . LED Streetlight Conversion (revenue financed)				220,000		
	48 . Municipal Service Renovations (revenue financed)				650,000		
	49 . Brookline Ave Playground (revenue financed)				890,000		
	50 . Corey Hill Playground - Design (revenue financed)				40,000		

		FY13 ACTUAL	FY14 ACTUAL	FY15 BUDGET	FY16 BUDGET BOS	$$ CHANGE FROM FY15	% CHANGE FROM FY15
	51 . Emerson Garden Playground - Design (revenue financed)				60,000		
	52 . Brookline Reservoir Gatehouse Roof (revenue financed)				250,000		
	53 . Tennis Courts / Basketball Courts (revenue financed)				230,000		
	54 . Playground Equipment, Fields, Fencing (revenue financed)				300,000		
	55 . Town/School Grounds Rehab (revenue financed)				90,000		
	56 . Tree Removal and Replacement (revenue financed)				225,000		
	57 . Walnut Hills Cemetery - roadway work (special revenue fund)				50,000		
	58 . Swimming Pool - Showers/Pool Repointing (revenue financed)				675,000		
	59 . School Furniture Upgrades (revenue financed)				70,000		
	60 . School Technology (revenue financed)				80,000		
	61 . Town/School ADA Renovations (revenue financed)				70,000		
	62 . Town/School Elevator Renovations (revenue financed)				275,000		
	63 . Town/School Energy Conservation Projects (revenue financed)				165,000		
	64 . Town/School Energy Management Systems (revenue financed)				185,000		
	65 . Town/School Building Security / Life Safety (revenue financed)				195,000		
	66 . Classroom Capacity (revenue financed ($1,250,000) + Re-Appropriation ($1,000,000))				2,250,000		
	67 . Pierce Playground (bond)				980,000		
	68 . Wastewater System Improvements (enterprise fund bond)				3,000,000		
	69 . Golf Course Improvements (enterprise fund bond)				1,000,000		
	70 . Town/School Bldg Envelope/Fenestration Repairs (bond)				1,550,000		
	71 . Town/School Building Roof Repair/Replacement (bond)				1,200,000		
	72 . Old Lincoln School Modifications (bond)				1,000,000		
	73 . Devotion School Renovation (bond, MSBA)				118,400,000		
(4)	**TOTAL REVENUE-FINANCED SPECIAL APPROPRIATIONS**	**12,933,500**	**8,581,000**	**9,415,000**	**10,113,000**	**698,000**	**7.4%**
	TOTAL APPROPRIATED EXPENDITURES	**212,279,953**	**221,886,515**	**227,198,358**	**241,809,246**	**14,610,888**	**6.4%**
	NON-APPROPRIATED EXPENDITURES						
	Cherry Sheet Offsets	109,160	111,026	126,443	90,324	**(36,119)**	**-28.6%**
	State & County Charges	6,105,553	6,196,321	6,201,536	6,323,012	**121,476**	**2.0%**
	Overlay	1,958,780	1,726,503	2,080,721	1,750,000	**(330,721)**	**-15.9%**
	Deficits-Judgments-Tax Titles	12,394	3,049	25,000	25,000	**0**	**0.0%**
	TOTAL NON-APPROPRIATED EXPEND.	**8,185,887**	**8,036,899**	**8,433,700**	**8,188,336**	**(245,364)**	**-2.9%**
	TOTAL EXPENDITURES	**220,465,841**	**229,923,414**	**235,632,058**	**249,997,582**	**14,365,524**	**6.1%**
	SURPLUS/(DEFICIT)	**5,400,186**	**1,620,440**	**0**	**0**		

(1) Breakdown provided for informational purposes.
(2) Figures provided for informational purposes. Funds were transferred to departmental budgets for expenditure.
(3) Funds are transferred to trust funds for expenditure.
(4) Amounts appropriated. Bonded appropriations are not included in the total amount, as the debt and interest costs associated with them are funded in the Borrowing category (item #33).

FY16 BUDGET - TABLE 2 BOS 4/28/15 vote

Department/Board/Commission	Personnel Services/ Benefits	Purchase of Services	Supplies	Other Charges/ Expenses	Utilities	Capital Outlay	Inter-Govt'al	Debt Service	Agency Total
Board of Selectmen (Town Administrator)	627,482	11,100	4,000	17,600		2,130			662,312
Human Resources Department (Human Resources Director)	291,603	200,503	9,000	31,000		1,640			533,746
Information Technology Department (Chief Information Officer)	1,076,404	621,822	33,850	32,550		41,100			1,805,725
Diversity, Inclusion, and Community Relations (Director)	165,827		9,000	150		850			175,827
Finance Department (Director of Finance)	2,115,357	698,560	50,310	20,957	1,332	24,720			2,911,236
Legal Services (Town Counsel)	586,025	129,409	3,500	112,000		3,000			833,934
Advisory Committee (Chair, Advisory Committee)	21,760		2,275	570		295			24,900
Town Clerk (Town Clerk)	502,952	90,172	14,550	2,450		1,200			611,324
Planning and Community Department (Plan. & Com. Dev. Dir.)	756,419	20,193	9,712	4,550		5,700			796,574
Police Department (Police Chief)	14,925,261	515,744	221,750	69,000	342,137	462,944			16,536,836
Fire Department (Fire Chief)	12,236,953	163,755	149,560	31,350	212,053	200,877			12,994,548
Public Buildings Department (Building Commissioner)	2,248,758	2,170,462	28,950	10,100	2,700,741	141,000			7,300,012
Public Works Department (Commissioner of Public Works)	7,777,821	3,220,774	920,750	53,500	1,117,300	991,104	20,000		14,101,250
Public Library Department (Library Board of Trustees)	2,783,946	185,141	572,942	4,700	315,657	26,000			3,888,386
Health & Human Services Department (Health & Human Svcs Dir)	884,822	203,086	15,100	4,120	40,087	4,020			1,151,234
Veterans' Services (Veterans' Services Director)	162,029	2,538	650	163,935		510			329,662
Council on Aging (Council on Aging Director)	737,643	44,083	18,000	2,900	66,385	6,200			875,211
Recreation Department (Recreation Director)	698,523	23,037	86,480	12,400	164,356	34,020			1,018,816
School Department (School Committee)									96,290,380
Total Departmental Budgets	**48,599,585**	**8,300,379**	**2,150,379**	**573,832**	**4,960,048**	**1,947,310**	**20,000**		**162,841,913**
DEBT SERVICE									
Debt Service (Director of Finance)								9,478,591	9,478,591
Total Debt Service								**9,478,591**	**9,478,591**
EMPLOYEE BENEFITS									
Contributory Pensions Contribution (Director of Finance)	18,592,021								18,592,021
Non-Contributory Pensions Contribution (Director of Finance)	115,000								115,000
Group Health Insurance (Human Resources Director)	27,210,434								27,210,434
Health Reimbursement Account (HRA) (Human Resources Director)	70,000								70,000
Retiree Group Health Insurance - OPEB's (Director of Finance)	3,499,119								3,499,119
Employee Assistance Program (Human Resources Director)	28,000								28,000
Group Life Insurance (Human Resources Director)	145,000								145,000
Disability Insurance	16,000								16,000
Workers' Compensation (Human Resources Director)	1,550,000								1,550,000
Public Safety IOD Medical Expenses (Human Resources Director)	250,000								250,000
Unemployment Insurance (Human Resources Director)	300,000								300,000
Ch. 41, Sec. 100B Medical Benefits (Town Counsel)	40,000								40,000
Medicare Payroll Tax (Director of Finance)	1,975,000								1,975,000
Total Employee Benefits	**53,790,574**								**53,790,574**
GENERAL / UNCLASSIFIED									
Reserve Fund (*) (Chair, Advisory Committee)				2,200,198					2,200,198
Liability/Catastrophe Fund (Director of Finance)				78,969					78,969
Housing Trust Fund (Planning & Community Develpoment Dir.)				163,078					163,078
General Insurance (Town Administrator)		382,645							382,645
Audit/Professional Services (Director of Finance)		130,000							130,000
Contingency (Town Administrator)				15,000					15,000
Out of State Travel (Town Administrator)		3,000							3,000
Printing of Warrants (Town Administrator)	15,000	10,000	10,000						35,000
MMA Dues (Town Administrator)				12,278					12,278
Town Salary Reserve (*) (Director of Finance)	1,850,000								1,850,000
Personnel Services Reserve (*) (Director of Finance)	715,000								715,000
Total General / Unclassified	**2,580,000**	**525,645**	**10,000**	**2,469,523**					**5,585,168**
TOTAL GENERAL APPROPRIATIONS	**104,970,159**	**8,826,024**	**2,160,379**	**3,043,355**	**4,960,048**	**1,947,310**	**20,000**	**9,478,591**	**231,696,246**

(*) NO EXPENDITURES AUTHORIZED DIRECTLY AGAINST THESE APPROPRIATIONS. FUNDS TO BE TRANSFERRED AND EXPENDED IN APPROPRIATE DEPT.

ADVISORY COMMITTEE'S RECOMMENDATION

The Advisory Committee's recommended FY2016 budget appears below. The Advisory Committee's budget message and analysis of the schools budget will be included in the supplemental mailing.

Advisory Committee Report on the FY2016
Capital Improvement Program (CIP)
Recommendations and Project Descriptions

35. TECHNOLOGY APPLICATIONS
Recommended: $270,000 (Revenue Financed)

This annual appropriation is directed to funding those projects included in the Information Technology Department's Long-Term Strategic Plan, which serves as the framework for the selection and management of technology expenditures and is updated periodically by the Chief Information Officer.

The appropriation also recognizes additional projects that meet the short-term objectives set by the CIO and the appropriate committees that provide guidance for the Town's approach to technology management.

In FY 16, primary focus areas for IT investments include Enterprise Applications/Better Government Initiatives, Public Safety, Public Schools, and Network Infrastructure. Special consideration is given to projects that reduce operating expenses and/or create efficiencies.

The FY 16 request includes support for a range of potential projects: new permitting system, electronic records in the Building Department, upgrades for document management, PSB infrastructure, upgrades for the Fire Department's intercom system and the Town's telephone system, Firewall replacement, and additional technology to support handheld requirements of field personnel.

36. DATA ROOM UPGRADES
Recommended: $200,000 (Revenue Financed)

The Town's utilization of technology to operate, educate and communicate will continue to increase, making the need for guaranteed stability and reliability in the information technology infrastructure of paramount importance. The current operation relies upon four primary data centers in which over $1,000,000 of IT equipment is located. In order to maintain efficient and consistent operation of this critical infrastructure, adequate power and cooling is essential 24/7. This project requests the necessary monies to ensure proper power and cooling capabilities at Town Hall and the Public Safety building as outlined by an outside consultant and jointly agreed upon by the Building and IT departments.

37. TOWN BUILDING FURNITURE
Recommended: **$25,000 (Revenue Financed)**

This item allows for the replacement of aging furniture at Town Hall and other non-school buildings.

38. GARAGES - FLOOR SEALANT & WATER/OIL SEPARATORS
Recommended: $125,000 (Revenue Financed)

In order to maintain the integrity of concrete floors in garages, proper maintenance, including removing and refinishing the seal coat on those floors, is required. The floors can deteriorate over time due to chemicals, normal wear and tear, cracks, and unforeseen conditions. This project includes removing and cleaning the surface of the concrete floors, patching if necessary, and providing a seal coat to maintain the floor, which should subsequently last for 5 - 10 years. Garage floors included are those of the Main Library, DPW facilities, the Unified Arts Building, and the Pierce School.

All new garages should have water/oil separators. This program also adds to or modifies existing systems and adds new systems, thereby allowing the Town to meet the environmental requirements of the DEP and EPA.

GATEWAY EAST / VILLAGE SQUARE CIRCULATION IMPROVEMENTS
$750,000 (Federal Grant -CDBG)
$4,375,971 (Federal Grant via State TIP)
$750,000 (Other-1% Off-Site Improvements from 2 Brookline Place

Village Square improvements are focused on reconfiguring the existing circulation system at the confluence of Washington Street, Route 9, Walnut Street, High Street, and Pearl Street. Plans call for the removal of the existing jughandle used to provide access to Washington Street from Route 9 eastbound and its replacement with a new four-way intersection at Pearl Street. Additionally, signals would be relocated and upgraded, while the existing pedestrian bridge would be demolished and replaced with an ADA-compliant surface-level pedestrian crosswalk with walk signal, crossing Route 9 just west of Pearl Street as part of a new four-way intersection. Also included in the plans are improvements to the area's lighting and landscaping.

Funding for the project is assumed to come from multiple sources:
1. Private Funding – $300,000 in from Children's Hospital (already received) for the removal of the closed pedestrian bridge and $750,000 as part of the 1% of off-site improvements related to the re-development of 2 Brookline Place site by Children's Hospital
2. Community Development Block Grant (CDBG) – $375,000 was authorized for FY15; $250,000 will be requested in FY16 for the local construction match; and an estimated $500,000 will also be sought in FY16 for potential land acquisition costs
3. Transportation Improvement Program (TIP) – this State-managed program is assumed to issue a $4.376 million grant in Federal Fiscal Year 2016

It should be noted that the Town sought and received Town Meeting authorization to utilize a Section 108 loan in the amount of $1.2 million, representing $450,000 in CDBG funds and $750,000, part of the 1% for off-site improvements financed by the developer of 2 Brookline Place. A Section 108 loan is a tool that can be used to undertake CDBG-eligible activities when a lump sum is needed to move a project forward. While the Town is not certain if this authorization will ultimately be utilized, it was a prudent course to take in case there is a timing issue with outside funding sources or for other project related costs, such as for right-of-way acquisition or easements. Under a Section 108 loan, a community borrows against its future CDBG funds. Like a conventional loan, the Section 108 loan would have an amortization term, but instead of making payments, the Town's loan is paid back once per year off the top of the entitlement.

A Section 108 loan could be used to bridge the timing gap between when the funding is required for the Village Square project and when the developer of 2 Brookline Place will provide the $750,000. If the Town were not to receive the $750,000 in time, then an interest-only, short-term Section 108 loan would be utilized until the Town received the money.

39. STRATEGIC ASSET PLAN
Recommended: $75,000 (Revenue Financed)

FY 16 funds are sought to hire a consultant to develop a Strategic Asset Plan that focuses on public facilities. The consultant would be expected to:

1.) Assemble and consolidate all information relative to Town-owned real property;
2.) Identify and then address any gaps in that information;
3.) Identify current and projected needs for municipal facilities and services;
4.) Develop strategies to respond to such needs, including but not limited to new or expanded municipal buildings, active or passive open space, multiple municipal-use facilities, infrastructure, land banking, etc.; and
5.) Identify any parcels that may be appropriate for redevelopment opportunities.

It is anticipated that the Plan would extend beyond the five-year CIP model and would be incorporated into the Town’s Comprehensive Plan, consistent with MGL Chapter 81D. The information gathered throughout the process would also inform the “Planning Analysis of Large Properties” study relative to municipally-owned properties.

40. CENTRE ST. EAST PARKING LOT / HARVARD ST. STUDY
Recommended: $100,000 (Revenue Financed)

The Centre Street East parking lot needs significant renovations in terms of curbing, pavement, and associated improvements, which are already programmed in the CIP.

The intention to address these needs provides an opportunity to identify and integrate other needs of Coolidge Corner into planning for an upgraded parking area, thereby promoting an efficient use of the publicly owned parcel.

Using a 2014 preliminary reconfiguration study of the parking lot, the Department of Planning and Community Development requests funds to hire a consultant to further develop conceptual plans to:

- Improve pedestrian and/or bicycle accommodations and expand usable public spaces on Harvard Street between Beacon and Stedman Streets;
- Create a public plaza space within the Centre Street East parking lot that could accommodate events such as the Farmers' Market;
- Include a low (1-3 level) decked parking structure to replace any parking spaces lost as a result of the above;
- Effect the necessary improvements proposed by DPW; and
- Include a feasibility analysis to incorporate solar infrastructure into the parking facility.

The consultant's report would also include a cost estimate for further developed conceptual plans and potential parking revenue projections.

Ideally, the deck could accommodate temporary school employee parking when the Devotion School is under construction (Spring 2018).

41. PUBLIC SAFETY DISPATCH (CAD) STUDY
Recommended: $75,000 (Revenue Financed)

The current Computer Aided Dispatch (CAD) system, acquired as part of the renovation of the Public Safety Headquarters facility, is now 10 years old and in need of either a significant upgrade or a replacement. While upgrades and additional modules have been installed over the years, a comprehensive look at the system to determine whether it meets the current and future needs of the Police and Fire Departments is now indicated. Funds would support the hiring of a consultant with expertise in integrated public safety dispatch systems. The consultant would be expected to work with Public Safety as well as IT staff.

42. FIRE APPARATUS REHAB
Recommended: $300,000 (Revenue Financed)

The Town's policy is to replace front-line fire engines every 17 years and front-line ladder trucks every 20 years. While this replacement schedule serves the Town very well, rehabbing of vehicles is important to ensure the effectiveness and efficiency of our fire-fighting operations. Consequently, engines are rehabbed every 10 years and ladder trucks are rehabbed every 12 years. In FY 16, Engine #1 and Reserve Engine #5 are scheduled for refurbishment at an estimated cost of $220,000 and $80,000, respectively.

By rehabbing Reserve Engine #5, the Town will have two reserve engines that have been rehabbed and in good working order. Additionally, with the replacement of Ladder# 2 in FY15, the Department's compliment of spare apparatus will be sufficient (once replaced, Ladder #2 will become a spare).

43. TRAFFIC CALMING / SAFETY IMPROVEMENTS
Recommended: $31,000 (Revenue Financed)

Heath Street from Hammond Pond Parkway to the Town line will be reconstructed in FY16. As part of the reconstruction, Traffic Calming funds in the amount of $31,000 are requested to install a raised crosswalk at the intersection of Heath Street, Arlington Road and Belmont Road and a speed bump at the Brookline/Newton line.

An additional $50,000, contributed by the developer of Chestnut Hill Square, will be used for roadway and sidewalk improvements that include removing/resetting granite curbs, replacing sidewalks, resurfacing the roadway and installing pavement markings

44. BICYCLE ACCESS IMPROVEMENTS
Recommended: $105,000 (Revenue Financed, Re-Appropriation)

The $105,000 requested for FY16 would fund pavement markings in the following locations:

1.) St.Paul Street from Beacon Street to Commonwealth Avenue – northbound bike lane, southbound sharrows

2.) Newton St. from Clyde Street to Goddard Avenue - Install 1) bike lanes on both sides of Newton Street between Clyde Street and Goddard Avenue; 2) 36" stanchions on Newton Street from its intersection with Goddard Avenue to the entrance to Larz Anderson Park, creating a 3-season dedicated bike lane; 3) a bike box at Goddard Circle to provide safe waiting space for crossing to Goddard Avenue; and 4) a bike left turn lane from Clyde Street to Goddard Avenue to the right of turning vehicles, with the turn marked in dotted lines across Newton Street.

3.) Goddard Avenue from Newton Street to the entrance to the Larz Anderson Park's athletic field parking lot – 1) Install bike lanes on south side of Goddard Avenue from Newton Street to Avon Street, including along Larz Anderson Park; 2) Remove angled parking and replace with parallel parking (reducing spaces from 16 to ten) to create bike lane and to ensure greater pedestrian safety; and 3) Install bike lanes/sharrows on north side of Goddard Avenue from Avon Street to Newton Street (and beyond on Newton Street to Clyde).

4.) St.Paul Street at Beacon Street - green surface bike box/left turn queue boxes on all approaches.

The goal of these markings is to provide appropriate on-street pavement treatments to connect the regional bicycle route.

FY 16 funds will also be used to purchase and install a bicycle corral in Coolidge Corner, the exact location to be determined. The corral will be removed during winter months.

45. STREET REHABILITATION - TOWN
Recommended: $1,590,000, provided that there be prior notification to the Board of Selectmen of any changes to pedestrian, bicycle, or motor vehicle traffic patterns or pavement markings. (Revenue Financed)

In 1992, the Department of Public Works undertook a comprehensive study of roads and implemented a pavement management system. The system was designed to bring Town-owned streets to a sufficient level of repair such that the roads could be maintained without undertaking more costly full reconstruction. From 1992 to 1997, the Town made some progress in this regard, but funding was inconsistent. Starting in 1997, the Town began allocating $1 million per year to streets. These funds are used along with Chapter 90 funding from the State.

Based on the recommendations of the 2007/2008 Override Study Committee (OSC), the 2008 Override included $750,000 for streets and sidewalks, to be increased annually by 2.5%. In FY16, the appropriation is recommended at $1.59 million (the original $1 million base plus the $300,000 added in FY09 increased annually by 2.5%). An updated report on pavement conditions and pavement management indicates that FY 16 funds will be directed to Addington Road; Tappan Street from Blake Road to Beacon Street; Rawson Road; and Woodland Road from Hammond Street to Heath Street.

STREET REHABILITATION - STATE

The State provides monies under its Chapter 90 program for improvements to certain streets. About 1/3 of Brookline's streets are eligible for 100% State reimbursement. This money supplements the funding appropriated from Town funds for street rehabilitation. An annual $200 million statewide Chapter 90 program is assumed.

FY 16 Chapter 90 funds will finance the following work: Babcock Street from John Street to the Town line and Newton Street from Horace James Circle to Town line.

46. SIDEWALK REPAIR
Recommended: $297,000 (Revenue Financed)

The sidewalk management plan of the Department of Public Works determined that sidewalks not reconstructed as part of the street reconstruction program will be reconstructed with funds from this program. Based on the recommendations of the 2007/2008 Override Study Committee, the 2008 Override approved by the voters included $750,000 for streets and sidewalks, to be increased annually by 2.5%. Of the FY09 override amount, $50,000 was appropriated for sidewalks. In FY16, the appropriation is recommended at $297,000 (the original $200,000 base plus the $50,000 added in FY09 increased annually by 2.5%).

47. LED STREETLIGHT CONVERSION PROGRAM
Recommended: $220,000 (Revenue Financed)

The Town owns and maintains approximately 3,500 streetlights that were purchased from NStar in 2001. The majority of the lights used the "cobra head" style fixture with high-pressure sodium lamps ranging from 100 watts to 400 watts. The annual energy cost budgeted for unmetered streetlights totaled approximately $365,000.

Beginning in 2010, DPW implemented two pilot programs that replaced 104 high-pressure sodium lamps with more efficient LED lamps ranging from 55 to 75 watts. The goal of the pilot programs was to determine both the acceptability by the public and the reduction of energy usage.

In addition to the benefits of reduced energy use and a cleaner, more directed light (less light pollution), industry standards recognize the bulb life (twenty years) of LEDs as being significantly longer than that of sodium lamps (six years). Because this technology is no longer considered cutting edge, a number of Massachusetts communities are working towards making this the new standard for their lighting systems. As a result, the price appears to have plateaued.

Following the success of the pilot programs, a complete streetlight replacement program was undertaken, designed to replace the high-pressure lamps with LEDs over a four-year period. FY 14 funds were used to purchase approximately 900 fixtures, replacement arms and incidental supplies. FY 15 funds, in the amount of $515,000, continued the replacement program. For FY16 $220,000 is requested to complete the purchase and installation of the LEDs.

The fixtures are installed by two 2-person DPW crews. High pressure sodium streetlights were in the 2700 kelvin range; the new fixtures operate at 4000 kelvin. The fixtures have the capacity to be retrofitted with Smart Control technology to allow automatic dimming, but the current cost for retrofitting ($750,000) is prohibitive.

Each LED fixture is expected to save $50 per year in energy costs. There are also savings in the DPW's maintenance budget. A rebate program from NStar is available, and it is expected that the Town will receive approximately $335,000, reducing the Town's overall capital outlay.

48. MUNICIPAL SERVICE CENTER (MSC) RENOVATIONS

Recommended: $650,000 (Revenue Financed)

An engineering study determined that the underlying cause of the deterioration of the Municipal Service Center (MSC) floor was the marginal size of the structural systems supporting the floor, causing the slab to move under heavy equipment loading. In FY14, $2.5 million was authorized to address this issue.

Plans call for reconfiguring the upper floor space, removing heavy equipment traffic and storage from the structurally supported floor, thereby significantly reducing the load. Heavy equipment is to be relocated to the lower level and to the areas of the upper floor where the slab rests on the ground and where shop space is currently located. The floor could then be repaired permanently without the fear of future damage occurring due to slab movement. Current cost estimates have indicated that an additional $650,000 is needed for the project.

49. BROOKLINE AVENUE PLAYGROUND

Recommended: $890,000, with the condition that no construction funds may be expended before December 1, 2015 (Revenue Financed)

The Brookline Avenue Playground is a four-acre park located on Brookline Avenue near the intersection of Aspinwall Avenue, and is one block away from Olmsted Park. It is located in a 100-year flood plain, serves as a Green Dog park, and has a multi-sport athletic field and a playground, the latter located behind the Lynch Center. It serves the immediate neighborhood, the larger community, and the Brookline Early Education Program (BEEP), housed in the Lynch Center.

The play area was last renovated in 1994 and is in need of new play equipment, safety surfacing, and accessibility improvements. The goal of the renovation is to create a facility that can be used by children and adults of all ages and abilities for athletic and passive recreational purposes. The proposed project includes resting and refurbishing the athletic field that is used for soccer, football, youth baseball, and softball. Funding for the FY16 construction project is $890,000.

50. COREY HILL PLAYGROUND
Recommended: $40,000 (Revenue Financed)

Corey Hill Park is located at the crest of Summit Avenue. The southern parcel, last renovated in 1989, contains play equipment and a lawn area, while the northern parcel provides an attractive view of Boston, lawn area, and seating. Play equipment, some of which has been removed due to safety concerns, is in need of replacement, while the site itself is in need of regrading and accessibility improvements. FY 16 funds are sought to support planning activities, such as reviewing the layout and design of the playground portion of the site, redesigning as appropriate, and selecting new play equipment, benches, and other site amenities. Also included in renovation plans are masonry work, walkways, and plantings. Construction funds in the amount of $700,000 will be sought in FY 17.

51. EMERSON GARDEN PLAYGROUND
Recommended: $60,000 (Revenue Financed)

An evaluation and design review of Emerson Garden is scheduled for FY 2016. Located along Davis Avenue and Emerson Street, the park features a perimeter walking path, seating, waterplay, picnic area, playground, and lawn area. The need for both accessibility improvements and the replacement of the 1995 play equipment for tots and older children has already been identified. Included in the evaluation process, which will involve public input will be an examination of current layout, grading, accessibility, picnic/passive areas, spray pool utilities, park furniture, and functionality of the park. Funding for the project is estimated to total $760,000, with $60,000 in FY16 for the planning and design phase and $700,000 in FY17 for construction.

52. BROOKLINE RESERVOIR GATEHOUSE ROOF
Recommended: $250,000 (Revenue Financed)

The 1848 granite and iron gatehouse located near the intersection of Route 9 and Warren

Street is listed, along with Reservoir Park, on the National Register of Historic Places. In April 2015 both the Gatehouse and the Reservoir were designated National Historic Landmarks

In 2009, an engineering study by Structures North determined that the Gatehouse's masonry was in good condition and its roof structure could be rehabilitated, despite damage to the truss ends from failed built-in gutters (now covered). In 2010, temporary shoring secured the roof from heavy snow loads and North Bennett Street School students restored the doors and some windows. Structures North also addressed carpentry, stair, and masonry repairs, the estimate for which is $400,000.

Funds are requested to restore the ends of the trusses, re-secure them to the original iron roof with which they are structurally integrated, and replace the present pre-World War One standing-seam steel roof. The 2009 study estimated approximately $20,000 for interior demolition, $135,000 for structural work, and $95,000 for a new metal roof. It is believed that up to $50,000 of the costs could be offset by a Massachusetts Historical Commission matching grant but the timing of such funding is not currently known.

At present, no use has been assigned to the structure, but a process to develop an improvement program for the entire park is scheduled to begin in FY 17 at which time discussions and subsequent plans for the future use and restoration of the gatehouse are expected.

53. TENNIS COURTS/BASKETBALL COURTS
Recommended: $230,000 (Revenue Financed)

The Town has over 19 basketball courts and 36 hard-surface tennis courts. Over time, court surfaces deteriorate, crack, and weather. The courts are resurfaced after ten years and reconstructed after 20 years. In FY 16, most of the funding will be directed to the tennis courts at the Baker School. Any remaining funds will be directed to the facility or facilities that are in the greatest need of repair.

54. PARKS AND PLAYGROUNDS REHABILITATION & UPGRADE
Recommended: $300,000 (Revenue Financed)

This is an on-going town-wide program for the repair and replacement of unsafe and deteriorating playground, fence, and field facilities or components. Items funded under this program include fences, backstops, retaining walls, picnic furniture, turf restoration, bench replacements, play structures, safety surfacing, and drainage improvements.

Allowing for year-to-year shifts in specific amounts, the breakdown of funds generally falls into the following categories:

- Fencing (fabric, posts, rails, backstops, barricades, related services and supplies): +/- $100,000
- Playground parts/repair/replacement: +/- $30,000

- Playground safety surfacing: +/- $30,000-$45,000
- Athletic fields and infields: +/- $60,000 - $75,000
- Park Furniture replacement (picnic furniture, benches): +/- $10,000
- General site repairs: +/- $25,000

An annual appropriation, funds for Park and Playground upgrades have been increased by $5000 to reflect the increased cost of materials.

55. TOWN/SCHOOL GROUNDS REHAB
Recommended: $90,000 (Revenue Financed)

Town and School grounds require on-going structural improvements and repair. These funds will be used for plantings, regrading, reseeding, tree work, new concrete or asphalt walkways, trash receptacles, bike racks, drainage improvements, retaining walls, and repairs to stairs, treads, railings, benches, or other exterior structures.

An annual appropriation, funds for Town/School grounds have been increased by $5000 to reflect the increased cost of materials.

56. TREE REMOVAL AND REPLACEMENT / URBAN FORESTRY MANAGEMENT
Recommended: $225,000 (Revenue Financed)

The tree removal and replacement program represents the Town's effort to balance street tree removals with plantings. It is critical to remove trees that have matured or have been impacted by storm damage or disease before they become public safety hazards. New tree plantings are also critical since they directly impact the tree-lined character of the community, improve stormwater quality, provide oxygen, and reduce heat impact in the summer.

This line item also includes funding for Urban Forestry Management in the Town’s parks and open spaces, including four conservation properties (Hall's Pond Sanctuary, Amory Woods Sanctuary, D. Blakely Hoar Sanctuary, and the Lost Pond Sanctuary). Storm damage, disease, and old age continue to reduce tree canopies. The funds will be utilized to address such needs as tree removal, crown thinning, soil amendments, woodland canopy gap management, removal of invasives, pest management, health and structural pruning and planting. Such measures have been developed with the goals of supporting resistance to disease, pests, and the rapid decline of trees unmanaged in an urban environment.

In the coming year, such work will be performed in collaboration with the Emerald Necklace Conservancy (ENC), a not-for-profit organization that has worked with the Town, the City of Boston, and the Commonwealth of Massachusetts to develop an Urban Forestry Management Plan for the Emerald Necklace. The protocol outlined in the Management Plan will be used to guide and address urban forestry management priorities throughout the Town and will provide information on “best practices.”

The ENC will match dollar-for-dollar the Town's expenditures for work undertaken in collaboration with the Conservancy.

57. WALNUT HILLS CEMETERY
Recommended: $50,000 (Special Revenue Fund)

The 45-acre Walnut Hills Cemetery was established by the Town in 1875. Influenced by the 19th century rural cemetery movement, its design preserves the picturesque landscape with abundant plantings and pathways as well as varied topography. The Cemetery was listed on the National and State Registers of Historic Places in 1985.

In 2004, the Town completed a master plan for the Walnut Hills Cemetery in order to set the parameters necessary to meet future town needs while maintaining the quality of service and the property's physical features. Cemetery Trustees and staff recently completed the development of a new interment area at the Cemetery that will serve the Town's needs for the next decade.

Several years ago, an assessment of the roadways at the Cemetery indicated a need for road replacement, resurfacing, or repair. The approach of the Trustees was to preserve the site's historic vehicular circulation system and to develop a phased pavement improvement program, starting with the expenditure of funds on roads that were in the poorest condition. Once the initial phase has been completed, the Trustees will reassess the condition of the remaining
roadways.

The financing plan for roadway improvements and other capital projects calls for using Cemetery Funds. The $50,000 in FY16 funds will be used for the above referenced roadway work and will be funded from the Sale of Lots/Service fund (SW01). Current plans for the $770,000 in Future Years, which is intended for lot expansion, is to use a combination of SW01 and an expendable trust fund (TW23) that is under the purview of the Trustees and does not require appropriation by Town Meeting. A bond authorization with debt service funded from these accounts is also a financing possibility. Discussions with the Trustees will continue and include how revenues received for the sale of lots will be divided between SW01 (perpetual care) and TW24 (non-expendable fund).

58. SWIMMING POOL - SHOWER RENOVATION/POOL REPOINTING
Recommended: $675,000 (Revenue Financed)

Over the past few years, increased repair and maintenance of the pool structure at the Evelyn Kirrane Aquatics Center indicates that repointing of the concrete is necessary to avoid foundation cracks, leaks, and potential structural issues. The current estimate for this undertaking is $400,000.

In addition, the men's and women's locker rooms adjacent to the pool require new showers,

tiles and lockers. The current estimate for this project is $275,000.

59. SCHOOL FURNITURE
Recommended: $70,000 (Revenue Financed)

Funds to replace worn or outdated furniture are requested annually. CIP funds are used in combination with School Department funds to support this program. In the coming year, this money will also be used to furnish the modular classrooms at the Baker School.

60. SCHOOL TECHNOLOGY
Recommended: $80,000 (Revenue Financed)

FY 16 funds will be used to purchase mobile carts.

61. TOWN/SCHOOL BUILDING - ADA RENOVATIONS
Recommended: $70,000 (Revenue Financed)

Support for this annual program of improvements is requested in order to bring Town and School buildings into compliance with the Americans with Disabilities Act (ADA), which requires that the Town make public buildings accessible to all.

As the disabilities of students become increasing complex, this money becomes increasingly important to carry out appropriate accommodations in school buildings. Funds are used on buildings that are not part of currently planned major renovations.

Recently a new lift was installed for the High School auditorium, and the rear entrance ramp at the Pierce School was replaced. In FY 16 there are plans to install a handicap operator for the rear entrance to the Main Library, complete the exterior grading for the ramp at the Pierce Primary School in collaboration with the Department of Public Works, install a new lift at the Heath School, and respond to periodic requests for ADA access made throughout the year

62. TOWN/SCHOOL BUILDING - ELEVATOR RENOVATIONS
Recommended: $275,000 (Revenue Financed)

When a building is renovated, most elevators are upgraded (new controls, motors, cables, refurbishment of the car, etc.). Some elevators are also partially upgraded to meet the requirements of the existing building code. The buildings that have not been renovated have elevators that are close to 40 years old. Maintenance is an issue and parts are increasingly difficult to find. This program upgrades those cars and lifts with new equipment.

Work funded with FY 15 CIP dollars will take place at the Pierce and Lawrence Schools this summer, at the end of the academic year, while FY 16 funds will be used for the elevators in Town Hall and at the High School.

63. TOWN/SCHOOL BUILDING - ENERGY CONSERVATION
Recommended: $165,000 (Revenue Financed)

With continuing volatility in utility costs and the Town's ongoing commitment to reducing its carbon footprint, CIP funds in this category are intended to decrease energy consumption in Town and School buildings. Programs include, but are not limited to, lighting retrofit and controls, energy efficient motors, insulation, and heating and cooling equipment. In addition, water conservation efforts are considered. This program augments existing gas and electric utility conservation programs.

A continued area of focus is building commissioning. Years ago, a building's HVAC system was set up by multiple contractors and then signed off by the design engineer. Sometimes there would be control issues, leading to complaints or high energy usage. For all new projects, the Building Department hires a Commissioning Agent. Recommissioning of certain buildings is suggested in order to confirm that the equipment was designed, installed and set up properly.

Plans for the expenditure of FY 16 CIP energy conservation funds include LED lighting at 62 Harvard Street (the Pierce School annex) and Old Lincoln School; condensing/jockey boilers (to be used during "shoulder" seasons) at the Senior Center, Municipal Services Center, Unified Arts Building, and Kirrane Aquatics Center (to heat water for the pool); variable frequency drives for heating systems at approximately ten municipal buildings; and variable frequency drives for domestic hot water systems in a number of buildings.

64. TOWN/SCHOOL BUILDING - ENERGY MANAGEMENT SYSTEM
Recommended: $185,000 (Revenue Financed)

This program focuses on upgrading the energy management systems in Town and School buildings. A few of the larger buildings have older (30 years) energy management systems that have exceeded their life expectancy and replacement parts are no longer available. These systems will be replaced and upgraded with new web-based systems integrated into the Town's existing computer network. Other systems will be upgraded with newer software or firmware. The Building Department will continue to work with the Information Technology Department on these projects.

On the list for FY 16 are Pierce, Pierce Primary, Lawrence, Baker and the High School; the Coolidge Corner Library, the Water Division building on Netherlands Road, Soule Recreation area, and if funding permits, the Park and Forestry facility at Larz Anderson Park.

65. TOWN/SCHOOL BUILDING - SECURITY/LIFE SAFETY SYSTEMS
Recommended: $195,000 (Revenue Financed)

For a number of years, several large capital projects that included security improvements in Town and School buildings have been undertaken. This program will extend the effort and improve areas where security may be lacking. In general, the plan calls for making all doors

around the perimeter of a building more secure by replacing the doors, frames, door handles, and locks with electronic locks that may only be opened with a keypad and/or on a specific schedule. Only the front main entrance of the building will allow for general access.
At the front door, a speaker and doorbell will be added to connect to the building's existing intercom or phone system for use by visitors. The lighting around each building will be improved and placed on a timer. A small camera system connected to a computer will be added at the main entrance to monitor access to the building.

School buildings continue to be a priority. In FY 16 funds will be used for the installation of safety and security measures at the Soule Early Childhood Center and Eliot Recreation Center; for door locks and a burglar alarm upgrade at the Old Lincoln School; for sprinkler modifications at the Pierce School, and for security cameras at Lawrence and Pierce.

66. CLASSROOM CAPACITY

Recommended: $2,250,000 (Revenue Financed, Re-Appropriation-Driscoll Study)

The Public Schools of Brookline has experienced K-8 Elementary enrollment increases for the last decade, growing from fewer than 3900 students in FY 05 to 5,470 students as of February 2015.

Beginning in 2009, representatives from the Board of Selectmen, Planning Board, School Committee, Advisory Committee, and Building Commission started a series of meetings to discuss options for addressing the space needs of the elementary schools. This School Facilities Committee was replaced in January 2013, by the Brookline School Population and Capacity Exploration (B-SPACE) Committee, a joint committee of the Selectmen and the School Committee that included members of the Board of Selectmen, Advisory Committee, Building Commission, and School Committee, two school parents, and two community representatives.

B-SPACE was charged with “gathering and analyzing data, and guiding a community discussion on programming and space planning that will accommodate rapid and unabated enrollment growth and support the educational goals of the Public Schools of Brookline”. The B-SPACE Committee submitted its final report to the School Committee in September 2013.

In accordance with the School Committee’s decision to “Expand in Place,” different measures have been taken to address the growing school population. Both the Runkle and Heath Schools have been expanded (these projects were already underway before the formation of B-SPACE), while four additional classrooms at the Lawrence School will be ready by September 2015. According to current plans, once Devotion is renovated and expanded, there will be a net gain of five new classrooms at that school.

In addition to new construction, remodeling, renovating, and repurposing existing spaces have taken place at all K-8 school. Some of the “new” spaces have since been labeled “substandard” classrooms or offices. The repurposed spaces at the Lawrence School will revert back to their original layout once the construction of the four additional classrooms is

completed. Likewise, Devotion's repurposed spaces will be reconfigured through the renovation and construction of that school.

A third approach has been to rent space in private buildings. Currently six pre-school and pre-K classrooms are located at Temple Emeth in South Brookline and six are at Temple Ohabei Shalom just outside Coolidge Corner. The cost of leasing classrooms, including utilities and custodial services for the coming year, is approximately $568,000 and is part of the FY 16 CIP request.

Since 2008, $6.58M in CIP dollars, ($4,830,000 in Classroom Capacity funds and a bonded $1,500,000 for Lawrence's classrooms) has been appropriated to fund new construction, repurposing existing spaces and renting classroom space.

Last year, there were plans to use $500,000 in FY 16 Classroom Capacity funds for work to prepare the High School for the increased number of students in the near future. Instead, $2,250,000 is now requested to fund leasing and installing two modular classrooms at the Baker School ($100,000/year for five years); the leasing of space for the pre-school and pre-K programs (see above), and the leasing of 4800 square feet of space at 62 Harvard St. for the Pierce School annex, including three classrooms. Renting space in the Harvard Street property is budgeted at $128,000, with an added $40,000 for custodial services and maintenance. An additional $300,000 has been budgeted to repurpose the space for educational use.

There are also Classroom Capacity funds ($205,000 is the placeholder number) available for the leasing of additional space (TBD) in the Brookline Village area for a central registration office and/or office space for BEEP. Based on the above assumptions and estimates, $977,000 of Classroom Capacity funds would remain available for FY 16.

67. PIERCE PLAYGROUND

Recommended: $980,000 (General Fund Bond), with the condition that no construction funds may be expended before December 1, 2015

Pierce Playground, last renovated in 1991, is located between School Street and Harvard Avenue. It has an upper-level with play equipment, tot lot, seating area, and spray pool, and a lower-level with a ball field and basketball court. Used as the school yard for the Pierce School which connects to the site by means of a pedestrian bridge over School Street, the facility is in need of renovation, including drainage improvements; play equipment; upgrades for utilities, water play, basketball court and site furniture; field rehabilitation; and repair to pathways, masonry and fencing.

The Public Schools of Brookline have indicated that there are no future plans to use the property for the site of a new school building.

Design funds were approved by Town Meeting in May 2014, and a design review committee has been established to work with a consultant to develop improvements and establish priorities. Construction funds in the amount of $980,000, reflecting a $60,000 increase over last year's estimate, are requested for FY 16.

68. WASTEWATER SYSTEM IMPROVEMENTS
Recommended: $3,000,000 Water and Sewer Enterprise Fund Bond

This on-going project provides funding for the rehabilitation of the wastewater collection system (sanitary sewer). Rehabilitation was based on the recommendations of the Wastewater Master Plan completed in 1999. Previously construction projects to correct sewer system deficiencies targeted: 1) structural improvements, 2) sewer and storm drain separation, and 3) hydraulic capacity restoration. Moving forward, the primary focus will be on the removal of inflow and infiltration sources with the overall goals of eliminating sewage backups into homes and businesses and lowering MWRA wholesale costs by reducing extraneous flows. Funding for this project should ultimately enhance the efficiency of the wastewater collection system and help to lower MWRA wholesale costs.

69. GOLF COURSE IMPROVEMENTS
Recommended: $1,000,000 (Golf Course Enterprise Fund Bond

Originally built in 1933, the Robert T. Lynch Municipal Golf Course has undergone a series of renovations over the past decade, but more are needed both on the course and in the clubhouse. The proposed $1 million would be used for the following:

- Finish cart paths on holes 14 and 15
- Complete bunker renovations on holes 14, 16 and 17
- Restoration of the 9th fairway
- Substantial tree pruning and elimination on course
- Creek drainage
- Clubhouse electrical, HVAC, masonry, envelope

Phasing the debt service associated with a $1 million bond will allow for debt service to remain at historically affordable levels.

70. TOWN/SCHOOL BUILDING - ENVELOPE /FENESTRATION REPAIRS
Recommended: $1,550,000 (General Fund Bond)

In FY12, $250,000 was appropriated for costs associated with repairs to the outside envelope of all Town and School buildings, including a visual inspection of the exterior of all buildings that subsequently has helped to prioritize the work that needs to be undertaken.

For the purposes of this program, the outside envelope of a structure may include masonry, bricks and mortar, flashing, dentil work, coping stones, metal shelves, and tower work. Some of the public buildings are over 100 years old and it is not known whether exterior work on them has ever taken place.

A number of buildings have windows, door entrances, and other wall openings that are in need of repair/replacement. Their deteriorating conditions often allow water to enter behind walls and ceilings, causing security and safety problems.

Also included in this program are any required chimney inspections and when appropriate, repairs or the installation of new metal liners to connect to the gas burning equipment in the building.

A master plan was prepared by a consultant and includes a priority list and schedule that calls for $27.2 million over a 20-year period, with $11.5 million required within the six-year period of FY16 – FY21. In FY 16 work on the Harry Downs Field House, Larz Anderson comfort station, Larz Anderson Carpenter Shop, and the Pierce Primary and Baker Schools is planned.

71. TOWN/SCHOOL BUILDING - ROOF REPAIR/REPLACEMENT PROGRAM
Recommended: $1,200,000 (General Fund Bond)

A master plan for the repair or replacement of roofs on all Town and School buildings was completed in 2008 by Russo Barr Associates. The plan includes a priority list and schedule and calls for $29.3 million over a 20-year period, with $6.9 million required for the six-year period of FY16 – FY21. Included on the FY 16 list are the Baker and Pierce Schools; the fieldhouse at Harry Downes, the carpenter shop, electrician shop, and Kirrane rink building at Larz Anderson Park, the Coolidge Corner Library, Fire Stations 1 and 7, and 55 Newton Street. The library and Stations 1 and 7 projects may be postponed depending on cost and/or whether they can be coordinated with envelope repairs, thereby increasing the possibility of a reduction in overall costs.

72. OLD LINCOLN IMPROVEMENTS/MODIFICATIONS
Recommended: $1,000,000 (General Fund Bond)

Part of the comprehensive plan to address school overcrowding includes modifying the Old Lincoln School. This building has served the Town in many ways over the last 20 years, including temporarily housing K-8 Schools, the High School (Freshman Campus), Police/Fire Operations, Town Hall, and the Health Center while those buildings were being renovated. For each of these types of use, the building was modified to meet the specific needs of the using agency. Almost $5 million has been spent on the building since 2004.

Two years ago, $3 million was appropriated to renovate the bathrooms, upgrade the electrical system, replace the 1934 ventilators, replace the boiler/burner, and undertake necessary roof repairs. Funds were also budgeted for interior work. The schedule called for the work to start in July 2013 with completion in time for the school to open in September 2014 for the 2014 – 2015 school year.

The bids for the project came in over the appropriation, so some work was not undertaken. The FY 16 funding request of $1,000,000 will address the unfinished HVAC work ($387,000). The remaining funds will be used for classroom and office furnishings ($365,000); library shelving and equipment ($42,000); security/aiphones, cameras, locks ($54,000); classroom equipment including whiteboards and bulletin boards ($12,500); flooring ($25,000); cafeteria equipment ($12,000), shades/blinds ($25,000), and air quality

monitoring ($20,000).

73. DEVOTION SCHOOL RENOVATION/EXPANSION

Recommended:	**$46,000,000**	**General Fund Bond**
	$44,576,000	**General Fund Bond – Debt Exclusion**
	$27,824,000	**State Grant (MSBA)**

The original Edward Devotion School was built in 1892 and was expanded and/or renovated in 1898,1913, 1924, 1953, and 1974. Today, the oldest portion of the school dates from 1913. This Colonial Revival-style central portion will remain as the school is renovated and expanded once again.

Consideration of the renovation and upgrading of the facility dates back at least to 1998 with mention of window replacement, HVAC improvements and painting. In the FY 2001 CIP a space utilization study was scheduled for FY 2005, and in FY 2005, the school was described as needing significant renovation/upgrading "in the near future." To that end, a feasibility study was requested for FY 2010 at a cost of $200,000, with construction costs resulting from the study projected at $22,000,000. Two years later, a needs assessment of both Devotion and Runkle was planned, with the feasibility phase scheduled for 2012 and the design/construction phase anticipated in "future years" at a cost of $48,000,000, with 50% reimbursement from the state.

A Concept Study, commissioned by the School Committee in 2011, produced a number of options for expansion and renovation, ranging in cost from approximately $85,000,000 to $103,000,000 for a 4-section school with a Brookline Early Education center, including office space and six early childhood education classrooms. The FY 12 CIP anticipated approximately $77,000,000 in costs, with 40% state reimbursement.

Although initially planning for a school with a student population of 830 students, upon further consideration, the School Department increased the target enrollment to 1,010 students, thus creating a 5-section school. (The BEEP center was eliminated) At the end of 2013, the MSBA invited the Town to re-enter the Feasibility Study phase recommending the design for a 5-section school "to provide some relief to enrollment pressures in the district." As a result, the projected $90,000,000 (with 40% state reimbursement) price tag identified in the FY 2014 CIP increased to $115,000,000 with 30% state reimbursement in the FY 15 CIP budget.

In September 2014, the Devotion School Building Committee chose "Option 1" ($118,397,806) as the preferred schematic option and submitted it to the MSBA for approval. Option 3A, which would have demolished the 1913 wing, would have been the least expensive ($104,936,957). Two months later, the MSBA approved the project for advancement to the Schematic Design phase.

The current estimate is $118.4 million, plus the initial $1.75m for a total of $120.15m, with value engineering and adjustments for contingencies. There is an assumed 24% effective reimbursement rate from the MSBA. The 35,000 square foot underground parking facility, designed to accommodate 65-70 vehicles, is not a reimbursable cost.

Exploration of “green features” and pursuit of LEED certification are currently underway. The building will meet at least the LEED Silver standard. There is a strong interest in installing solar panels on the roof of the school but a PV system is not part of the project and there is no funding for it at this time. Any such system would need to be installed via a leased arrangement such as a PPA agreement. The building will comply with the Solar Ready roof By-Law, and strategies for resource conservation will continue to be examined. The Devotion Building Committee has asked the design team to identify any energy saving proposals with a 5-year or less payback that could be considered should funds become available.

RECOMMENDATION

By a vote of 17-0-5, the Advisory Committee submits the FY16 Town Budget with a recommendation of FAVORABLE ACTION on the following vote:

VOTED: To approve the budget for fiscal year 2016 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 by vote of Town Meeting or as otherwise provided by Massachusetts General Laws Chapter 44, Section 33B(b). 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.

v) Transfers within the Department of Public Works from the Parks Division to any other purpose.

vi) Transfers within the Department of Public Works from the Snow and Ice budget to any other purpose.

C) Transfers within the Library Department appropriation shall be permitted with the approval of the Board of Library Trustees, and 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 and Town Comptroller.

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 FY2016 budget, and to solicit and award contracts for terms of not more than four 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 #21) 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 Personnel Services Reserve (Item #20), 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.) STIPENDS / SALARIES OF ELECTED OFFICIALS: The stipends of members of the Board of Selectmen shall be at the rate of $4,500 per year for the Chairman and at the rate of $3,500 per year for each of the other four members. The annual salary of the Town Clerk shall be at the rate of $103,784 effective July 1, 2015, 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 any benefit-eligible 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 $1,376,312 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	$470,099
Purchase of Services	$126,648
Supplies	$193,950
Other	$8,100
Utilities	$103,919
Capital	$76,050
Debt Service	$194,755
Reserve	$25,000
Total Appropriations	$1,198,521
Indirect Costs	$177,791
Total Costs	$1,376,312

Total costs of $1,376,312 to be funded from golf receipts with $177,791 to be reimbursed to the General Fund for indirect costs.

7.) WATER AND SEWER ENTERPRISE FUND: The following sums, totaling $28,325,606, 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:

	Water	Sewer	Total
Salaries	2,121,310	399,776	2,521,086
Purchase of Services	190,598	163,200	353,798
Supplies	102,020	21,000	123,020
Other	8,900	1,680	10,580
Utilities	102,945	0	102,945
Capital	268,300	236,500	504,800
Intergovernmental	6,878,359	13,184,091	20,062,450
Debt Service	855,691	1,522,056	2,377,747
Reserve	121,025	159,426	280,451
Total Appropriations	10,649,148	15,687,729	26,336,877
Indirect Costs	1,574,389	414,340	1,988,729
Total Costs	12,223,537	16,102,069	28,325,606

Total costs of $28,325,606 to be funded from water and sewer receipts with $1,988,729 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 and Chapter 79 of the Acts of 2005, 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 $3,100,000.

b.) The Building Commissioner is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2 and Chapter 79 of the Acts of 2005, 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. All receipts from said rental properties shall be credited to the fund. Annual expenditures from the fund shall not exceed $150,000.

c.) The Commissioner of Public Works is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2 and Chapter 79 of the Acts of 2005, 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 $100,000.

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 and Chapter 79 of the Acts of 2005, a revolving fund for the Façade Improvement Loan Program. Annual expenditures from the fund shall not exceed $30,000.

9.) <u>SCHOOLHOUSE MAINTENANCE AND REPAIR</u>: The sum of $4,653,731, 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.) <u>SNOW AND ICE BUDGET</u>: The sum of $497,309, included within the Department of Public Works appropriation for snow and ice operations, shall be expended for snow and ice operations and not for any other purpose, unless transferred per the provisions of Section 1.B.vi of this Article.

11.) <u>INTERFUND TRANSFERS</u>: In order to fund the appropriations voted for the various departments itemized on Table 1, the Town Comptroller is authorized to make the following interfund transfers:

Parking Meter Special Revenue Fund $4,300,000
[to the General Fund for the Department of Public Works - $2,150,000]
[to the General Fund for the Police Department - $2,150,000]

Cemetery Sales Special Revenue Fund $ 75,000
[to the General Fund for the Department of Public Works]

Recreation Revolving Fund [to the General Fund for benefits reimbursement]	$ 354,124

12.) <u>BUDGETARY REPORTING</u>: 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.

13.) <u>SPECIAL APPROPRIATIONS</u>: The appropriations set forth as items 35 through 72, inclusive, in Table 1 shall be specially appropriated for the following purposes. In addition, with the exception of Items #67 - 72, they shall be transferred from the General Fund to the Revenue-Financed Capital Fund.

35.) Raise and appropriate $270,000, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen, for the enhancement of town-wide hardware and software.

36.) Raise and appropriate $200,000, or any other sum, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen, for data room upgrades.

37.) Raise and appropriate $25,000, or any other sum, to be expended under the direction of the Chief Procurement Officer, with the approval of the Board of Selectmen, for town furniture upgrades.

38.) Raise and appropriate $125,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen for maintenance of town garage floors.

39.) Raise and appropriate $75,000, or any other sum, to be expended under the direction of the Department of Planning and Community Development, with any necessary contracts to be approved by the Board of Selectmen, for a strategic asset plan to focus on public facilities.

40.) Raise and appropriate $100,000, or any other sum, to be expended under the direction of the Department of Planning and Community Development, with any necessary contracts to be approved by the Board of Selectmen, for the development of a conceptual study for the Center Street East Parking Lot and surrounding area.

41.) Raise and appropriate $75,000, or any other sum, to be expended under the direction of the Chiefs of Police and Fire, with any necessary contracts to be approved by the Board of Selectmen, for study of the future needs for the public safety computer aided dispatch (CAD) system.

42.) Raise and appropriate $300,000, or any other sum, to be expended under the direction of the Fire Chief, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of Fire Department apparatus.

43.) Raise and appropriate $31,000, 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; provided that the Department of Public Works and Transportation Board provide status reports to the Board of Selectmen on a semi-annual basis.

44.) Raise and appropriate $105,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for bicycle access improvements.

45.) Raise and appropriate $1,590,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of streets, with notification, in advance of plans being submitted for bids, to the Board of Selectmen of any changes to pedestrian, bicycle, or motor vehicle traffic patterns or to pavement markings.

46.) Raise and appropriate $297,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of sidewalks.

47.) Raise and appropriate $220,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the conversion of Town-owned streetlights to LED's.

48.) Raise and appropriate $650,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for renovations to the Municipal Service Center (MSC).

49.) Raise and appropriate $890,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the renovation of Brookline Avenue Playground, provided that no funds shall be expended for construction prior to December 1, 2015.

50.) Raise and appropriate $40,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the design of the renovation of Corey Hill Playground.

51.) Raise and appropriate $60,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the design of the renovation of Emerson Garden Playground.

52.) Raise and appropriate $250,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen, for the restoration of the Brookline Reservoir Gatehouse roof.

53.) Raise and appropriate $230,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the rehabilitation of tennis courts and basketball courts.

54.) Raise and appropriate $300,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the renovation of playground equipment, fields, and fencing.

55.) Raise and appropriate $90,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of Town and School grounds.

56.) Raise and appropriate $225,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Tree Planting Committee, for the removal and replacement of trees.

57.) Raise and appropriate from the Sale of Lots special revenue fund (SW01) $50,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Cemetery Trustees, for the rehabilitation of roadways within Walnut Hills Cemetery.

58.) Raise and appropriate $675,000, or any other sum, to be expended under the direction of the Recreation Director, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission for pool repointing and locker room renovations at the Evelyn Kirrane Aquatics Center.

59.) Raise and appropriate $70,000, to be expended under the direction of the Chief Procurement Officer, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for school furniture upgrades.

60.) Raise and appropriate $80,000, or any other sum, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for costs associated with mobile carts in the Brookline Public Schools.

61.) Raise and appropriate $70,000, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for ADA renovations to Town and School buildings.

62.) Raise and appropriate $275,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for improvements to elevators in Town and School facilities.

63.) Raise and appropriate $165,000, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for energy conservation projects in Town and School buildings.

64.) Raise and appropriate $185,000, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for upgrades to energy management systems in Town and School facilities.

65.) Raise and appropriate $195,000, or any other sum, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for improvements to life safety systems and building security in Town and School facilities.

66.) Raise and appropriate $2,250,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for the expansion of classroom capacity in various schools.

67.) Appropriate $980,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the renovation of Pierce Playground., and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $980,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority, provided that no funds shall be expended for construction prior to December 1, 2015.

68.) Appropriate $3,000,000, 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 wastewater system improvements, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $3,000,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority; and authorize the Selectmen to apply for, accept, receive and expend

grants, aid, reimbursements, loans, and all other forms of funding and financial assistance from both state and federal sources and agencies for such purpose.

69.) Appropriate $1,000,000, or any other sum, to be expended under the direction of the Recreation Director, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission for golf course improvements, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $1,000,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority.

70.) Appropriate $1,550,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for building envelope / fenestration repairs to Town and School buildings, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $1,550,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority.

71.) Appropriate $1,200,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for roof repairs and replacements in Town and School facilities, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $1,200,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority.

72.) Appropriate $1,000,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for remodeling, reconstructing, or making extraordinary repairs to the Old Lincoln School, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $1,000,000 under General Laws, Chapter 44, Section 7 (9), as amended, or pursuant to any other enabling authority.

73.) Appropriate, borrow or transfer from available funds, $118,400,000, or any other sum, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee for the renovation of and the construction of additions to the Edward Devotion School located at 345 Harvard Street in the Town of Brookline, Massachusetts and as further described as Parcel ID No. 048-13-00 in the Town of Brookline Assessor's map, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA and any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant

that the Town of Brookline may receive from the MSBA for the Project shall not exceed the lesser of (1) 35.84% of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA;

14.) **FREE CASH**: Appropriate and transfer $5,016,500 from free cash for the following purposes:

a.) Operating Budget Reserve Fund (MGL Chapter 40, Section 6) – $550,050;
b.) Liability/Catastrophe Fund (Chapter 66 of the Acts of 1998, as amended) – $78,970;
c.) Reduce the tax rate (Special Appropriations) – $4,224,403;
d.) Housing Trust Fund – $163,078.

XXX

FY16 BUDGET - TABLE 1 AC 5/8/15 vote

		FY13 ACTUAL	FY14 ACTUAL	FY15 BUDGET	FY16 BUDGET AC	$$ CHANGE FROM FY15	% CHANGE FROM FY15
	REVENUES						
	Property Taxes	169,029,414	174,869,775	182,239,297	194,809,198	**12,569,901**	**6.9%**
	Local Receipts	24,480,797	25,522,496	22,770,225	23,593,685	**823,460**	**3.6%**
	State Aid	15,125,059	16,633,741	17,634,876	18,652,559	**1,017,683**	**5.8%**
	Free Cash	5,336,413	7,665,155	5,084,152	5,016,500	**(67,652)**	**-1.3%**
	Overlay Surplus	1,750,000	0	1,000,000	0	**(1,000,000)**	**-100.0%**
	Other Available Funds	10,144,344	6,852,688	6,903,508	7,925,643	**1,022,135**	**14.8%**
	TOTAL REVENUE	**225,866,027**	**231,543,855**	**235,632,058**	**249,997,585**	**14,365,528**	**6.1%**
	EXPENDITURES						
	DEPARTMENTAL EXPENDITURES						
	1 . Selectmen	644,074	670,358	650,023	662,312	**12,289**	**1.9%**
	2 . Human Resources	574,019	615,662	528,952	533,746	**4,794**	**0.9%**
	3 . Information Technology	1,472,035	1,705,110	1,775,260	1,805,725	**30,465**	**1.7%**
	4 Diversity, Inclusion, and Community Relations	0	0	167,807	175,827	**8,019**	**4.8%**
	5 . Finance Department	2,991,976	2,933,343	2,886,893	2,911,236	**24,343**	**0.8%**
	a. Comptroller	*510,643*	*536,293*	*575,876*	*571,047*	***(4,829)***	***-0.8%***
	b. Purchasing	*847,549*	*636,616*	*643,447*	*662,243*	***18,796***	***2.9%***
	c. Assessing	*639,202*	*654,772*	*663,404*	*664,036*	***633***	***0.1%***
	d. Treasurer	*994,582*	*1,105,661*	*1,004,167*	*1,013,910*	***9,743***	***1.0%***
	6 . Legal Services	821,872	888,936	821,489	833,934	**12,445**	**1.5%**
	7 . Advisory Committee	14,974	13,129	24,797	24,900	**103**	**0.4%**
	8 . Town Clerk	775,342	557,591	632,689	611,324	**(21,364)**	**-3.4%**
	9 . Planning and Community Development	620,599	757,716	781,940	810,693	**28,752**	**3.7%**
	10 . Police	14,954,651	15,258,118	15,292,889	16,536,836	**1,243,947**	**8.1%**
	11 . Fire	12,844,259	12,886,490	12,939,265	12,994,548	**55,283**	**0.4%**
	12 . Building	6,854,850	7,163,183	7,068,259	7,283,220	**214,961**	**3.0%**
(1)	13 . Public Works	14,480,045	15,220,421	14,198,548	14,103,923	**(94,625)**	**-0.7%**
	a. Administration	*823,184*	*847,278*	*878,529*	*859,718*	***(18,812)***	***-2.1%***
	b. Engineering/Transportation	*1,105,748*	*1,191,962*	*1,263,478*	*1,282,876*	***19,398***	***1.5%***
	c. Highway	*4,579,656*	*4,644,618*	*5,096,121*	*4,805,406*	***(290,715)***	***-5.7%***
	d. Sanitation	*3,003,721*	*2,988,704*	*3,004,898*	*3,091,137*	***86,239***	***2.9%***
	e. Parks and Open Space	*3,507,459*	*3,552,206*	*3,564,712*	*3,567,477*	***2,765***	***0.1%***
	f. Snow and Ice	*1,460,278*	*1,995,654*	*390,809*	*497,309*	***106,500***	***27.3%***
	14 . Library	3,742,982	3,827,172	3,756,286	3,888,386	**132,099**	**3.5%**
	15 . Health and Human Services	1,152,529	1,280,036	1,169,273	1,151,234	**(18,039)**	**-1.5%**
	16 . Veterans' Services	294,085	327,315	321,981	329,662	**7,682**	**2.4%**
	17 . Council on Aging	872,570	837,172	852,490	875,211	**22,721**	**2.7%**
	18 . Human Relations	117,064	0	0	0	**0**	
	19 . Recreation	1,016,673	1,022,391	1,018,730	1,018,816	**85**	**0.0%**
(2)	20 . Personnel Services Reserve	715,000	715,000	715,000	715,000	**0**	**0.0%**
(2)	21 . Collective Bargaining - Town	1,775,000	1,900,000	2,358,538	1,850,000	**(508,538)**	**-21.6%**
	Subtotal Town	*64,244,600*	*68,579,144*	*67,734,861*	***69,116,532***	***1,381,671***	***2.0%***
	22 . *Schools*	*79,079,823*	*82,780,770*	*86,842,577*	*96,290,380*	***9,447,803***	***10.9%***
	TOTAL DEPARTMENTAL EXPENDITURES	**143,324,423**	**151,359,914**	**154,577,438**	**165,406,912**	**10,829,475**	
	NON-DEPARTMENTAL EXPENDITURES						
(1)	23 . Employee Benefits	45,240,975	49,570,654	50,500,116	53,790,574	**3,290,458**	**6.5%**

		FY13 ACTUAL	FY14 ACTUAL	FY15 BUDGET	FY16 BUDGET AC	$$ CHANGE FROM FY15	% CHANGE FROM FY15
(3)	*a. Pensions*	*15,801,983*	*17,409,988*	*17,882,573*	*18,707,021*	***824,448***	***4.6%***
	b. Group Health	*22,865,804*	*24,090,743*	*25,136,108*	*27,210,434*	***2,074,326***	***8.3%***
	c. Health Reimbursement Account (HRA)	*50,876*	*55,880*	*70,000*	*70,000*	***0***	***0.0%***
(3)	*d. Retiree Group Health Trust Fund (OPEB's)*	*2,601,927*	*3,514,360*	*3,311,860*	*3,499,119*	***187,259***	***5.7%***
	e. Employee Assistance Program (EAP)	*27,400*	*24,900*	*28,000*	*28,000*	***0***	***0.0%***
	f. Group Life	*132,118*	*137,555*	*140,000*	*145,000*	***5,000***	***3.6%***
	g. Disability Insurance	*13,376*	*12,367*	*16,000*	*16,000*	***0***	***0.0%***
(3)	*h. Worker's Compensation*	*1,200,000*	*1,720,000*	*1,450,000*	*1,550,000*	***100,000***	***6.9%***
(3)	*i. Public Safety IOD Medical Expenses*	*560,660*	*400,000*	*300,575*	*250,000*	***(50,575)***	***-16.8%***
(3)	*j. Unemployment Compensation*	*350,000*	*450,000*	*325,000*	*300,000*	***(25,000)***	***-7.7%***
	k. Medical Disabilities	*18,421*	*20,543*	*40,000*	*40,000*	***0***	***0.0%***
	l. Medicare Coverage	*1,618,410*	*1,734,318*	*1,800,000*	*1,975,000*	***175,000***	***9.7%***
(2)	24 . Reserve Fund	1,250,621	1,615,626	2,122,336	2,200,198	**77,862**	**3.7%**
	25 Stabilization Fund	0	250,000	0	0	**0**	
	26 Affordable Housing	251,363	555,106	170,390	163,078	**(7,312)**	**-4.3%**
	27 . Liability/Catastrophe Fund	253,669	154,115	234,839	78,969	**(155,869)**	**-66.4%**
	28 . General Insurance	263,478	325,017	371,500	382,645	**11,145**	**3.0%**
	29 . Audit/Professional Services	130,000	115,649	130,000	130,000	**0**	**0.0%**
	30 . Contingency Fund	14,383	13,377	15,000	15,000	**0**	**0.0%**
	31 . Out-of-State Travel	2,374	2,704	3,000	3,000	**0**	**0.0%**
	32 . Printing of Warrants & Reports	19,837	27,190	25,000	35,000	**10,000**	**40.0%**
	33 . MMA Dues	11,346	11,516	11,979	12,278	**299**	**2.5%**
	Subtotal General	*946,450*	*3,070,300*	*3,084,044*	*3,020,168*	***(63,876)***	***-2.1%***
(1)	34 . Borrowing	9,834,605	9,304,647	9,621,757	9,478,591	**(143,166)**	**-1.5%**
	a. Funded Debt - Principal	*7,428,882*	*7,209,938*	*7,246,544*	*7,183,044*	***(63,500)***	***-0.9%***
	b. Funded Debt - Interest	*2,376,113*	*2,083,707*	*2,215,213*	*2,135,547*	***(79,666)***	***-3.6%***
	c. Bond Anticipation Notes	*0*	*4,225*	*100,000*	*100,000*	***0***	***0.0%***
	d. Abatement Interest and Refunds	*29,610*	*6,777*	*60,000*	*60,000*	***0***	***0.0%***
	TOTAL NON-DEPARTMENTAL EXPENDITURES	**56,022,030**	**61,945,601**	**63,205,920**	**66,289,333**	**3,083,416**	**4.9%**
	TOTAL GENERAL APPROPRIATIONS	**199,346,453**	**213,305,515**	**217,783,358**	**231,696,246**	**13,912,894**	**6.4%**
	SPECIAL APPROPRIATIONS						
	35 . Technology Applications (revenue financed)				270,000		
	36 . Dataroom Upgrades (revenue financed)				200,000		
	37 . Town Building Furniture (revenue financed)				25,000		
	38 . Garages - Floor Sealant & Water/Oil Separators (revenue financed)				125,000		
	39 . Strategic Asset Plan (revenue financed)				75,000		
	40 . Centre St. East Parking Lot / Harvard St. Study (revenue financed)				100,000		
	41 . Public Safety Dispatch (CAD) System - Study (revenue financed)				75,000		
	42 . Fire Apparatus Rehab (revenue financed)				300,000		
	43 . Traffic Calming / Safety Improvements (revenue financed ($31,000))				31,000		
	44 . Bicycle Access Improvements (revenue financed ($75,000) + Re-Appropriation ($30,000))				105,000		
	45 . Street Rehabilitation (revenue financed)				1,590,000		
	46 . Sidewalk Repair/Reconstruction (revenue financed)				297,000		
	47 . LED Streetlight Conversion (revenue financed)				220,000		
	48 . Municipal Service Renovations (revenue financed)				650,000		
	49 . Brookline Ave Playground (revenue financed)				890,000		
	50 . Corey Hill Playground - Design (revenue financed)				40,000		

		FY13 ACTUAL	FY14 ACTUAL	FY15 BUDGET	FY16 BUDGET AC	$$ CHANGE FROM FY15	% CHANGE FROM FY15
	51 . Emerson Garden Playground - Design (revenue financed)				60,000		
	52 . Brookline Reservoir Gatehouse Roof (revenue financed)				250,000		
	53 . Tennis Courts / Basketball Courts (revenue financed)				230,000		
	54 . Playground Equipment, Fields, Fencing (revenue financed)				300,000		
	55 . Town/School Grounds Rehab (revenue financed)				90,000		
	56 . Tree Removal and Replacement (revenue financed)				225,000		
	57 . Walnut Hills Cemetery - roadway work (special revenue fund)				50,000		
	58 . Swimming Pool - Showers/Pool Repointing (revenue financed)				675,000		
	59 . School Furniture Upgrades (revenue financed)				70,000		
	60 . School Technology (revenue financed)				80,000		
	61 . Town/School ADA Renovations (revenue financed)				70,000		
	62 . Town/School Elevator Renovations (revenue financed)				275,000		
	63 . Town/School Energy Conservation Projects (revenue financed)				165,000		
	64 . Town/School Energy Management Systems (revenue financed)				185,000		
	65 . Town/School Building Security / Life Safety (revenue financed)				195,000		
	66 . Classroom Capacity (revenue financed ($1,250,000) + Re-Appropriation ($1,000,000))				2,250,000		
	67 . Pierce Playground (bond)				980,000		
	68 . Wastewater System Improvements (enterprise fund bond)				3,000,000		
	69 . Golf Course Improvements (enterprise fund bond)				1,000,000		
	70 . Town/School Bldg Envelope/Fenestration Repairs (bond)				1,550,000		
	71 . Town/School Building Roof Repair/Replacement (bond)				1,200,000		
	72 . Old Lincoln School Modifications (bond)				1,000,000		
	73 . Devotion School Renovation (bond, MSBA)				118,400,000		
(4)	**TOTAL REVENUE-FINANCED SPECIAL APPROPRIATIONS**	**12,933,500**	**8,581,000**	**9,415,000**	**10,113,000**	**698,000**	**7.4%**
	TOTAL APPROPRIATED EXPENDITURES	**212,279,953**	**221,886,515**	**227,198,358**	**241,809,246**	**14,610,888**	**6.4%**
	NON-APPROPRIATED EXPENDITURES						
	Cherry Sheet Offsets	109,160	111,026	126,443	90,324		
	State & County Charges	6,105,553	6,196,321	6,201,536	6,323,012		
	Overlay	1,958,780	1,726,503	2,080,721	1,750,000		
	Deficits-Judgments-Tax Titles	12,394	3,049	25,000	25,000		
	TOTAL NON-APPROPRIATED EXPEND.	**8,185,887**	**8,036,899**	**8,433,700**	**8,188,336**	**(245,364)**	**-2.9%**
	TOTAL EXPENDITURES	**220,465,841**	**229,923,414**	**235,632,058**	**249,997,582**	**14,365,524**	**6.1%**
	SURPLUS/(DEFICIT)	**5,400,186**	**1,620,440**	**0**	**0**		

(1) Breakdown provided for informational purposes.
(2) Figures provided for informational purposes. Funds were transferred to departmental budgets for expenditure.
(3) Funds are transferred to trust funds for expenditure.
(4) Amounts appropriated. Bonded appropriations are not included in the total amount, as the debt and interest costs associated with them are funded in the Borrowing category (item #33).

FY16 BUDGET - TABLE 2 AC 5/8/15 vote

Department/Board/Commission	Personnel Services/ Benefits	Purchase of Services	Supplies	Other Charges/ Expenses	Utilities	Capital Outlay	Inter-Govt'al	Debt Service	Agency Total
Board of Selectmen (Town Administrator)	627,482	11,100	4,000	17,600		2,130			662,312
Human Resources Department (Human Resources Director)	291,603	200,503	9,000	31,000		1,640			533,746
Information Technology Department (Chief Information Officer)	1,076,404	621,822	33,850	32,550		41,100			1,805,725
Diversity, Inclusion, and Community Relations (Director)	165,827		9,000	150		850			175,827
Finance Department (Director of Finance)	2,115,357	698,560	50,310	20,957	1,332	24,720			2,911,236
Legal Services (Town Counsel)	586,025	129,409	3,500	112,000		3,000			833,934
Advisory Committee (Chair, Advisory Committee)	21,760		2,275	570		295			24,900
Town Clerk (Town Clerk)	502,952	90,172	14,550	2,450		1,200			611,324
Planning and Community Department (Plan. & Com. Dev. Dir.)	770,538	20,193	9,712	4,550		5,700			810,693
Police Department (Police Chief)	14,925,261	515,744	221,750	69,000	342,137	462,944			16,536,836
Fire Department (Fire Chief)	12,236,953	163,755	149,560	31,350	212,053	200,877			12,994,548
Public Buildings Department (Building Commissioner)	2,248,758	2,170,462	28,950	10,100	2,683,949	141,000			7,283,220
Public Works Department (Commissioner of Public Works)	7,777,821	3,223,447	920,750	53,500	1,117,300	991,104	20,000		14,103,923
Public Library Department (Library Board of Trustees)	2,783,946	185,141	572,942	4,700	315,657	26,000			3,888,386
Health & Human Services Department (Health & Human Svcs Dir)	884,822	203,086	15,100	4,120	40,087	4,020			1,151,234
Veterans' Services (Veterans' Services Director)	162,029	2,538	650	163,935		510			329,662
Council on Aging (Council on Aging Director)	737,643	44,083	18,000	2,900	66,385	6,200			875,211
Recreation Department (Recreation Director)	698,523	23,037	86,480	12,400	164,356	34,020			1,018,816
School Department (School Committee)									96,290,380
Total Departmental Budgets	**48,613,704**	**8,303,052**	**2,150,379**	**573,832**	**4,943,256**	**1,947,310**	**20,000**		**162,841,913**
DEBT SERVICE									
Debt Service (Director of Finance)								9,478,591	9,478,591
Total Debt Service								**9,478,591**	**9,478,591**
EMPLOYEE BENEFITS									
Contributory Pensions Contribution (Director of Finance)	18,592,021								18,592,021
Non-Contributory Pensions Contribution (Director of Finance)	115,000								115,000
Group Health Insurance (Human Resources Director)	27,210,434								27,210,434
Health Reimbursement Account (HRA) (Human Resources Director)	70,000								70,000
Retiree Group Health Insurance - OPEB's (Director of Finance)	3,499,119								3,499,119
Employee Assistance Program (Human Resources Director)	28,000								28,000
Group Life Insurance (Human Resources Director)	145,000								145,000
Disability Insurance	16,000								16,000
Workers' Compensation (Human Resources Director)	1,550,000								1,550,000
Public Safety IOD Medical Expenses (Human Resources Director)	250,000								250,000
Unemployment Insurance (Human Resources Director)	300,000								300,000
Ch. 41, Sec. 100B Medical Benefits (Town Counsel)	40,000								40,000
Medicare Payroll Tax (Director of Finance)	1,975,000								1,975,000
Total Employee Benefits	**53,790,574**								**53,790,574**
GENERAL / UNCLASSIFIED									
Reserve Fund (*) (Chair, Advisory Committee)				2,200,198					2,200,198
Liability/Catastrophe Fund (Director of Finance)				78,969					78,969
Housing Trust Fund (Planning & Community Develpoment Dir.)				163,078					163,078
General Insurance (Town Administrator)		382,645							382,645
Audit/Professional Services (Director of Finance)		130,000							130,000
Contingency (Town Administrator)				15,000					15,000
Out of State Travel (Town Administrator)		3,000							3,000
Printing of Warrants (Town Administrator)	15,000	10,000	10,000						35,000
MMA Dues (Town Administrator)				12,278					12,278
Town Salary Reserve (*) (Director of Finance)	1,850,000								1,850,000
Personnel Services Reserve (*) (Director of Finance)	715,000								715,000
Total General / Unclassified	**2,580,000**	**525,645**	**10,000**	**2,469,523**					**5,585,168**
TOTAL GENERAL APPROPRIATIONS	**104,984,278**	**8,828,697**	**2,160,379**	**3,043,355**	**4,943,256**	**1,947,310**	**20,000**	**9,478,591**	**231,696,246**

(*) NO EXPENDITURES AUTHORIZED DIRECTLY AGAINST THESE APPROPRIATIONS. FUNDS TO BE TRANSFERRED AND EXPENDED IN APPROPRIATE DEPT.

ARTICLE 8

BOARD OF SELECTMEN'S SUPPLEMENTAL RECOMMENDATION

On May 12, 2015 the Board of Selectmen reconsidered their vote on the FY2016 budget in order to consider the motion offered by the Advisory Committee. The Board voted, by a vote of 5-0, to vote FAVORABLE ACTION on the budget vote as offered by the Advisory Committee.

ADVISORY COMMITTEE'S SUPPLEMENTAL RECOMMENDATION

BEYOND TRANSITIONAL BUDGETING

A season of change has come for Brookline's budget. After two years of "bridge" or "transitional" budgeting, the voters have approved a significant operating override by a wide margin. Passage of the override on May 5, 2015, restores substantial short-run stability to the budget. For at least a few years, Brookline's schools will have the resources to deal with growing enrollment without sacrificing educational quality. The Town also will avoid cuts to important services. In the not-too-distant future, significant budgetary challenges will emerge. Very soon we will need to begin making long-term plans to meet those challenges. Unlike the last two years, however, we do not have to contend with short-term uncertainty.

In FY2014, Brookline adopted a "bridge" budget that was intended to buy time for the Town and the Public Schools of Brookline to formulate a sustainable budget. Despite the efforts of multiple committees, it took longer than a year to generate answers to the fiscal and policy questions raised by an ever-larger school population. Fortunately, slow growth in health insurance costs made it possible for Brookline to adopt a "transitional" budget for FY2015. That budget preserved services, but was not sustainable. It bought time for the override process to run its course.

This report will focus on the effects of the May 2015 override, some highlights of the FY2016 budget, and the long-term fiscal questions that need attention. Passage of the override has changed the context for discussion of all these issues. Some things haven't changed, however. Large numbers of children continue to enter kindergarten each year, ensuring that enrollment in Brookline's schools will keep on growing. Benefits costs rise more rapidly than inflation and the growth in revenues in most years. Brookline's residents continue to expect a high level of services, as well as an open process, professional management, careful planning, and accountability.

THE OVERRIDE, REVENUES, AND EXPENDITURES

The Impact of the May 2015 Override

Passage of the May 2015 operating override has had a major impact on Brookline's fiscal situation. The override's effects include:

- Higher revenue growth in FY2016 and FY2017: Because of the override, property tax revenue will increase by $6.2 million more than it would have in the absence of an override. This represents a 3.4% increase in addition to the 3.5% increase that would have occurred without an override. The Town will not raise FY2016 property taxes to the maximum level allowed by the May 2015 operating override. There will thus be a further override-related increase of $1.465 million in FY2017.

- Increased Spending on the Schools: The Public Schools of Brookline will receive $5,518,000 in override funds in FY2016 and an additional $1,465,000 in FY2017, enabling the Schools to address the needs of growing enrollment. How the Schools will spend these funds is discussed in more detail below.

- Elimination of Potential Cuts to Town Departments: The *FY-2016 Financial Plan* included $682,000 in cuts to Town departments and programs that would have taken place if the override had not been approved. Whether these cuts would have been implemented is unclear. The Advisory Committee felt that many were unjustified, but it would have been challenging to find funds to restore the cuts if the override had failed.

- A forecast of balanced budgets for FY2016–2018: Forecasts can be imprecise and some changes are unpredictable, but initial forecasts suggest that neither the Town nor the Schools will incur a deficit for the next three fiscal years. Any predicted deficit would, of course, be rectified by steps to ensure that Town Meeting approved a balanced budget.

- Increases in tax payments by Brookline residents: The *FY-2016 Financial Plan* estimates that the operating override will raise FY2016 taxes by $364 for single-family residences, $111 for condominiums, and $797 for commercial properties. These estimates are for properties with a median assessed value, assume that the residential exemption will be used, and are based on the FY2015 tax rates, assessments, and commercial/residential classification.

- Other revenues and efficiencies, starting in FY2017 and FY2018: The Override Study Committee recommended that any operating override be accompanied by a program of increased non-tax revenues and fees. This proposal is intended not only to raise revenue, but also to diversify the sources of that revenue to avoid over-reliance on property taxes. The Override Study Committee recommended a package of $2.3 million in higher revenues and fees, as well as $560,000 in budgetary savings, for a total of almost $2.9 million to fund the school budget shortfall. After analysis by Town and Schools staff and departments, this total was adjusted to $2.3 million. Major components include an increase in parking meter rates from $1.00 to $1.25/hour (yielding $850,000) and an increase in the annual trash fee to $230, which will yield

$615,000. Savings from adopting Pay-as-You-Throw will save $440,000 annually. The $2.3 million in revenues and fees has been considered part of the override package, but full implementation will depend on actions by the Board of Selectmen and approval of budgets by Town Meeting. The current plan calls for $1.0 million of fee increases and savings in FY2017, followed by $1.3 million in FY2018.

- Debt exclusion for Devotion School: The property tax increase resulting from the May 2015 debt exclusion override will not start until FY2017, with most of the increase taking place in FY2018.

Revenues

Projected revenues for FY2016 are up 6.1% over FY2015, compared to a projected increase of only 2.7% from FY2014 to FY2015. The higher property tax revenues made possible by the May 2015 override are the main contributor to this large increase. Without the override, overall revenue would have increased by a projected 3.4%.

Brookline's revenue from property taxes will increase by 6.9% in FY2016. The override will enable property tax revenue to rise at approximately double the average rate of recent annual increases. Property taxes are the greatest contributor to our revenues, representing 78% of total revenue in FY2016. Property tax increases are limited by Proposition 2½. The FY2016 increase in the total property tax levy would have been 3.5% in the absence of an override, approximately the rate of increase in previous years. Property tax revenue increases faster than the 2.5% implied by the name of Proposition 2 ½, because new growth generates additional taxes.

Other revenue sources are also important. In FY2016, State Aid accounts for $18.7 million. Brookline's state aid has been slowly climbing back to the levels of FY2002, although it has not reached that level on an inflation-adjusted basis. FY2016 State Aid has increased 5.8% over last year. Local Receipts increased by 3.6% to $23.6 million. This revenue comes from motor vehicle excise taxes, hotel and meals taxes building permit fees, fees for other licenses and permits, the refuse fee, payments in lieu of taxes (PILOTs), and parking fines. A small amount reflects interest income, which remains low due to continued low interest rates. Of these revenue categories, PILOTs are estimated to go up 14.6% compared to FY2015, reflecting the continuing efforts of Town staff to negotiate PILOT agreements with non-profit owners of tax-exempt property.

Free Cash is the result of previous revenues exceeding estimates and/or expenditures coming in below appropriations. For FY2016, State-certified Free Cash is $7.6 million, an increase of about $0.5 million over FY2015. The fiscal policies that Brookline has followed in recent years call for maintaining an unrestricted fund balance of at least 10% of annual revenue, with a goal of 12.5%. Bond-rating agencies have expressed concern about the low levels (as a percentage of annual revenue) of Brookline's undesignated fund balance, which ranks 24th among the 25 comparable communities with Aaa/AAA bond ratings. Thus $2.55 million of the Free Cash will be left unappropriated, bringing the Town's undesignated fund balance to approximately 10.5% of revenue. This leaves just over $5 million of Free Cash available for appropriation. Some of

this Free Cash is allocated to the Liability/Catastrophe Fund, and the Operating Budget Reserve Fund, and the remaining $4.2M million of Free Cash is available to our Capital Improvements Program.

All revenue sources—including increased tax revenue resulting from the May 2015 override—produce a total of $250 million, a 6.1% increase in total revenue, compared to 2.7% in last year's budget. Some of our $250 million in General Fund revenue must be deducted for Non-Appropriated Expenses: State/County charges—primarily the Norfolk County and MBTA assessments—of $6.3 million, "Cherry Sheet" offsets of $126,000, and the Tax Abatement Overlay of $1.75 million. This leaves us with a total of $242 million available for appropriation.

Expenditures

On the expenditure side of the ledger, departmental expenditures (71% of total general expenditures, as in FY2015) increase by 7% to $165.4 million. Most of the increase is in the Schools appropriation, which climbs by 10.9% to $96.3 million. (As discussed below, total school spending is higher, because the schools receive additional funding from grants and other sources that are not appropriated by Town Meeting.) Spending for Town departments rises 2% to $69.1 million. Non-Departmental expenditures increase by 4.9% to $66.3 million, with all of the increase attributable to the growth in Employee Benefits, which represent 80% of this category and will grow by 6.5% in FY2016. Much of the rest is Debt Service, which totals $9.5 million, a decline of 1.5%. Additionally, there are revenue-financed Special Appropriations (Capital Improvements Program) of $10.1 million, up by 7.4%.

There are also the Non-Appropriated expenses of $8.2 million as mentioned above.

FY2016 Revenues and Expenditures

Revenues

	$	% change
Property Tax	194,809,198	6.9
Local Receipts	23,593,685	3.6
State Aid	18,652,559	5.8
Free Cash	5,016,500	(1.3)
Other Funds	7,925,643	14.8
Total Revenue	$ 249,997,585	6.1 %

Expenditures

	$	% change
Departmental	165,406,912	7.0
Non-Departmental	66,289,333	4.9
Special Appropriations (CIP)	10,113,000	7.4
Non-Appropriated Exp.	8,188,336	(2.9)
Total Expenditures	$ 249,997,582	6.1 %

DEPARTMENTAL PROGRAMS AND INITIATIVES

On the Town side, there is much more continuity than change in the FY2016 budget, with most departments being level-funded or seeing only a slight increase in their appropriations. Continuity can be a good thing. In the absence of an override, many Town departments would have been slated for cuts outlined in Brookline's *FY-2016 Financial Plan*. As it considered the FY2016 budget, the Advisory Committee devoted much attention to designating which proposed cuts in areas such as mental health, the Department of Public Works, the Police Department, and the Fire Department should be restored and attempting to formulate a "Plan B" for funding those appropriations in the event that the override failed.

The FY2016 budget maintains basic services and continues important initiatives, including the first year of the new Department of Diversity, Inclusion, and Community relations, improvements in energy efficiency and sustainability, and greater cost recovery—particularly in the Recreation Department. A re-organization is underway at the Assessor's Office. A review of Town Counsel's office will determine the appropriate balance between in-house and contracted legal services. The Town Administrator will continue to ask departments to develop better metrics for their performance, and those metrics will be included in the *Financial Plan*.

There are two important areas of change that will affect the lives of many Brookline residents.

- Pay-As-You-Throw

Brookline has been studying a Pay-as-You Throw (PAYT) system for trash collection for many years. The basic logic of PAYT is that charging residents on the basis of trash volume, instead of a flat fee (now $200) is more equitable and provides a greater incentive for recycling. A few years ago, the Town decided to continue studying PAYT but implemented single-stream recycling in an effort to encourage more recycling. The single-stream approach initially boosted recycling, but the increase has leveled off. PAYT may drive recycling rates higher again.

The planned Brookline PAYT system is also motivated by a desire to improve the efficiency of trash collection. Under the current plan, each homeowner will receive a 35 gallon container ("toter") for weekly trash. These toters can be lifted and emptied by a mechanical arm on each trash truck. Trash collection will require one driver instead of a crew of two. Homeowners who have more than one toter's worth of trash will be required to buy "overflow" bags or another toter.

The proposed system's greater efficiency depends on the combination of PAYT and automated collection. PAYT reduces the volume of trash, making it possible for a driver of a truck equipped with a mechanical arm to rapidly collect the trash. If all homeowners were to put out multiple toters, collection with a mechanical arm would be far more time-consuming and less efficient. Thus it is the synergy between reduced volume and automation that produces greater efficiency.

The Department of Public Works (DPW) will incur some up-front costs: lease-purchase of two automated trucks, and purchase or lease-purchase of 7,800 toters—with the help of a $200,000 state grant that will pay for 5,500 toters. It will realize savings by having only one crew member per trash truck. Other changes, including moving metals collection in-house, will add to these savings. The DPW estimates that the annual savings will eventually be $440,000. These savings will be part of the overall package of revenue and efficiencies recommended by the Override Study Committee.

- Preservation Planners

The Advisory Committee's recommended budget includes funding for two full-time preservation planners in the Department of Planning and Community Development, an increase from 1.8 full-time equivalents (FTEs) in FY2015. We are pleased to see that the Selectmen concur with this recommendation. There had been an increase from 1.59 to 1.8 FTEs for preservation planners in FY2013. The Advisory Committee concluded that a further increase was necessary in light of the increased workload. The preservation planners support the Preservation Commission. Their responsibilities include Local Historic District cases and reviews of requests to demolish properties with potential historic or architectural significance.

Since 2003, the number of Local Historic Districts (LHDs) has grown from two (Cottage Farm and Pill Hill) to seven with the establishment of the Graffam-MacKay, Chestnut Hill North, Harvard Avenue, Sargent-Wild, and Lawrence LHDs. This Town Meeting will consider establishing one more, the Crowninshield LHD. Brookline also has established two Neighborhood Conservation Districts (NCDs) in recent years. Several neighborhoods are considering this option.

The new LHDs and NCDs have added to the workload of the preservation staff. According to data provided by Alison Steinfeld, director of the Department of Planning and Community Development, the number of LHD cases increased from 50 in FY2001 to 123 in FY2014. During the same period, the number of demolition cases increased from 28 to 43. There were no NCDs in FY2001, but there will be an estimated five NCD cases in FY2015 and the number is likely to increase as more NCDs are established.

Although the Advisory Committee considered funding an additional full-time preservation planner, which would have brought the total to 3.0 FTEs, it decided to recommend funding 2.0 FTEs for FY2016 and to revisit the issue in future years.

GROUP HEALTH AND BENEFITS

Employee Benefits (including Pensions, Workers' Compensation, Unemployment, Life Insurance and Health Insurance) are one of Brookline's largest expenses. In FY2016, these costs represent more than 23% or our General Appropriation, roughly the same percentage as in FY2015.

- Group Health

The growth in health insurance costs has been one of the major challenges to Brookline's budget in recent years. Health insurance now represents 11% of the budget. The recommended appropriation for FY2016 is $27.2 million, an increase of 8.3% compared to FY2015.

For FY2016, Brookline's health insurance premium rate increase will be 6.9%, more than the Town Administrator's preliminary estimate of 4% and considerably more than the FY2015 increase of 1.5%. Overall spending on health insurance increases at a more rapid rate than the increase in premiums because the number of enrolled employees is increasing.

Total group health enrollment is estimated at 3,082 for FY2016, divided almost evenly between active employees and retirees. Of the total, 1,718 (55.7%) are or were school employees, while 1,364 are or were Town employees.

Healthcare benefits have been a primary source of increases in Brookline's budget since FY2000. Joining the Group Insurance Commission (GIC) in 2010 caused a sharp drop in healthcare spending, but costs have risen steadily since. Last year's small increase was fortuitous, but anomalous. As the number of active and retired enrollees increases, the group health appropriation will consume a larger and larger share of Brookline's budget.

Some savings in healthcare costs may be possible if Brookline can reduce the share of premium costs it pays on behalf of our employees. Under the current negotiated agreement, which will expire this year, the Town covers 83% of the cost, while employees cover 17%. The state-wide average is closer to 70% municipality/30% employee. Each 1% reduction in the Town's share saves $270,000.

- Retiree Health: OPEBs

Brookline has a significant obligation to provide healthcare benefits for its current and future retirees. As employees in the Baby Boomer cohort retire and live longer than previous generations, the number of retirees receiving healthcare benefits will continue to grow. We refer to these benefits as Other Post Retirement Benefits (OPEBs). According to the Segal Group, the unfunded liability for Brookline's retiree health obligation was $198.3 million as of June 30, 2014. The next calculation of the liability will be in 2016.

The Town has taken several steps to manage its OPEB obligations. Entering the GIC in FY2017 reduced the overall cost of healthcare benefits and also substantially reduced the unfunded OPEB liability. In the early 1990s, the Town adopted Chapter 32B Section 18, enabling Brookline to reduce costs by moving retirees into a Medicare coverage.

Brookline has established a post-retirement benefits trust fund to defray OPEB costs. As of January 1, 2015, the fund balance was $25.4 million. Under Brookline's plan for funding its OPEB liabilities, annual trust fund contributions are appropriated from General Fund revenues, assessments on grants and special revenue funds, Medicare Part D revenue, savings redirected

from the non-contributory retirement health plan, and one-time revenues. Brookline's OPEB funding plan adds $250,000 each year to the base contribution.

After FY2030, when the Pension Fund is scheduled to be fully funded, Brookline will be able to accelerate OPEB funding by redirecting its Pension Fund contributions to OPEBs. Those contributions are expected to exceed $30 million per year by then.

By following its current plan, the Town may reach the Annually Required Contribution (ARC) level by FY2024. Additional relief may be felt if there are future changes in State regulations regarding vesting requirements for post-retirement healthcare benefits. Seeking such a change was among the many recommendations of the Override Study Committee.

Brookline is among the few communities in Massachusetts that sets aside funds to cover its OPEB liability. We should congratulate ourselves for being fiscally responsible, but we also should bear in mind that Brookline's OPEB obligations are exceptionally large in both absolute and relative terms. Brookline's unfunded OPEB liability represents approximately 80% of annual revenue. Of the twenty-five comparable Massachusetts communities with Aaa/AAA bond ratings, only Newton has a larger unfunded liability. We have made a good start, but we have a long way to go. Only disciplined adherence to the current funding plan will reduce our unfunded liability.

The recommended budget for FY2016 appropriates $3.5 million for the Retiree Group Health Trust Fund. The sooner we pay down this unfunded liability, the sooner we can reap the savings benefits.

- <u>Pensions</u>

Brookline maintains a defined benefit pension system for Town and School employees, with the exception of teachers, who are covered by a state pension system. Many newer positions in the Schools tend to be aides, and therefore may be eligible for the Town pension system. Currently, there are 3,530 employees (active, inactive, and retired) and their survivors in the Town pension system.

Brookline maintains a pension fund that was valued at $260 million on December 31, 2014. The next valuation is scheduled for January 1, 2016. The unfunded liability was $192.6 million. The unfunded liability has been increasing in recent years as the number of eligible employees and retirees has grown and returns on the invested funds have been inconsistent. After a 28% loss due to poor investment returns in 2008, the Town increased its annual contributions and extended the funding schedule so that Brookline will reach full funding in 2030 instead of the previous target date of 2028. The Retirement Board, which controls the pension fund, voted to reduce the assumed annual rate of return on investments from 8.15% to 7.75% and then to 7.6%

The annual amount that Brookline contributes to its pension fund is determined by a State-authorized funding schedule. The FY2016 contribution will be $18.7 million, a 4.6% increase over FY2015.

THE SCHOOL BUDGET

Spending on the Schools, whether in the Schools budget or for school-related expenses in the Town budget accounts for almost 60% of Brookline's appropriations. The General Fund appropriation for the Schools will increase by $9,447,804 (10.9%) in FY2016. Of this increase, $5,218,000 is from funds generated by the May 2015 override. The increased funds will be devoted to: (1) changes directly related to the enrollment increases anticipated through FY2019; (2) increases in professional support staff to make up for the last several years during which support staff has been held constant as enrollment has increased; (3) increases related to new programs, most notably the rollout of a plan to significantly increase the technology tools available to teachers, and to provide training and support for using those tools; (4) increases related to managing the use of Old Lincoln to house Devotion students, the renovation of which is being driven by enrollment increases.

The Advisory Committee, its School Subcommittee, and (previously) the Override Study Committee have discussed many aspects of the Schools budget with members of the School Committee and the central administration of the Public Schools of Brookline. As explained in detail below, the Advisory Committee hopes that the Schools will revise the annual school budget to make it more transparent and understandable.

The Advisory Committee recognizes that the Schools have made remarkable efforts to respond to increasing enrollment while simultaneously initiating new programs and approaches—especially in the area of special education—that have yielded budgetary savings. The 2015 override removes the need for major cuts to school programs and enables the Schools to enjoy a period of sustainable budgets. School operating budgets and the continuing need for additional classroom capacity will, however, be important dimensions of our fiscal challenges in the not-too-distant future.

The Advisory Committee's report on the FY2016 school budget appears below.

CAPITAL IMPROVEMENTS PROGRAM (CIP)

Setting aside a percentage of the annual revenues and free cash for capital projects has enabled Brookline to renovate or expand a large percentage of its public buildings, schools, parks, and other facilities in recent years. CIP funds have been devoted to Town Hall, the Health building, the main library, the Public Safety Building, Brookline High School, the Lawrence, Baker, Heath, and Runkle Schools, and the creation of new parks, among many other projects. We no longer talk of the "shabbification" of Brookline's public facilities.

Less obviously, Brookline's approach to financing the CIP has enabled it to maintain a level of bonded debt per capita that is far lower than almost all of the other Massachusetts communities with Aaa/AAA bond ratings. As of June 20, 2014, Brookline's bonded debt was $1,249 per resident and ranked second among the twenty-five Aaa/AAA communities (excluding Boston, Cambridge, and municipalities with populations under 16,000). Only Barnstable—a very

different community—had a lower bonded debt per capita. Newton, Winchester, Wellesley, Belmont, Andover, and Concord had debt per capita two or three times has high as Brookline. In the coming years, however, the CIP will come under increasing strain and our debt per capita will double. The CIP for FY2016–2021 does not include funds for a 9th elementary school or similar program to expand classroom capacity, and it includes only $35 million for expansion of the high school. There is some risk that the CIP will fall short of the objective stated in the Town's CIP policies, to "… create a long-term financial plan that can be achieved within the limitations of the Town's budget."

The Devotion School renovation and expansion is the most notable project in the FY2016 CIP. The current estimate of the cost of this project is approximately $120 million, with $46 million to be financed by a General Fund bond, $45 million by the May 2015 debt exclusion, and approximately $28 million by MSBA reimbursement. The MSBA will meet in early June to determine the amount it will contribute toward this project.

The FY2016 CIP also funds other initiatives to address overcrowding in the schools, including additional improvements and modifications to the Old Lincoln School; installing two modular classrooms at the Baker School; leasing space in Brookline Village for the Pierce School; and leasing additional space for pre-kindergarten (BEEP) programs and a central registration office.

Of the several studies that will be funded in the FY2016 CIP, the proposed $100,000 study of the Centre Street East parking lot has attracted the most attention. The Department of Planning and Community Development would hire a consultant to develop conceptual plans to improve pedestrian and bicycle access, create public space(s), and add a decked parking structure with up to three levels, possibly incorporating solar panels. One reason for considering a parking structure is the need to provide parking for Devotion School employees during the renovation of that school. Coolidge Corner residents have objected to a decked parking structure in the past. This study offers an opportunity to revisit that issue, but in the broader context of renovating and improving a parking lot that has not been updated for about 50 years.

Major CIP items for parks and open space include the renovation of the Brookline Avenue Playground and the Pierce Playground. The CIP also finances the renovation of the roof of the Brookline Reservoir gatehouse, which was recently declared a National Historic Landmark.

The infrastructure improvements and repairs in the CIP include additional bike lanes and street and sidewalk repair.

The CIP also funds IT upgrades, rehabilitation of fire apparatus, and various renovations and repairs to Town buildings.

The Advisory Committee has provided detailed descriptions of each of the many projects in the FY2016 CIP in its Combined Reports budget summary.

BEYOND THE OVERRIDE

The May 2015 operating override (Question 1) was supported by a large majority of Brookline's voters. The margin of victory (61%-39%) would have been regarded as a landslide in a presidential election. The margin was approximately the same as in 2008, when a smaller operating override was on the ballot. A number of possible factors might explain the outcome of the 2015 vote. First, the "Yes" campaign may have been more effective and better organized, enabling it to identify its likely supporters and get them to the polls. Second, demographic changes may have increased the number of Brookline voters who are willing and able to pay higher taxes to support Brookline's public schools. Third, the message of the "Yes" campaign may have resonated better with the voters. The second factor may make it more likely that Brookline will approve future overrides, but that outcome is far from certain.

Future Fiscal Challenges and Potential Tax and Fee Increases

As noted previously, the May 2015 override brings fiscal stability and increased funding—especially for the schools—for several years. Nevertheless, Brookline will face additional fiscal challenges—some likely, others less so—during the next five years. Three stand out: (1) renewed deficits, particularly in the school budget, that may require another operating override; (2) the need to finance construction of a 9th elementary school; and (3) the need to finance expansion of Brookline High School.

- Another Operating Override?

Brookline has traditionally preferred large but infrequent overrides, unlike many communities that have opted for small but frequent—even annual—override votes. Our first general override was in 1994. Fourteen years later, we had our second override in 2008. Only seven years elapsed until the next override. There is a risk that the next override vote will come even sooner.

The Override Study Committee only looked at a three-year period (FY2016–2018) and suggested that another operating override would be necessary after that period. According to its report: "the operating override would cover a period of three years of expenses (FY16 through FY18, i.e., July 1, 2015 to June 30, 2018), and that further operating overrides/debt exclusions might be required… [i.e.] another operating override vote in May 2018."

The most recent (as of May 18,2015) five-year forecast of the school budget indicates that the 2015 override and related revenue will ensure that there will be no deficits during the FY2016–2018 period. In FY2019 and FY2020, however, the school budget is forecast to have a deficit in the $2–3 million range. These forecasts are in line with past forecasts of future deficits that have not always materialized. The forecasts are prudently conservative in estimating future revenues, and they do not take into account many possible efficiencies and savings. Past experience suggests that we can defer anticipated overrides for longer than initially expected. Nevertheless, Brookline may need to consider another operating override in four or five years. We should begin the discussion sooner, not later.

- A 9th Elementary (K-8) School?

As school enrollment has grown, Brookline has explored and implemented many steps to add classroom space. Additional classrooms have been constructed at K-8 schools (e.g., Heath, Runkle, and Lawrence) and other spaces have been repurposed as classrooms. Space has been rented outside the schools, particularly to accommodate BEEP programs. In 2013, the B-SPACE committee and the School Committee endorsed the "expand in place" approach, but when the MSBA declined to consider Brookline's proposal to expand the Driscoll School, the option of a 9th K-8 school re-emerged. The question remains open, but building a 9th K-8 school may be considered the optimal way to expand classroom capacity. Constructing a new school would be less disruptive to current students, parents, and teachers, and (possibly) less costly. It also would prevent the existing K-8 schools from becoming excessively large. The Override Study Committee estimated that a three-section K-8 school would cost $47 million (plus the cost of buying the site for the school, if necessary), with $30 million paid for by the Town and $17 million by the MSBA. This cost estimate is likely to increase, so it is probably fair to say that a new K-8 school would cost at least $50-60 million. Paying for such a school would require a debt exclusion override. There are no funds in the CIP for a 9th K-8 school or for any projects that would add a similar number of classrooms.

- Brookline High School Expansion and Renovation

When the increased enrollment in Brookline's K-8 schools moves on to Brookline High School, that school will become overcrowded. Discussions and studies already have begun on how to add space and improve the high school. The CIP includes $35 million for expansion of the high school in FY2019, but that amount would have to be supplemented by MSBA funding and a debt exclusion, because the expansion would cost considerably more.

These challenges are significant, but not insurmountable. Because they are likely to emerge at approximately the same time, we will need to address them— and perhaps other fiscal challenges that may arise—jointly, not individually. We will need to consider residents' capacity to pay, the full range of options available, and the need to develop an inclusive process of integrated long-term planning.

Affordability and Capacity to Pay

When do property taxes become unaffordable? Do Brookline residents have the capacity to pay higher taxes? How much is too much? These are important questions in determining how much to raise property taxes. The Override Study Committee devoted a significant amount of its report to these issues, which will need to be taken into account.

Analyzing the affordability of taxes is complicated, for several reasons. First, property taxes are only one component of the (high) cost of living in Brookline. Second, estimates based on the mean, median, or "typical" taxpayer or property overlook huge differences in individual circumstances and preferences. Third, it is very difficult to know what the "tipping point" is that will drive some residents to move out of Brookline; it will certainly vary considerably from

person to person and family to family. Fourth, higher property taxes may place a burden on residents with low or moderate incomes, but those residents may also benefit from any appreciation in property values due to maintaining excellent schools and other services. For such residents, the value of their residence may be a large fraction of their overall net worth.

The Override Study Committee analyzed how income levels in Brookline compare to those in similar communities and pointed out that many Brookline residents devote a significant percentage of their income to taxes and housing costs. (The Brookline Community Foundation also has produced an important report on poverty in Brookline.) These analyses are valuable, but it is also necessary to consider how Brookline's tax burden and residents' income are changing over time. Comparisons with other communities may overlook distinctive characteristics of Brookline's residents. Some of us, for example, may move to Brookline because we are willing to pay a larger share of our income for excellent schools and services. Comparisons of Brookline's past and present to its future, on the other hand, tell us a lot about where we've been and where we're going.

One of the most important ways to measure capacity to pay is to ask whether the cost of Brookline's government (including fees and local taxes) is increasing faster than the incomes of Brookline's residents. Deputy Town Administrator Sean Cronin's January 6, 2015 "Growth in the Cost of Government" presentation to the Board of Selectmen examined this question and reached two important conclusions:

(1) *The cost of government as a percentage of income has remained stable since 1995*. Whether measured as a percentage of per capita income (about 14%), median household income (about 9%), or median family income (about 6%), the cost of government as a percentage of income actually has fallen slightly since FY1996. In other words, taxes and fees have increased at about the same rate as incomes have increased.

(2) *The cost of government has increased relatively slowly*. Since FY1991, taxes and fees have increased at a 3.7% annual rate. Since FY2006, the rate has been only 3.0%. This rate of increase is approximately 1% higher than the inflation rate.

Sean Cronin's presentation also concludes that since FY2005 Brookline's residential tax bills have grown more slowly than in comparable communities and the growth rate actually ranks in the bottom 20% of 323 communities for which data are available. This is an impressive achievement that testifies to the skill and fiscal prudence of the Town's leadership. These findings suggest that Brookline's government has been well managed, but they don't tell us much about the future.

The question we need to confront is whether future tax and fee increases will be much higher than in the past, and also if they will outstrip the increase in the incomes of Brookline's residents. Sean Cronin's report reveals that the large increases in the costs of government in override years (6% in FY1995, 7.1% in FY2009) were offset by lower increases in other years, bringing the average rate of increase down to relatively low levels.

(Note that former Selectman Richard Benka has pointed out that Sean Cronin's analysis of the cost of government assumes that all property-owners take advantage of the residential exemption. In reality, many do not, so the actual cost of government is higher. This may be true, but it does not affect the rate of increase in the cost of government, only the average cost per individual, household or family. One might also argue that Brookline residents' income only keeps up with the increasing cost of government because higher-income residents are moving into Brookline and displacing low- and moderate-income residents. There is no doubt that affluent people have moved to Brookline, but the relatively low rate of annual increase in income—about 3–4% or 1% above the inflation rate—may be consistent with the fact that Brookline's existing population includes many well-educated professionals who would be likely to experience higher-than-average income growth.)

The 2015 override and the annual increase that would have occurred without the override increase the cost of government by approximately 7%. The tax increase for FY2017 will be lower, but the cost of government will probably increase by about 5% when the fee increases are implemented and property taxes rise by the amount allowed by Proposition 2½. An additional override and two potential debt exclusions may be necessary, as noted above. (The end of an existing debt exclusion in FY2021 will offset these increases, but only be a relatively small amount.)

Increases in the cost of government that exceed the rate of growth in income probably cannot be sustained annually. Either residents will decide that they cannot pay an ever-increasing share of their income in taxes and fees or low- and moderate-income residents will move out of Brookline and be replaced by high-income newcomers. Previous overrides and debt exclusions have been followed by slower increase in the cost of government. We have successfully absorbed large increases in override years (FY1995, FY2009, and now FY2016) because the overrides have been infrequent and the cost of government has remained modest in other years. As we consider future overrides and debt exclusions, we should look at the long-term trends and try to limit the rate of growth of the cost of government to approximately the same rate as the growth in incomes. This will not be easy, and in the short- and medium-term the rate at which the cost of government increases may rise above long-term trends, but it will be essential to look at the full range of options available, including efficiencies and savings, as well as new revenue.

Efficiencies and Savings

Over the years, many committees have studied Brookline's budget and attempted to identify potential efficiencies and savings. The 2009 Efficiency Initiative Committee is one prominent example. The recent 2013–2014 Override Study Committee continued this process. Many policies and practices to reduce spending and deliver services more efficiently have been implemented, leaving little "low-hanging fruit," as recognized by the Override Study Committee. This does not mean that it will be impossible to cut or limit the growth of town or school spending, but it suggests that further efficiencies and savings will require more effort or will involve difficult choices.

Looking back over several decades, the Town and Schools have made impressive progress. For example, the DPW performs well with reduced personnel and is planning further efficiencies. The schools have maintained a level cost per pupil, achieved significant savings in Special Education, and are implementing some ideas from the Override Study Committee, such delaying assignment of nonresident students until May or later so that they can be assigned where space is available. These and other actions have contributed to our modest long-term growth in the cost of government.

Many of the cuts suggested over the years have been rejected as too unpopular or too painful, including:

—Allowing maximum class sizes to rise to about 22-24 (K-3) and 25 (4-12). (The OSC School Programs Task Forces estimated that allowing K-8 class sizes to rise to an average of 22 would save $1.08 million annually.)
—Limiting METCO or Materials Fee programs
—Reducing the number of firefighters per apparatus or per engine from four to three
—Eliminating one of the seven fire companies and closing a fire station
—Reducing library book purchases
—Reducing spending on mental health

If the past is any guide, we will be reluctant to revisit any of these recommendations, but they are likely to be on the agenda for any future efficiency or override committees.

There is, however, at least one step that could produce substantial and immediate savings. The Town currently pays 83% of the cost of employees' health insurance premiums. Many other Massachusetts communities pay no more than 70–75%. Each 1% reduction in the Town's share yields an estimated $270,000 in savings. Thus reducing the Town's share to 75% would save over $2 million. Reducing it to 70% would save over $3.5 million. Such savings would go a long way toward reducing the need for a further operating override, or at least postponing it.

Brookline could achieve further savings in its health care costs by encouraging employees to enroll in HMO (not PPO) plans.

On the capital side, choices made about a possible 9th elementary school and the expansion of the high school will determine the size of debt exclusion overrides. Those choices should be made in the overall context of this community's capacity to pay.

Generating More Revenue by Expanding the Tax Base

One of the most promising ways to address Brookline's fiscal challenges is to generate new revenue by expanding the commercial tax base. Commercial development does not place demands on Brookline's schools. Commercial properties also pay taxes at a higher rate than residential properties. Brookline thus has attempted to promote commercial development as a solution to fiscal problems. This strategy is one of the most appealing responses to Brookline's

fiscal concerns, although ensuring that development is compatible with the fabric of our neighborhoods can be challenging.

Three major development projects that will greatly expand the commercial tax base are moving forward or will be soon.

- The hotel on the former Red Cab site on Route 9 is under construction. It will generate new property tax revenue of $50,000 in FY2016, $595,000 in FY2017, and $215,000 in FY2018, as well as increased hotel tax revenue of $50,000 in FY2017 and $275,000 in FY2018.
- The redevelopment of Brookline Place to create a major medical and other office complex is expected to begin soon. Town Meeting has approved the necessary zoning changes. New property tax revenues are expected to be $685,000 in FY2018, $1 million in FY2019, and $615,000 in FY2020.
- A hotel and a related retail and residential development, including senior housing, at the former Circle Cinema site in Cleveland Circle has been permitted. Estimates of increased tax revenue are not available, although it is reasonable to assume that this development will generate hundreds of thousands of property and hotel taxes annually.

The Planning Department staff, other Town boards and commissions, residents who have been involved in the process—and the respective developers—all deserve much credit for moving these projects toward fruition.

Nevertheless, Brookline's experience with these projects shows how hard it is to expand the commercial tax base. Each of these development projects took approximately a decade to bring to fruition. Each required many meetings and complex site-specific zoning changes. Most of the increased revenue is already factored in the future budget projections.

The most important concern is that no commercial projects of a similar size are in the pipeline. Thus we should not assume that a dramatic increase in revenue from commercial development will be available soon. If we hope to use further increases in commercial tax revenue to address Brookline's fiscal challenges, we will need to redouble our efforts and to look at new ideas. The Economic Development Advisory Board (EDAB) has scheduled a meeting on June 8 to discuss different approaches to encouraging commercial development.

Principles that Should Guide the Process

As we confront our long-term fiscal challenges, we should keep in mind three principles.

- Integrated Long-Term Planning: The Town, the Schools, the Selectmen, and the Advisory Committee will need to coordinate their efforts so that separate and incremental decisions do not make our budgetary outlook even more complicated.

- Consensus and Compromise: Neither side is the recent override debate should start planning to fight the next battle. Instead, we should begin working together. The less divisive the solution, the better.

- Transparency and Accountability: This report has called for more transparency in the Schools budget. More generally, there will need to be an open process that will guarantee that all voices are heard and that we can be confident that the key issues are being addressed. Brookline's residents also will want to see that new programs are cost-effective.

SHORT- AND MEDIUM-TERM STABILITY, LONG-TERM CHALLENGES

Last year, the Advisory Committee's budget report concluded, "Brookline's FY15 budget provides stability and continuity, but it doesn't solve our looming problems." The report noted that there would almost certainly be an override on the ballot, and observed that "how the Town structures that override, and how we as a community respond, will define (or re-define) what Brookline will be."

Brookline has made its decisions about the 2015 override. Those decisions will shape the budgets for FY2016 and beyond. The long-term fiscal challenges, posed largely but not solely by the continued growth in school enrollment, mean that more important decisions remain. Making those decisions will test our imagination, resources, will, and (probably) patience. The choices we make will have a major impact on the character of our community. We should make them as wisely as possible, with our eyes wide open.

The Advisory Committee thanks the Town Administrator, Deputy Town Administrator, Board of Selectmen, department heads, School Committee, and the central administration of the Public Schools of Brookline for their work on the FY2016 budget and for their assistance to the Advisory Committee during the budget process. We also thank the Override Study Committee for its extraordinary dedication and commend its report to anyone interested in more information on Brookline's fiscal challenges and choices.

By a vote of 17–0–5, the Advisory Committee submits the FY2016 Town Budget with a recommendation of FAVORABLE ACTION

Advisory Committee Report to Town Meeting on the Public Schools of Brookline FY2016 Budget

The Public Schools of Brookline submitted two budgets for FY2016. The "override" version was developed to respond to the voters' acceptance of the $7.665 million operating override that was passed on May 5. The "base" or "no override" version was built for the case in which the override was defeated.

For FY2016, the operating override adds $5,218,000 to the base for a total of $96,290,380. Total School spending including school-related spending in the Town budget is $148,476,557. Beyond the appropriation included in Article 8, the Schools have access to additional funds:

Public Schools of Brookline Funding Summary: FY2016	
General Fund Appropriation incl. override (included in Article 8)	**$ 96,290,380**
Other School budget funds (Fees, etc.)	$ 3,276,613
Special Funds (Grants & revolving funds	$ 12,912,445
School-related spending in the Town budget (benefits, building, etc.)	$ 36,297,119
Total Schools & School-related spending	**$148,776,557**

The Advisory Committee recommended approval of the Schools' request for a $96,290,380 General Fund Appropriation.

The Advisory Committee also asked the Schools for follow-up reports on certain programs and it asked for specific steps to make the School budget more transparent.

The tables on the following three pages provide a more detailed list of funding sources for the Schools for FY2015 and FY2016, a summary of the spending for each School program account for FY 2016, and a look at both enrollment history and projections. Most of the data comes from the Superintendent's Recommended FY 2016 Budget issued on May 18, 20115 in draft form, which includes funds from the May 5th override. But some of the data comes from the Preliminary Budget (pre-override). We have tried to footnote data sources to help the reader follow the numbers.

Looking forward, the budget is built on the assumption that incoming kindergarten classes will average 650 students on an ongoing basis, and the graphs and tables below show the enrollment history and projections through 2022.

Report Structure

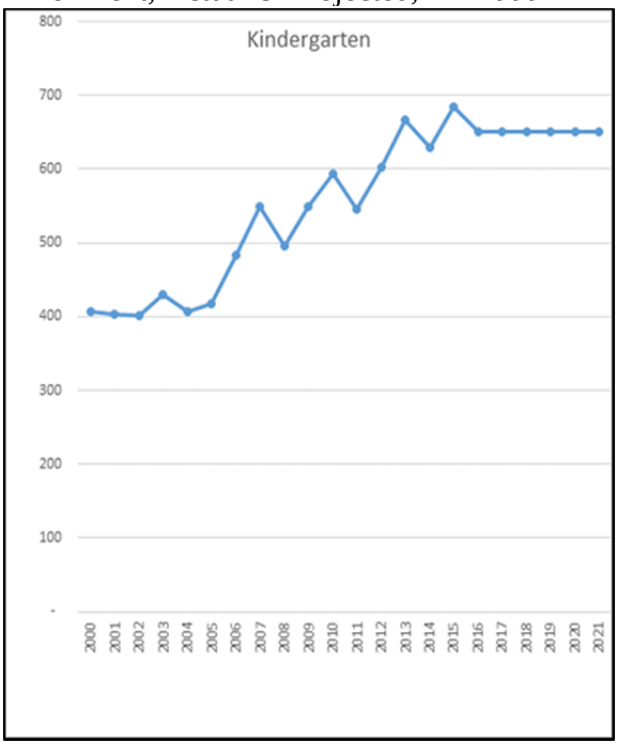
- Part 1 of this report covers the changes in the FY 2016 budget that are being funded by the override.
- Part 2 looks at the budget as a whole.
- Part 3 discusses the size of a prospective operating override for 2019/2020.
- Part 4 offers a brief review of the Town-School Partnership, the mechanism that allocates revenue between Town and School.

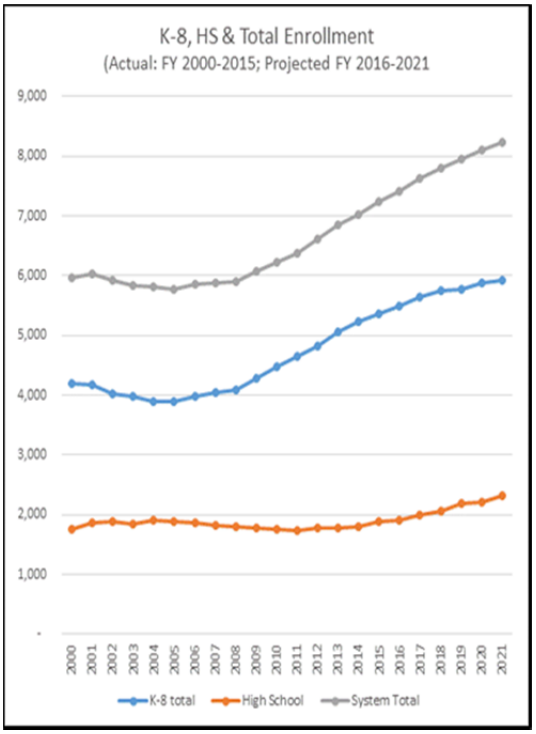
Public Schools of Brookline Funding: FY 2015 & FY 2016

Spending Category	FY 2015	FY 2016	$ Change	% Change	Reference
General Fund Appropriation					
General Fund Appropriation, base budget	$ 86,842,576	$ 91,072,380	$ 4,229,804	4.87%	Sup't's Recommended Budget
Override funds		$ 5,218,000	$ 5,218,000		Prelim. Budget P. 32 & 33
Total General Fund Appropriation	**$ 86,842,576**	**$ 96,290,380**	**$ 9,447,804**	**10.88%**	
Other School budget Funds					
Tuitions and fees	$ 675,744	$ 675,744	$ -	0.00%	Sup't's Recommended Budget
Facility rental	$ 150,000	$ 225,000	$ 75,000	50.00%	"
Circuit Breaker (State special ed. aid)	$ 1,756,509	$ 1,566,509	$ (190,000)	-10.82%	"
Revolving Fund Reimbursement	$ 150,680	$ 150,680	$ -	0.00%	"
Other Revenue (one-time items)	$ 1,083,780	$ 358,680	$ (725,100)	-66.90%	"
Subtotal: Other School Budget Funds	**$ 3,816,713**	**$ 2,976,613**	**$ (840,100)**	**-22.01%**	
Special Funds					
Grant Funds	$ 5,728,562	$ 5,694,447	$ (34,115)	-0.60%	Sup't's Recommended Budget
Revolving Funds	$ 7,226,342	$ 7,378,574	$ 152,232	2.11%	"
Subtotal: Special Funds	**$ 12,954,904**	**$ 13,073,021**	**$ 118,117**	**0.91%**	
Total Public Schools of Brookline budget	**$ 103,614,193**	**$ 112,340,014**	**$ 8,725,821**	**8.42%**	
School-related spending in the Town budget					
Personnel benefits	$ 21,515,813	$ 23,825,916	$ 2,310,103	9.70%	Est.; 28.2% of personnel direct costs
Building repairs & maintenance	$ 4,576,784	$ 4,589,710	$ 12,926	0.28%	Prelim. Budget P. 330
Other Town spending on behalf of Schools	$ 9,149,093	$ 7,881,493	$ (1,267,600)	-13.85%	"
Subtotal: School Items in the Town budget	**$ 35,241,690**	**$ 36,297,119**	**$ 1,055,429**	**2.99%**	Prelim. Budget P. 358 adj. for override
Total Schools & School-related spending	**$ 138,855,883**	**$ 148,637,133**	**$ 9,781,250**	**7.04%**	
Total, Town + Schools	**$ 235,632,058**	**$ 249,529,902**	**$ 13,897,844**	**5.57%**	n/incl Town enterprise funds
Percentage spent by & on behalf of Schools	58.9%	59.6%			

Use of Funds for Direct Programs - FY 2016 Budget (as of May 18, 2016)						
Program or Activity	Personnel-Direct	Services, Supplies, Other	Direct Program Costs	Benefits (average of 28.30%)	Total Program Costs	2016 Staff (FTE's)
Administration	$ 1,417,542	$ 11,519	$ 1,760,017	$ 401,180	$ 2,161,197	12.8
Supervision	$ 5,250,011	$ 380,018	$ 5,630,029	$ 1,485,811	$ 7,115,840	54.43
Transportation	$ 104,144	$ 1,643,900	$ 1,748,044	$ 29,474	$ 1,777,518	2
Student Body Activities	$ 211,634	$ -	$ 211,634	$ 59,895	$ 271,529	0
Ed. Technology & Info. Science	$ 2,223,336	$ 1,597,275	$ 3,820,611	$ 629,229	$ 4,449,840	25
Athletics	$ 384,411	$ 149,901	$ 534,312	$ 108,793	$ 643,105	0
Psychological Services	$ 1,349,909	$ 41,258	$ 1,391,167	$ 382,039	$ 1,773,206	15.9
Medical Services	$ 1,159,970	$ 32,671	$ 1,192,641	$ 328,284	$ 1,520,925	15.61
Information Technology Services	$ 750,117	$ 499,674	$ 1,249,791	$ 212,291	$ 1,462,082	10.8
Guidance	$ 2,759,839	$ 38,770	$ 2,798,609	$ 781,065	$ 3,579,674	31.4
School-Within-a-School	$ 378,078	$ 10,325	$ 388,403	$ 107,000	$ 495,403	4.3
World Language	$ 3,871,887	$ 104,967	$ 3,976,854	$ 1,095,787	$ 5,072,641	50.7
English Language Learners (ELL)	$ 2,349,838	$ 106,482	$ 2,456,320	$ 665,030	$ 3,121,350	27.55
Visual Arts	$ 1,385,582	$ 110,843	$ 1,496,425	$ 392,135	$ 1,888,560	17.34
English/Language Arts	$ 2,895,946	$ 222,174	$ 3,118,120	$ 819,585	$ 3,937,705	34.94
Mathematics	$ 4,047,233	$ 207,993	$ 4,255,226	$ 1,145,411	$ 5,400,637	50.5
Performing Arts	$ 2,037,428	$ 73,841	$ 2,111,269	$ 576,615	$ 2,687,884	27.02
Physical Education	$ 1,932,793	$ 39,405	$ 1,972,198	$ 547,002	$ 2,519,200	25.2
Special Education	$ 18,250,322	$ 6,126,076	$ 24,376,398	$ 5,165,042	$ 29,541,440	332.1
Literacy Specialists	$ 1,902,605	$ 142,392	$ 2,044,997	$ 538,458	$ 2,583,455	22.8
Health Education	$ 420,660	$ 58,999	$ 479,659	$ 119,051	$ 598,710	5.3
Science	$ 2,893,713	$ 165,679	$ 3,059,392	$ 818,953	$ 3,878,345	35.63
Social Studies	$ 2,689,937	$ 125,079	$ 2,815,016	$ 761,282	$ 3,576,298	32.03
Career & Technology Education	$ 713,784	$ 67,478	$ 781,262	$ 202,009	$ 983,271	8.58
Kindergarten	$ 2,874,470	$ 118,765	$ 2,993,235	$ 813,507	$ 3,806,742	46.55
Elementary	$ 14,384,819	$ 564,043	$ 14,948,862	$ 4,071,062	$ 19,019,924	200.04
BHS Program Support	$ 1,113,582	$ 427,727	$ 1,541,309	$ 315,156	$ 1,856,465	15.69
General Instruction	$ 2,280,079	$ 506,324	$ 2,786,403	$ 645,287	$ 3,431,690	10.53
Building Service	$ 2,455,395	$ 863,395	$ 3,318,790	$ 694,904	$ 4,013,694	41.93
Totals	$ 84,489,064	$ 14,436,973	$ 99,256,993	$ 23,911,334	$ 123,168,327	1,156.7

Enrollment, Actual & Projected, FY 2000 – FY 2021





Although slope of the line showing the size of kindergarten classes (the lowest line) is not steep, the effect is cumulative.

Thus a 50-student increment each year adds up to 500 additional students in the system after just 4 years.

Base year 6000
1st year 50 over base = 6050 total
2nd year 100 over base = 6150
3rd year 150 over base = 6300
4th & later years: 200 over base = 6500

Even if subsequent classes level off at that point, the population grows by 200 a year through the next five years, and then the growth slows and levels out as the smaller cohorts graduate.

	2000	2001	2002	2003	2004	2005	2006	2007
Kindergarten	407	404	402	430	406	418	484	549
K-8 total	4,196	4,168	4,031	3,978	3,901	3,886	3,986	4,054
High School	1,765	1,860	1,884	1,850	1,910	1,889	1,870	1,829
System Total	6,368	6,432	6,317	6,258	6,217	6,193	6,340	6,432
	2008	2009	2010	2011	2012	2013	2014	2015
Kindergarten	495	549	593	546	602	666	630	684
K-8 total	4,098	4,290	4,469	4,652	4,827	5,067	5,228	5,354
High School	1,808	1,782	1,748	1,726	1,777	1,774	1,802	1,893
System Total	6,401	6,621	6,810	6,924	7,206	7,507	7,660	7,931
	2016	2017	2018	2019	2020	2021		
Kindergarten	650	650	650	650	650	650		
K-8 total	5,499	5,640	5,749	5,765	5,884	5,914		
High School	1,910	1,984	2,049	2,189	2,215	2,326		
System Total	8,059	8,274	8,448	8,604	8,749	8,890		

Part 1: Spending Changes, FY15 to FY16

There are four categories of increased spending included in the School budget:

1. Changes directly related to the enrollment increases anticipated through 2019 (indicated by an asterisk in the following table)
2. Increases in professional support staff to make up for the last several years during which support staff has been held constant as enrollment has increased
3. Increases related to new programs, most notably the rollout of a plan to significantly increase the technology tools available to teachers, and to provide training and support for using those tools.
4. Increases related to managing the use of Old Lincoln to house Devotion students, the renovation of which is being driven by enrollment increases.

The following table summarizes the increases in proposed FY 2016 spending:

Spending Funded by the 2015 Override		
Expenditure Category	Increase in FTEs	Increase In FY 2016 Budget
Collective Bargaining		$ 1,533,120
Steps and Lanes		$ 675,000
Regular education contingency		$ 225,000
Special education contingency		$ 475,000
Benefits contingency		$ 250,000
Grant contingency		$ 100,000
Enrollment growth - base *	9.54	$ 587,130
Enrollment growth - programs *	10.4	$ 1,261,604
Special education *	21.18	$ 1,282,648
Student svcs. (nurses, guidance) *	7.3	$ 493,800
High School (student services) *	2.54	$ 132,130
Athletics		$ 50,000
Central administration	2	$ 250,000
Enrichment & Challenge Support *	1.9	$ 136,300
Devotion building project		$ 50,000
Technology	2	$ 726,150
Administrative support	3	$ 150,000
Upper Devotion @ Old Lincoln	9.9	$ 677,078
Adjustments pending FY 15 final		$ 67,844
Total increases	69.76	$ 9,122,804
Line items followed by an asterisk (*) indicate enrollment-related expenses; subcommittee's categorization		
Ref.: PSB FY 16 Preliminary Budget, Pages 33 - 36		

Discussion

Enrollment Growth

At this stage, no one can deny that enrollment in Brookline schools has increased substantially, driven by incoming kindergarten classes in the range of 650 children. In FY2008 there were 5,906 students; in FY2016 the Schools expect 7,400 students (a 25% increase in overall enrollment since 2008 and an increase of 38% in K-8). In FY2022 the Schools project that enrollment will level out at approximately 8,240 students, a 39.5% increase from 2008. As the larger kindergarten cohorts move through the grade levels, they put pressure on elementary schools first. That pressure will start to reach the high school in 2019. The Override Study Committee estimated that the short term marginal cost per student is approximately $11,000. This estimate would suggest that the 1,500-student increase from 2008 to 2016 accounts for $16.5 million of the FY2016 budget, not including the capital costs associated with adding classrooms at Heath and Runkle Schools.

Instructional Technology

The Schools plan to add infrastructure and devices for student use, along with training for teachers. The Advisory Committee agreed that the plan is an appropriate investment as long as

teachers receive training, and as long as the Schools monitor the staff's effective use of the new technology tools. To that end, the budget includes a training staff of eight Education Technology Specialists in the elementary schools and one in the high school whose job is to train and support teachers.

Follow-up: The Advisory Committee would like to see data from monitoring the use of technology in conjunction with the budget for FY2017, tracking teachers' use of new technology, especially use of new applications and software platforms.

The School's IT infrastructure planning and procurement is coordinated with the Town's to avoid duplication of effort or spending. To further this coordination, the heads of the Schools' and the Town's IT efforts are in discussion about how to allocate tasks related to educational software platforms.

Follow-up: In advance of the November 2015 Town Meeting, the Advisory Committee will ask what aspects of platform selection and support will be handled by the Town's IT department and what aspects are handled by the Schools, and for the rationale for that allocation of tasks.

Special Education

Special education accounts for $23,644 million in spending,[1] or about 22% of the total School budget. The Schools have reduced the number of special education students in out-of-district placements by developing in-house programs that are less expensive and are accepted by parents. Out-of-district placements dropped from an average of 83 during the FY2010–FY2013 period to 59 in FY2015[2] even as the number of SPED students increased. The average cost of an out-of-district placement is approximately $75,000.[3] The savings for each student brought back into a Brookline Schools program is reduced by the cost of staffing that program–about 0.5FTEs per SPED student on average–and by a decrease in State "Circuit Breaker" funds of about $14,580 per student. Still, the savings from the drop in out-of-district placements is $1 million annually net of the reduction in Circuit Breaker reimbursement,[4] plus improved quality of life for students and their families.

The Schools have done an admirable job in reducing out-of-district placement costs. The savings have been a contributor toward financing the cost of enrollment growth, but the sharp drop in out-of-district placements has a floor and is not likely to continue.

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[1] FY 2016 Preliminary Budget, Page 153
[2] FY 2016 Preliminary Budget, Page 321; subsequent changes increased the number to 61
[3] Data provided by the Schools to the League of Women Voters suggests an average cost of about $75,000 per pupil in out-of-district placements.
[4] The amount spent for out-of-district placements dropped from $7.26 million in FY2012 to $5.91 million in FY2015, a reduction of $1.35 million. Circuit Breaker reimbursement dropped by $350,000 from FY2014 to FY2016.

Collective Bargaining and Group Health Insurance

A 1% increase in salaries totaling $766,760 is built into the current collective bargaining agreement, which runs through FY2016. The FY2016 budget adds a further 1% for a total of $1,533,120. These amounts are beyond the $675,000 budgeted for Steps and Lanes increases that are related to seniority and the achievement of higher qualifications by individual teachers.

The School administration needs to compare apples-to-apples data vs. comparable school districts for its own forthcoming negotiations with the teachers' union, but the data will not be compiled until shortly before the administration begins negotiating with the union in late spring.

Follow-up: The Advisory Committee's School Subcommittee was promised a meeting in the May/June timeframe to look at the comparative data.

Group health insurance benefits account for the major portion of the Schools' estimated $23.8 million in projected personnel benefits in FY2016, an increase of $2.3 million over FY15. For every dollar spent on direct costs, the Schools pay another $0.28 for staff benefits. Almost two-thirds of the cost of benefits is attributable to the cost of health insurance.

Moving healthcare insurance procurement to the Group Insurance Commission saved the Town nearly $1.3 million, but Brookline pays 83% of employees' health care costs, a substantially higher percentage than many other municipalities. This percentage is negotiated for all Town and School employees as a group and is fixed by contract through FY2016.

Follow-up: Negotiating to reduce the Town's share of GIC costs was one of former Deputy Town Administrator Sean Cronin's recommendations to the OSC. Each 1% reduction in the employer's share reduces the annual cost by $270,000 for the Schools alone. ***The Advisory Committee believes there is an urgent need to reduce the employer contribution for the next collective bargaining contract period.***

Part 2: The School Budget as a Whole

Personnel costs account for 85% of the budget, and services account for a further 11%. Eighty-three percent of personnel costs are for classroom instruction.[5]

Teachers and other classroom staff not including Special Ed. or ELL	52%
Special Education & English Language Learners	31%
Total, classroom instruction	83%
Support (guidance, clerical, medical psych, etc.)	13%
Administrative & supervisory	4%
Grand Total	100%

Clearly, understanding personnel costs is key to understanding the structure and scope of the School budget and of the programs and aspirations of the Schools.

To that end, the Advisory Committee recommends substantial changes in the way the PSB presents its annual budget. The budget makes it difficult for people who are not directly involved in the Schools to understand the purposes of each of the Schools' programs or get a complete understanding of how funds are spent. The following changes would provide a clearer sense of the purposes and cost of each program and a comprehensive wrap-up of the Schools' activities.

Specifically:

1. The Brookline budget is packed with numerical data. The Superintendent's Message at the beginning of the budget explains the overall philosophy and goals, but the budget needs narrative to explain what each of the programs are meant to accomplish, and how accomplishments are measured. The narrative in the Lexington, MA school budget provides a good model, although it would be improved by adding a general introduction.

2. The cost of benefits is for School staff is carried in the Town budget, and the amount allocated to the Schools is appended on the last page of the School budget. Only the direct costs of employees are shown in the descriptions of the Schools' myriad programs. It is important to recognize the fully loaded cost of School employees. Benefits add $22.8 million to the Schools' personnel costs, an amount that should not be relegated to an appendix. Benefits and other indirect employment costs should be broken out and shown on the pages for each program, and elsewhere wherever personnel costs are shown.

   If our recommendation is followed, page 100 of the FY2016 Preliminary Budget, which showed total personnel costs of $373,143 for the Athletics program, would show "Personnel: Direct

[5] Note that the percentage of expenses accounted for by personnel costs is slightly less—75%—for programs covered by grant funds.

Costs" of that amount and "Personnel: Indirect Costs." of approximately $79,421, followed by "Personnel: Total Costs" of $452,564.[6]

Similarly, budget messages showing the cost of added staff should include the added indirect costs associated with each new position.

The Superintendent noted that other Massachusetts school districts follow the format we recommend even where the benefit programs are administered by the town administration, so there does not seem to be any barrier to adopting this format other than tradition.[7]

3. The Schools and particularly retiring Deputy Superintendent Peter Rowe were very helpful in explaining the detail during the Advisory Committee's review of the School budget. Senior staff knows the budget almost by heart, but their familiarity with it may prevent them from seeing how opaque parts of it are.

   That the budget should be clearer is true even at the top level of the budget document. For example, page 38 shows a $94 million General Fund in the Preliminary Budget and $12.9 million in special funds. Page 39 shows the allocation of expenses among various categories such as personnel and services, but the allocation is for the General Fund and does not include personnel costs related to the $12.9 million in special funds.

   Similarly, there is an excellent summary of the full list of School programs on pages 60–65 of the Preliminary Budget, but Building Services is omitted from the more detailed description of each program account on pages 80 through 198, so the total shown at the end of the summary on page 65 does not match the total drawn from the detail. Figuring out what's missing could be a frustrating experience for members of the public trying to grasp the whole picture painted by the budget.

4. Summaries comparable to the "Use of Funds for Direct Programs" table in this report would help the public understand the overall costs of running the Schools. Broadly, all related data should all be grouped on a single schedule whenever possible, and when that is not possible, footnotes should draw the reader's attention to the schedules that contain related data.

5. The FY2016 budget shows only the direct salary costs for METCO, not including benefits, plus $17,435 in indirect costs.[8] There is no direct or indirect cost allocation for the Materials Fee program. We recommend that the School budget reflect both the revenue and the fully loaded costs of the METCO and Materials Fee programs using the same format as the General Fund

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[6]We recommend applying a flat percentage across all programs and departments rather than trying to adjust for variances in benefits between programs.

[7]Note that the Town budget shows an allocation for benefits to each department in a format that is similar to the format the subcommittee recommends for the Schools. See the Town of Brookline *FY-2016 Financial Plan*, p. IV-43 for an example of the way benefits are shown, in this case for the Public Safety budget.

[8] FY2016 Preliminary Budget, Page 234

Detail, with separate line items allocating direct and indirect personnel costs, operating revenues, and capital costs.

The Schools adopted the Override Study Committee's suggestion to delay assignment of METCO and Materials Fee students until late in May so that the administration can follow some semblance of a space-available policy. We agree with the Override Study Committee's view that the Materials Fee program in particular should be operated in accordance with the Schools' stated policy of admission based on space available.

The Advisory Committee has been told that both Materials Fee and METCO students requiring outplacement to meet their SPED needs are returned to their home school districts, which are responsible for meeting those costs. Materials Fee and METCO students with IEPs that do not require out-of-district placement utilize the programs Brookline has established for resident students. Approximately 12% of the students who are Brookline residents have IEPs vs. approximately 24% of METCO students.

Beyond the need to improve the Schools' budget document, the Advisory Committee recognizes that there is a need to begin planning now for the costs of future enrollment growth beyond FY2019/FY2020, by which time the additional capacity funded by the recent override will have been exhausted. Although the School Committee has full authority for this planning, it may benefit from making use of the resources available from Town staff and committees.

Part 3: Prospects for a Future Operating Override

The May 2015 operating override was designed to cover costs due to enrollment increases through FY 2018. ***There are too many moving parts to make more than an approximation of the size and timing of a future operating expense override,*** but there is enough information to provide some general guidance.

The Schools' five-year budget projection issued on May 18, 2015 shows a deficit of $2–3 million starting in FY2019. However, the five-year projection is based on the same appropriately conservative revenue estimates used by the Town, and thus projects that the appropriation for the Schools will only increase by 2.45% in FY2019 and 2.19% in FY2020. Historically, revenue has increased at a rate of 3.5 to 4.0%, although annual increases vary. If that pattern holds, and if inflation remains low, it is reasonable to think that an additional operating override could be postponed beyond FY2020. But even with better-than-projected increases in revenue, assuming a continuation of the current enrollment pattern, a future override may be needed to cover increased costs subsequent to FY2020.

How much would a future override cost? At this point, any estimate will be highly uncertain. If one assumes that the projected deficits of $2–3 million will emerge in FY2019, that amount might need to be covered by an override.

A second approach to estimating the likely size of a future override for Schools spending would be to use the Override Study Committee's figure of $11,000 as the short term marginal cost of

each additional student. If $11,000 is the marginal cost per student, adding 400 students during FY2019–FY2021 would thus add a further $4.4 million before adjusting for inflation.

A third approach, which has not been used before and may be subject to greater uncertainty, would be to use the increased cost of enrollment growth to date as a basis for projecting the likely size of an override to cover the cost of projected enrollment growth. This approach yields an estimate of at least $3.893, as follows:

- In FY2008, there were approximately 6,000 students in Brookline public schools.
- Enrollment is likely to reach 8,200 students in FY2022
  - Thus the increase of 2,200 students between FY2008 and FY2022 represents 100% of the projected enrollment growth.
- In FY2016 (September 2015), there will be approximately 7400 students.
  - The increase of 1,400 students over FY2008 is 1400/2200ths of the total, or 64% of the total projected increase.
- The Schools' projection shows that enrollment will reach 7800 in FY2018.[9]
  - The increase of 1,800 students over 2008 is 1800/2200ths of the total, or about 82% of the total projected increase.

Thus, *assuming a continued intake of 650 kindergarten students each year*, in FY2016 we will be 64% of the way toward a flattening of the growth curve, and in 2018 we will be about 82% there.

The current operating override includes $3.893 million[10] to cover three years of increasing enrollment (FY2016 through FY2018), during which 18% of the total projected enrollment growth will occur. Therefore, it seems reasonable that the Schools will need an additional override of at least that magnitude in FY19 to cover the growth in enrollment that is projected to occur from FY2019 through FY22. But as noted above, high-than-projected revenue increases would provide an extra year or two of relief.

These estimates are the product of the Advisory Committee's School Subcommittee, not the Schools.[11]

In addition, we have to expect capital exclusion overrides for additional K-8 classrooms or a new K-8 school and for expansion of the high school. Annual debt service costs will depend on future interest rates, the cost of these projects, and the amount of funding received from the Massachusetts School Building Authority (MSBA).

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[9] FY2016 Preliminary Budget, page 52

[10] The line items followed by an asterisk in the table on page 5 of this report; subcommittee's categorization.

[11] Brookline tends to have overrides that are larger but less frequent than other towns with similar financial pictures. Since 2000, Wellesley, which has an Aaa bond rating from Moody's, has had 10 operating expense overrides and 8 debt exclusion overrides (not all for the schools, and not all of which passed). See http://www.wellesleyma.gov/pages/FOV1-0001FDBB/OVERRIDEINDEX

Part 4: Town Fee Increases and the Town-School Partnership

Fee increases by the Schools and by the Town

The Schools increased fees for use of school facilities by approximately $300,000 in both versions of the FY2016 budget, and the three-year projection developed by the Schools include funding from increases by the Selectmen in fees for parking meters and trash collection on the order of $2 million. Those fee increases will be needed by the Schools in the FY2017 and FY2018 budgets.

The Town-School Partnership

The Town-School Partnership allocates changes in revenue between the Town and the Schools. The Partnership, which was developed in 1995, was unanimously endorsed by the 2014 Override Study Committee. It provides a stable framework for allocating revenue between the Town and the Schools and is being emulated elsewhere in Massachusetts.[12] Because the Partnership is complex, it may be useful to describe the way it works for the benefit of Town Meeting members who are not aware of how it has worked.

Under the agreement, any change in total revenue is shared equally between the Town and the Schools, after first deducting seven specific types of fixed costs, including changes in student enrollment and Special Education tuition, plus half of all other SPED costs. Other fixed costs (building, insurance, etc.) are allocated in proportion to use. The Town and Schools are respectively responsible for all of their own personnel costs.

The Partnership's operation is overseen by the Town-School Partnership Committee, which consists of the Town Administrator, the Superintendent of Schools, and representatives from the Selectmen, the School Committee, and the Advisory Committee. Its agenda and minutes are posted on the Town website. The Town-School Partnership Committee is purely advisory and has no statutory authority. As a practical matter the calculations are put together by the senior staff of the Town and the Schools.

The Town-School Partnership simply sets a context for dividing revenues and expenses. The actual numbers vary from year to year, and the mechanism has been effective at dividing resources equitably between competing demands. Most important, it provides a stable and predictable framework for fiscal and educational planning.

Advisory Committee Report on the FY2016 Capital Improvement Program (CIP) Recommendations and Project Descriptions

The Advisory Committee's report on the FY2016 CIP was included in the initial mailing of the Combined Reports.

[12] E.g., Auburn; Swampscott; Oak Bluffs; Rehoboth.

RECOMMENDATION

The Advisory Committee recommends Favorable Action on the following vote:

VOTED: To approve the budget for fiscal year 2016 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 by vote of Town Meeting or as otherwise provided by Massachusetts General Laws Chapter 44, Section 33B(b). 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.

v) Transfers within the Department of Public Works from the Parks Division to any other purpose.

vi) Transfers within the Department of Public Works from the Snow and Ice budget to any other purpose.

C) Transfers within the Library Department appropriation shall be permitted with the approval of the Board of Library Trustees, and 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 and Town Comptroller.

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 FY2016 budget, and to solicit and award contracts for terms of not more than four 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 #21) 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 Personnel Services Reserve (Item #20), 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.) STIPENDS / SALARIES OF ELECTED OFFICIALS: The stipends of members of the Board of Selectmen shall be at the rate of $4,500 per year for the Chairman and at the rate of $3,500 per year for each of the other four members. The annual salary of the Town Clerk shall be at the rate of $103,784 effective July 1, 2015, 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 any benefit-eligible 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 $1,376,312 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	$470,099
Purchase of Services	$126,648
Supplies	$193,950
Other	$8,100
Utilities	$103,919
Capital	$76,050
Debt Service	$194,755
Reserve	$25,000
Total Appropriations	$1,198,521
Indirect Costs	$177,791
Total Costs	$1,376,312

Total costs of $1,376,312 to be funded from golf receipts with $177,791 to be reimbursed to the General Fund for indirect costs.

7.) WATER AND SEWER ENTERPRISE FUND: The following sums, totaling $28,325,606, 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:

	Water	Sewer	Total
Salaries	2,121,310	399,776	2,521,086
Purchase of Services	190,598	163,200	353,798
Supplies	102,020	21,000	123,020
Other	8,900	1,680	10,580
Utilities	102,945	0	102,945
Capital	268,300	236,500	504,800
Intergovernmental	6,878,359	13,184,091	20,062,450
Debt Service	855,691	1,522,056	2,377,747
Reserve	121,025	159,426	280,451
Total Appropriations	10,649,148	15,687,729	26,336,877
Indirect Costs	1,574,389	414,340	1,988,729
Total Costs	12,223,537	16,102,069	28,325,606

Total costs of $28,325,606 to be funded from water and sewer receipts with $1,988,729 to be reimbursed to the General Fund for indirect costs.

8.) <u>REVOLVING FUNDS:</u>

a.) The Park and Recreation Commission is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2 and Chapter 79 of the Acts of 2005, 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 $3,100,000.

b.) The Building Commissioner is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2 and Chapter 79 of the Acts of 2005, 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. All receipts from said rental properties shall be credited to the fund. Annual expenditures from the fund shall not exceed $150,000.

c.) The Commissioner of Public Works is authorized to maintain and operate, under the provisions of General Laws Chapter 44, Section 53E1/2 and Chapter 79 of the Acts of 2005, 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 $100,000.

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 and Chapter 79 of the Acts of 2005, a revolving fund for the Façade Improvement Loan Program. Annual expenditures from the fund shall not exceed $30,000.

9.) <u>SCHOOLHOUSE MAINTENANCE AND REPAIR</u>: The sum of $4,653,731, 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.) <u>SNOW AND ICE BUDGET</u>: The sum of $497,309, included within the Department of Public Works appropriation for snow and ice operations, shall be expended for snow and ice operations and not for any other purpose, unless transferred per the provisions of Section 1.B.vi of this Article.

11.) <u>INTERFUND TRANSFERS</u>: In order to fund the appropriations voted for the various departments itemized on Table 1, the Town Comptroller is authorized to make the following interfund transfers:

Parking Meter Special Revenue Fund	$4,300,000
[to the General Fund for the Department of Public Works - $2,150,000]	
[to the General Fund for the Police Department - $2,150,000]	
Cemetery Sales Special Revenue Fund	$ 75,000
[to the General Fund for the Department of Public Works]	
Recreation Revolving Fund	$ 354,124
[to the General Fund for benefits reimbursement]	

12.) <u>BUDGETARY REPORTING</u>: 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.

13.) <u>SPECIAL APPROPRIATIONS</u>: The appropriations set forth as items 35 through 72, inclusive, in Table 1 shall be specially appropriated for the following purposes. In addition, with the exception of Items #67 - 72, they shall be transferred from the General Fund to the Revenue-Financed Capital Fund.

35.) Raise and appropriate $270,000, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen, for the enhancement of town-wide hardware and software.

36.) Raise and appropriate $200,000, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen, for data room upgrades.

37.) Raise and appropriate $25,000, to be expended under the direction of the Chief Procurement Officer, with the approval of the Board of Selectmen, for town furniture upgrades.

38.) Raise and appropriate $125,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen for maintenance of town garage floors.

39.) Raise and appropriate $75,000, to be expended under the direction of the Director of Planning and Community Development, with any necessary contracts to be approved by the Board of Selectmen, for a strategic asset plan to focus on public facilities.

40.) Raise and appropriate $100,000, to be expended under the direction of the Director of Planning and Community Development, with any necessary contracts to be approved by the Board of Selectmen, for the development of a conceptual study for the Center Street East Parking Lot and surrounding area.

41.) Raise and appropriate $75,000, to be expended under the direction of the Chiefs of Police and Fire, with any necessary contracts to be approved by the Board of Selectmen, for study of the future needs for the public safety computer aided dispatch (CAD) system.

42.) Raise and appropriate $300,000, to be expended under the direction of the Fire Chief, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of Fire Department apparatus.

43.) Raise and appropriate $31,000, 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; provided that the Department of Public Works and Transportation Board provide status reports to the Board of Selectmen on a semi-annual basis.

44.) Raise and appropriate $105,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for bicycle access improvements; to meet the appropriation raise $75,000; transfer $30,000 from the balance remaining in the appropriation voted under Article 11, section 12, Item 56 of the 2003 Annual Town Meeting.

45.) Raise and appropriate $1,590,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of streets, with notification, in advance of plans being submitted for bids, to the Board of Selectmen of any changes to pedestrian, bicycle, or motor vehicle traffic patterns or to pavement markings.

46.) Raise and appropriate $297,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of sidewalks.

47.) Raise and appropriate $220,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the conversion of Town-owned streetlights to LED's.

48.) Raise and appropriate $650,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for renovations to the Municipal Service Center (MSC).

49.) Raise and appropriate $890,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the renovation of Brookline Avenue Playground, provided that no funds shall be expended for construction prior to December 1, 2015.

50.) Raise and appropriate $40,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the design of the renovation of Corey Hill Playground.

51.) Raise and appropriate $60,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the design of the renovation of Emerson Garden Playground.

52.) Raise and appropriate $250,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen, for the restoration of the Brookline Reservoir Gatehouse roof.

53.) Raise and appropriate $230,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the rehabilitation of tennis courts and basketball courts.

54.) Raise and appropriate $300,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the renovation of playground equipment, fields, and fencing.

55.) Raise and appropriate $90,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen, for the rehabilitation of Town and School grounds.

56.) Raise and appropriate $225,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Tree Planting Committee, for the removal and replacement of trees.

57.) Raise and appropriate from the Sale of Lots special revenue fund (SW01) $50,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Cemetery Trustees, for the rehabilitation of roadways within Walnut Hills Cemetery.

58.) Raise and appropriate $675,000, to be expended under the direction of the Recreation Director, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission for pool repointing and locker room renovations at the Evelyn Kirrane Aquatics Center.

59.) Raise and appropriate $70,000, to be expended under the direction of the Chief Procurement Officer, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for school furniture upgrades.

60.) Raise and appropriate $80,000, to be expended under the direction of the Chief Information Officer, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for costs associated with mobile carts in the Brookline Public Schools.

61.) Raise and appropriate $70,000, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for ADA renovations to Town and School buildings.

62.) Raise and appropriate $275,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for improvements to elevators in Town and School facilities.

63.) Raise and appropriate $165,000, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for energy conservation projects in Town and School buildings.

64.) Raise and appropriate $185,000, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen, for upgrades to energy management systems in Town and School facilities.

65.) Raise and appropriate $195,000, to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for improvements to life safety systems and building security in Town and School facilities.

66.) Raise and appropriate $2,250,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for the expansion of classroom capacity in various schools; to meet the appropriation raise $1,250,000; transfer $1,000,000 from the balance remaining in the appropriation voted under Article 8, Section 13, Item 58 of the 2014 Annual Town Meeting.

67.) Appropriate $980,000, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission, for the renovation of Pierce Playground, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $980,000 under General Laws, Chapter 44, Section 7 (25), as amended, or pursuant to any other enabling authority, provided that no funds shall be expended for construction prior to December 1, 2015.

68.) Appropriate $3,000,000, to be expended under the direction of the Commissioner of Public Works, with the approval of the Board of Selectmen, for wastewater system improvements, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $3,000,000 under General Laws, Chapter 44, Section 7 (1), as amended, or pursuant to any other enabling authority; and authorize the Selectmen to apply for, accept, receive and expend grants, aid, reimbursements, loans, and all other forms of funding and financial assistance from both state and federal sources and agencies for such purpose.

69.) Appropriate $1,000,000, to be expended under the direction of the Recreation Director, with any necessary contracts to be approved by the Board of Selectmen and the Park and Recreation Commission for golf course improvements, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $1,000,000 under General Laws, Chapter 44, Section 7 (25), as amended, or pursuant to any other enabling authority.

70.) Appropriate $1,550,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for building envelope / fenestration repairs to Town and School buildings, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $1,550,000 under General Laws, Chapter 44, Section 7 (3A), as amended, or pursuant to any other enabling authority.

71.) Appropriate $1,200,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and, with respect to School Buildings, by the School Committee, for roof repairs and replacements in Town and School facilities, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to

borrow $1,200,000 under General Laws, Chapter 44, Section 7 (3A), as amended, or pursuant to any other enabling authority.

72.) Appropriate $1,000,000, to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, for remodeling, reconstructing, or making extraordinary repairs to the Old Lincoln School, and to meet the appropriation, authorize the Treasurer, with the approval of the Selectmen, to borrow $1,000,000 under General Laws, Chapter 44, Section 7 (3A), as amended, or pursuant to any other enabling authority.

73.) That the Town appropriate the sum of $118,400,000, for the renovation of and the construction of additions to the Edward Devotion School located at 345 Harvard Street in the Town of Brookline, Massachusetts and as further described as Parcel ID No. 048-13-00 in the Town of Brookline Assessor's map, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, said sum to be expended under the direction of the Building Commission, with any necessary contracts to be approved by the Board of Selectmen and the School Committee, and to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44, as amended, or any other enabling authority; that the Town acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) 38.30% of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA;

14.) **FREE CASH:** Appropriate and transfer $5,016,500 from free cash for the following purposes:

a.) Operating Budget Reserve Fund (MGL Chapter 40, Section 6) – $550,050;
b.) Liability/Catastrophe Fund (Chapter 66 of the Acts of 1998, as amended) – $78,970;
c.) Reduce the tax rate (Special Appropriations) – $4,224,403;
d.) Housing Trust Fund – $163,078.

FY16 BUDGET - TABLE 1 May, 2015

		FY13 ACTUAL	FY14 ACTUAL	FY15 BUDGET	FY16 BUDGET	$$ CHANGE FROM FY15	% CHANGE FROM FY15
	REVENUES						
	Property Taxes	169,029,414	174,869,775	182,239,297	194,809,198	**12,569,901**	**6.9%**
	Local Receipts	24,480,797	25,522,496	22,770,225	23,593,685	**823,460**	**3.6%**
	State Aid	15,125,059	16,633,741	17,634,876	18,652,559	**1,017,683**	**5.8%**
	Free Cash	5,336,413	7,665,155	5,084,152	5,016,500	**(67,652)**	**-1.3%**
	Overlay Surplus	1,750,000	0	1,000,000	0	**(1,000,000)**	**-100.0%**
	Other Available Funds	10,144,344	6,852,688	6,903,508	7,925,643	**1,022,135**	**14.8%**
	TOTAL REVENUE	**225,866,027**	**231,543,855**	**235,632,058**	**249,997,585**	**14,365,528**	**6.1%**
	EXPENDITURES						
	DEPARTMENTAL EXPENDITURES						
	1 . Selectmen	644,074	670,358	650,023	662,312	**12,289**	**1.9%**
	2 . Human Resources	574,019	615,662	528,952	533,746	**4,794**	**0.9%**
	3 . Information Technology	1,472,035	1,705,110	1,775,260	1,805,725	**30,465**	**1.7%**
	4 Diversity, Inclusion, and Community Relations	0	0	167,807	175,827	**8,019**	**4.8%**
	5 . Finance Department	2,991,976	2,933,343	2,886,893	2,911,236	**24,343**	**0.8%**
	a. Comptroller	*510,643*	*536,293*	*575,876*	*571,047*	***(4,829)***	***-0.8%***
	b. Purchasing	*847,549*	*636,616*	*643,447*	*662,243*	***18,796***	***2.9%***
	c. Assessing	*639,202*	*654,772*	*663,404*	*664,036*	***633***	***0.1%***
	d. Treasurer	*994,582*	*1,105,661*	*1,004,167*	*1,013,910*	***9,743***	***1.0%***
	6 . Legal Services	821,872	888,936	821,489	833,934	**12,445**	**1.5%**
	7 . Advisory Committee	14,974	13,129	24,797	24,900	**103**	**0.4%**
	8 . Town Clerk	775,342	557,591	632,689	611,324	**(21,364)**	**-3.4%**
	9 . Planning and Community Development	620,599	757,716	781,940	810,693	**28,752**	**3.7%**
	10 . Police	14,954,651	15,258,118	15,292,889	16,536,836	**1,243,947**	**8.1%**
	11 . Fire	12,844,259	12,886,490	12,939,265	12,994,548	**55,283**	**0.4%**
	12 . Building	6,854,850	7,163,183	7,068,259	7,283,220	**214,961**	**3.0%**
(1)	13 . Public Works	14,480,045	15,220,421	14,198,548	14,103,923	**(94,625)**	**-0.7%**
	a. Administration	*823,184*	*847,278*	*878,529*	*859,718*	***(18,812)***	***-2.1%***
	b. Engineering/Transportation	*1,105,748*	*1,191,962*	*1,263,478*	*1,282,876*	***19,398***	***1.5%***
	c. Highway	*4,579,656*	*4,644,618*	*5,096,121*	*4,805,406*	***(290,715)***	***-5.7%***
	d. Sanitation	*3,003,721*	*2,988,704*	*3,004,898*	*3,091,137*	***86,239***	***2.9%***
	e. Parks and Open Space	*3,507,459*	*3,552,206*	*3,564,712*	*3,567,477*	***2,765***	***0.1%***
	f. Snow and Ice	*1,460,278*	*1,995,654*	*390,809*	*497,309*	***106,500***	***27.3%***
	14 . Library	3,742,982	3,827,172	3,756,286	3,888,386	**132,099**	**3.5%**
	15 . Health and Human Services	1,152,529	1,280,036	1,169,273	1,151,234	**(18,039)**	**-1.5%**
	16 . Veterans' Services	294,085	327,315	321,981	329,662	**7,682**	**2.4%**
	17 . Council on Aging	872,570	837,172	852,490	875,211	**22,721**	**2.7%**
	18 . Human Relations	117,064	0	0	0	**0**	
	19 . Recreation	1,016,673	1,022,391	1,018,730	1,018,816	**85**	**0.0%**
(2)	20 . Personnel Services Reserve	715,000	715,000	715,000	715,000	**0**	**0.0%**
(2)	21 . Collective Bargaining - Town	1,775,000	1,900,000	2,358,538	1,850,000	**(508,538)**	**-21.6%**
	Subtotal Town	*64,244,600*	*68,579,144*	*67,734,861*	***69,116,532***	***1,381,671***	***2.0%***
	22 . *Schools*	*79,079,823*	*82,780,770*	*86,842,577*	*96,290,380*	***9,447,803***	***10.9%***
	TOTAL DEPARTMENTAL EXPENDITURES	**143,324,423**	**151,359,914**	**154,577,438**	**165,406,912**	**10,829,475**	
	NON-DEPARTMENTAL EXPENDITURES						
(1)	23 . Employee Benefits	45,240,975	49,570,654	50,500,116	53,790,574	**3,290,458**	**6.5%**

		FY13 ACTUAL	FY14 ACTUAL	FY15 BUDGET	FY16 BUDGET	$$ CHANGE FROM FY15	% CHANGE FROM FY15
(3)	*a. Pensions*	*15,801,983*	*17,409,988*	*17,882,573*	*18,707,021*	***824,448***	***4.6%***
	b. Group Health	*22,865,804*	*24,090,743*	*25,136,108*	*27,210,434*	***2,074,326***	***8.3%***
	c. Health Reimbursement Account (HRA)	*50,876*	*55,880*	*70,000*	*70,000*	***0***	***0.0%***
(3)	*d. Retiree Group Health Trust Fund (OPEB's)*	*2,601,927*	*3,514,360*	*3,311,860*	*3,499,119*	***187,259***	***5.7%***
	e. Employee Assistance Program (EAP)	*27,400*	*24,900*	*28,000*	*28,000*	***0***	***0.0%***
	f. Group Life	*132,118*	*137,555*	*140,000*	*145,000*	***5,000***	***3.6%***
	g. Disability Insurance	*13,376*	*12,367*	*16,000*	*16,000*	***0***	***0.0%***
(3)	*h. Worker's Compensation*	*1,200,000*	*1,720,000*	*1,450,000*	*1,550,000*	***100,000***	***6.9%***
(3)	*i. Public Safety IOD Medical Expenses*	*560,660*	*400,000*	*300,575*	*250,000*	***(50,575)***	***-16.8%***
(3)	*j. Unemployment Compensation*	*350,000*	*450,000*	*325,000*	*300,000*	***(25,000)***	***-7.7%***
	k. Medical Disabilities	*18,421*	*20,543*	*40,000*	*40,000*	***0***	***0.0%***
	l. Medicare Coverage	*1,618,410*	*1,734,318*	*1,800,000*	*1,975,000*	***175,000***	***9.7%***
(2)	24 . Reserve Fund	1,250,621	1,615,626	2,122,336	2,200,198	**77,862**	**3.7%**
	25 Stabilization Fund	0	250,000	0	0	**0**	
	26 Affordable Housing	251,363	555,106	170,390	163,078	**(7,312)**	**-4.3%**
	27 . Liability/Catastrophe Fund	253,669	154,115	234,839	78,969	**(155,869)**	**-66.4%**
	28 . General Insurance	263,478	325,017	371,500	382,645	**11,145**	**3.0%**
	29 . Audit/Professional Services	130,000	115,649	130,000	130,000	**0**	**0.0%**
	30 . Contingency Fund	14,383	13,377	15,000	15,000	**0**	**0.0%**
	31 . Out-of-State Travel	2,374	2,704	3,000	3,000	**0**	**0.0%**
	32 . Printing of Warrants & Reports	19,837	27,190	25,000	35,000	**10,000**	**40.0%**
	33 . MMA Dues	11,346	11,516	11,979	12,278	**299**	**2.5%**
	Subtotal General	*946,450*	*3,070,300*	*3,084,044*	*3,020,168*	***(63,876)***	***-2.1%***
(1)	34 . Borrowing	9,834,605	9,304,647	9,621,757	9,478,591	**(143,166)**	**-1.5%**
	a. Funded Debt - Principal	*7,428,882*	*7,209,938*	*7,246,544*	*7,183,044*	***(63,500)***	***-0.9%***
	b. Funded Debt - Interest	*2,376,113*	*2,083,707*	*2,215,213*	*2,135,547*	***(79,666)***	***-3.6%***
	c. Bond Anticipation Notes	*0*	*4,225*	*100,000*	*100,000*	***0***	***0.0%***
	d. Abatement Interest and Refunds	*29,610*	*6,777*	*60,000*	*60,000*	***0***	***0.0%***
	TOTAL NON-DEPARTMENTAL EXPENDITURES	**56,022,030**	**61,945,601**	**63,205,920**	**66,289,333**	**3,083,416**	**4.9%**
	TOTAL GENERAL APPROPRIATIONS	**199,346,453**	**213,305,515**	**217,783,358**	**231,696,246**	**13,912,894**	**6.4%**
	SPECIAL APPROPRIATIONS						
	35 . Technology Applications (revenue financed)				270,000		
	36 . Dataroom Upgrades (revenue financed)				200,000		
	37 . Town Building Furniture (revenue financed)				25,000		
	38 . Garages - Floor Sealant & Water/Oil Separators (revenue financed)				125,000		
	39 . Strategic Asset Plan (revenue financed)				75,000		
	40 . Centre St. East Parking Lot / Harvard St. Study (revenue financed)				100,000		
	41 . Public Safety Dispatch (CAD) System - Study (revenue financed)				75,000		
	42 . Fire Apparatus Rehab (revenue financed)				300,000		
	43 . Traffic Calming / Safety Improvements (revenue financed ($31,000))				31,000		
	44 . Bicycle Access Improvements (revenue financed ($75,000) + Re-Appropriation ($30,000))				105,000		
	45 . Street Rehabilitation (revenue financed)				1,590,000		
	46 . Sidewalk Repair/Reconstruction (revenue financed)				297,000		
	47 . LED Streetlight Conversion (revenue financed)				220,000		
	48 . Municipal Service Renovations (revenue financed)				650,000		
	49 . Brookline Ave Playground (revenue financed)				890,000		
	50 . Corey Hill Playground - Design (revenue financed)				40,000		

		FY13 ACTUAL	FY14 ACTUAL	FY15 BUDGET	FY16 BUDGET	$$ CHANGE FROM FY15	% CHANGE FROM FY15
	51 . Emerson Garden Playground - Design (revenue financed)				60,000		
	52 . Brookline Reservoir Gatehouse Roof (revenue financed)				250,000		
	53 . Tennis Courts / Basketball Courts (revenue financed)				230,000		
	54 . Playground Equipment, Fields, Fencing (revenue financed)				300,000		
	55 . Town/School Grounds Rehab (revenue financed)				90,000		
	56 . Tree Removal and Replacement (revenue financed)				225,000		
	57 . Walnut Hills Cemetery - roadway work (special revenue fund)				50,000		
	58 . Swimming Pool - Showers/Pool Repointing (revenue financed)				675,000		
	59 . School Furniture Upgrades (revenue financed)				70,000		
	60 . School Technology (revenue financed)				80,000		
	61 . Town/School ADA Renovations (revenue financed)				70,000		
	62 . Town/School Elevator Renovations (revenue financed)				275,000		
	63 . Town/School Energy Conservation Projects (revenue financed)				165,000		
	64 . Town/School Energy Management Systems (revenue financed)				185,000		
	65 . Town/School Building Security / Life Safety (revenue financed)				195,000		
	66 . Classroom Capacity (revenue financed ($1,250,000) + Re-Appropriation ($1,000,000))				2,250,000		
	67 . Pierce Playground (bond)				980,000		
	68 . Wastewater System Improvements (enterprise fund bond)				3,000,000		
	69 . Golf Course Improvements (enterprise fund bond)				1,000,000		
	70 . Town/School Bldg Envelope/Fenestration Repairs (bond)				1,550,000		
	71 . Town/School Building Roof Repair/Replacement (bond)				1,200,000		
	72 . Old Lincoln School Modifications (bond)				1,000,000		
	73 . Devotion School Renovation (bond, MSBA)				118,400,000		
(4)	**TOTAL REVENUE-FINANCED SPECIAL APPROPRIATIONS**	**12,933,500**	**8,581,000**	**9,415,000**	**10,113,000**	**698,000**	**7.4%**
	TOTAL APPROPRIATED EXPENDITURES	**212,279,953**	**221,886,515**	**227,198,358**	**241,809,246**	**14,610,888**	**6.4%**
	NON-APPROPRIATED EXPENDITURES						
	Cherry Sheet Offsets	109,160	111,026	126,443	90,324		
	State & County Charges	6,105,553	6,196,321	6,201,536	6,323,012		
	Overlay	1,958,780	1,726,503	2,080,721	1,750,000		
	Deficits-Judgments-Tax Titles	12,394	3,049	25,000	25,000		
	TOTAL NON-APPROPRIATED EXPEND.	**8,185,887**	**8,036,899**	**8,433,700**	**8,188,336**	**(245,364)**	**-2.9%**
	TOTAL EXPENDITURES	**220,465,841**	**229,923,414**	**235,632,058**	**249,997,582**	**14,365,524**	**6.1%**
	SURPLUS/(DEFICIT)	**5,400,186**	**1,620,440**	**0**	**0**		

(1) Breakdown provided for informational purposes.
(2) Figures provided for informational purposes. Funds were transferred to departmental budgets for expenditure.
(3) Funds are transferred to trust funds for expenditure.
(4) Amounts appropriated. Bonded appropriations are not included in the total amount, as the debt and interest costs associated with them are funded in the Borrowing category (item #34).

FY16 BUDGET - TABLE 2 May, 2015

Department/Board/Commission	Personnel Services/ Benefits	Purchase of Services	Supplies	Other Charges/ Expenses	Utilities	Capital Outlay	Inter-Govt'al	Debt Service	Agency Total
Board of Selectmen (Town Administrator)	627,482	11,100	4,000	17,600		2,130			662,312
Human Resources Department (Human Resources Director)	291,603	200,503	9,000	31,000		1,640			533,746
Information Technology Department (Chief Information Officer)	1,076,404	621,822	33,850	32,550		41,100			1,805,725
Diversity, Inclusion, and Community Relations (Director)	165,827		9,000	150		850			175,827
Finance Department (Director of Finance)	2,115,357	698,560	50,310	20,957	1,332	24,720			2,911,236
Legal Services (Town Counsel)	586,025	129,409	3,500	112,000		3,000			833,934
Advisory Committee (Chair, Advisory Committee)	21,760		2,275	570		295			24,900
Town Clerk (Town Clerk)	502,952	90,172	14,550	2,450		1,200			611,324
Planning and Community Department (Plan. & Com. Dev. Dir.)	770,538	20,193	9,712	4,550		5,700			810,693
Police Department (Police Chief)	14,925,261	515,744	221,750	69,000	342,137	462,944			16,536,836
Fire Department (Fire Chief)	12,236,953	163,755	149,560	31,350	212,053	200,877			12,994,548
Public Buildings Department (Building Commissioner)	2,248,758	2,170,462	28,950	10,100	2,683,949	141,000			7,283,220
Public Works Department (Commissioner of Public Works)	7,777,821	3,223,447	920,750	53,500	1,117,300	991,104	20,000		14,103,923
Public Library Department (Library Board of Trustees)	2,783,946	185,141	572,942	4,700	315,657	26,000			3,888,386
Health & Human Services Department (Health & Human Svcs Dir)	884,822	203,086	15,100	4,120	40,087	4,020			1,151,234
Veterans' Services (Veterans' Services Director)	162,029	2,538	650	163,935		510			329,662
Council on Aging (Council on Aging Director)	737,643	44,083	18,000	2,900	66,385	6,200			875,211
Recreation Department (Recreation Director)	698,523	23,037	86,480	12,400	164,356	34,020			1,018,816
School Department (School Committee)									96,290,380
Total Departmental Budgets	**48,613,704**	**8,303,052**	**2,150,379**	**573,832**	**4,943,256**	**1,947,310**	**20,000**		**162,841,913**
DEBT SERVICE									
Debt Service (Director of Finance)								9,478,591	9,478,591
Total Debt Service								**9,478,591**	**9,478,591**
EMPLOYEE BENEFITS									
Contributory Pensions Contribution (Director of Finance)	18,592,021								18,592,021
Non-Contributory Pensions Contribution (Director of Finance)	115,000								115,000
Group Health Insurance (Human Resources Director)	27,210,434								27,210,434
Health Reimbursement Account (HRA) (Human Resources Director)	70,000								70,000
Retiree Group Health Insurance - OPEB's (Director of Finance)	3,499,119								3,499,119
Employee Assistance Program (Human Resources Director)	28,000								28,000
Group Life Insurance (Human Resources Director)	145,000								145,000
Disability Insurance	16,000								16,000
Workers' Compensation (Human Resources Director)	1,550,000								1,550,000
Public Safety IOD Medical Expenses (Human Resources Director)	250,000								250,000
Unemployment Insurance (Human Resources Director)	300,000								300,000
Ch. 41, Sec. 100B Medical Benefits (Town Counsel)	40,000								40,000
Medicare Payroll Tax (Director of Finance)	1,975,000								1,975,000
Total Employee Benefits	**53,790,574**								**53,790,574**
GENERAL / UNCLASSIFIED									
Reserve Fund (*) (Chair, Advisory Committee)				2,200,198					2,200,198
Liability/Catastrophe Fund (Director of Finance)				78,969					78,969
Housing Trust Fund (Planning & Community Develpoment Dir.)				163,078					163,078
General Insurance (Town Administrator)		382,645							382,645
Audit/Professional Services (Director of Finance)		130,000							130,000
Contingency (Town Administrator)				15,000					15,000
Out of State Travel (Town Administrator)		3,000							3,000
Printing of Warrants (Town Administrator)	15,000	10,000	10,000						35,000
MMA Dues (Town Administrator)				12,278					12,278
Town Salary Reserve (*) (Director of Finance)	1,850,000								1,850,000
Personnel Services Reserve (*) (Director of Finance)	715,000								715,000
Total General / Unclassified	**2,580,000**	**525,645**	**10,000**	**2,469,523**					**5,585,168**
TOTAL GENERAL APPROPRIATIONS	**104,984,278**	**8,828,697**	**2,160,379**	**3,043,355**	**4,943,256**	**1,947,310**	**20,000**	**9,478,591**	**231,696,246**

(*) NO EXPENDITURES AUTHORIZED DIRECTLY AGAINST THESE APPROPRIATIONS. FUNDS TO BE TRANSFERRED AND EXPENDED IN APPROPRIATE DEPT.

ARTICLE 8

AMENDMENT OFFERED BY CRAIG BOLON, TMM-8

Insert in the motion of the Advisory Committee under Article 8, special appropriation item 40, "with neighborhood input" so that the item reads:

40.) Raise and appropriate $100,000, to be expended under the direction of the Director of Planning and Community Development, with any necessary contracts to be approved by the Board of Selectmen, for the development WITH NEIGHBORHOOD INPUT of a conceptual study for the Center Street East Parking Lot and surrounding area.

Explanation of the amendment --

Some of the most hazardous aspects of ordinary life involve automobiles. Aside from personal risks, traffic and parking have figured in hundreds of neighborhood actions here, since at least the 1950s. Many people have also come to recognize major environmental hazards of automobiles. In recent years, Brookline has been discouraging automobile use. For example, most parking was removed from both sides of Harvard St. between Beacon and Green Sts. Recently, the Transportation Board voted to remove five parking spaces from River Rd. to help extend a bicycle path. Major developments, including 2 Brookline Place, are being required to operate transportation demand management programs.

The Green Technology Committee--organized in 2006--proposed changes to Article 3.7 of Brookline bylaws, in the procedures for carrying out town-sponsored building projects. They require consideration of "environmental and sustainability goals and objectives" in any project that may involve a "town building or structure." The annual town meeting of 2007 enacted those requirements, now to be found in bylaws section 3.7.2. They begin at the earliest step of work, when defining and describing a program.

Under Article 8--the FY2016 budget--special appropriation 40 in the Advisory Committee motion proposes to fund such a program. That is not obvious from the wording of the motion or the article, but it is clear from the Fiscal 2016 Program Budget, released February 17. The corresponding element there is item 10 under FY2016-2021 CIP Project Descriptions. On p. VII-33, it says that "the town intends to hire a consultant to further develop conceptual plans, including a cost estimate," for several possibilities. They include a "1 to 3 level decked parking structure." A 3-level decked structure is what most people would often call a 4-story parking garage.

Some of the worst impacts of automobile facilities fall on surrounding neighborhoods. That is why neighborhood input is essential when considering them. Planning staff know that. One staff member already met with the North Brookline Neighborhood Association on April 15, about changes to the large Centre St. parking lot. We expect Planning staff to follow Article 3.7 of the Brookline bylaws. Brookline PAX asks town meeting also to encourage continued neighborhood input, with an amendment to special appropriation 40.

ARTICLE 9

NINETH ARTICLE
Submitted by: Ernest Frey

To see if the Town will amend the Town by-laws by revising Section 2.1.10, extending At Large Town Meeting Membership to Brookline residents who are Elective Constitutional Officeholders of the Commonwealth of Massachusetts and to those Brookline residents elected to represent Brookline citizens in the Federal Government of the United States.

SECTION 2.1.10 TOWN MEETING MEMBERS AT LARGE

Pursuant to the authority contained in **~~Section 5 of Chapter 43A of the General Laws (Ter. Ed.)~~** **G.L. c. 43A, s. 5,** the following officers are designated as Town meeting members at large: (1) the members, inhabitants of the Town, who are the elected representatives of the Town in the General Court of the Commonwealth of Massachusetts, **elected members of the United States House of Representatives or United States Senate, or elected constitutional officers of the Commonwealth of Massachusetts as defined in G.L. c. 32, s. 1,** (2) the **~~m~~M**oderator, (3) the **~~t~~T**own **~~c~~C**lerk, and (4) the Board of Selectmen.

or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

Section 5 of Chapter 43A of the General Laws of the Commonwealth of Massachusetts says, in relevant part:

> Any representative town meeting . . . shall be limited to the town meeting members elected . . . , together with such town meeting members at large as may be provided for by the by-laws of the town.

Citizens of Brookline who are serving the Commonwealth or the Federal Government should be able, to the extent they wish to do so, participate in the activities of their town, by being included in the distribution of notices or other communications received by other Town Meeting Members.

The current language of this bylaw extends that opportunity to our residents who have been elected to the General Court of Massachusetts. Certainly, that representative assists Town Meeting and Town officials regarding Home Rule petitions, just as any of the representatives for Brookline citizens would do, whether they are Brookline residents or not. Town Meeting Member status was granted in 1915 to General Court representatives because of residency and position, not just position. The importance of these members of

the General Court to have access to the citizens of Brookline, and the citizens of Brookline to have access to their neighbors who are also members of the General Court is important and should continue.

This article extends similar privileges and communications opportunities to other elected representatives of Brookline citizens, who retain their Brookline residency. We elect a number of Constitutional Offices for the Commonwealth, and we elect Representatives and Senators, and even higher office at the Federal level. This article would designate the holders of those offices who still claim Brookline as their residence to be Town Meeting Members. This article would assure those who are successful in their efforts to expand their service beyond Brookline borders, and retain their Brookline residency, direct access to the Town Meeting process of their beloved town.

Under the current configuration of Brookline's representation to the General Court, the current bylaw permits designating up to four as Town Meeting Members, if all three of our Representatives, and our State Senator were to reside in Brookline. Currently, one Representative does reside in Brookline. This proposed warrant article would result in one of seven currently serving Constitutional Officers (Governor, Lieutenant Governor, Member of the Governor's Council, State Secretary, State Treasurer, State Auditor, and Attorney General), and one of three elected representatives to the Federal Government (Two Senators and Representative), to be added as Town Meeting Members. While this would be a dilution of individual votes at Town Meeting, the benefits of communications and access to these individuals, and the opportunities of these individuals to participate in their town government outweigh this dilution.

SELECTMEN'S RECOMMENDATION

Article 9 is a petition that would extend At Large Town Meeting Membership to Brookline residents who are elected Constitutional Officeholders of the Commonwealth of Massachusetts and to those Brookline residents elected to represent Brookline in Congress. The petitioner explained that the intent was directed at the people who move beyond Town Meeting to those representing the Commonwealth in a higher office, representing Brookline and residing in Brookline.

The Board felt that extending Town Meeting Membership to Brookline residents who occupy these elected offices may allow and encourage these officials to engage in Brookline-specific issues. It was noted that should the article pass two new at-large Town Meeting Members would immediately result, with the potential of up to 9 additional at-large Town Meeting Members if all the occupants of the officials listed in the article were to reside in Brookline.

While supportive of the intent of the Article, the Board decided to vote Favorable Action on an amendment offered by Stanley Spiegel that replaces at-large status with honorary Town Meeting status, giving these individuals the privilege to engage in Town Meeting debate, but not voting privileges. The Board decided to support the amendment as

opposed to the original article out of concern that the Town Meeting votes of Constitutional Officers, and U.S. Representatives and Senators could be swayed by these officials' constituents outside of Brookline rather than by Brookline residents who would be directly effected by votes of Town Meeting.

The Board recommends FAVORABLE ACTION by a vote of 5-0 on April 28, 2015 on the following amendment:

VOTED: To add the following new Section 2.1.11 to the Town By-laws:

Section 2.1.11 Honorary Town Meeting Members

The following officers are designated as Honorary Town Meeting Members, who shall be invited to attend and be kept informed of all matters coming before Town Meeting but shall not have the privilege of voting on such matters: elected members of the United States House of Representatives or United States Senate, and elected constitutional officers of the Commonwealth of Massachusetts as defined in G.L. c. 32,s.1, who are residents of the Town of Brookline and who are not elected or at large Town Meeting Members.

And to appropriately renumber the Sections of Article 2.1 that currently follow Section 2.1.10.

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:
Warrant Article 9, as originally filed, proposed to extend At Large status to all Brookline residents who are also Constitutional office-holders in the Commonwealth of Massachusetts. The current by-law 2.1.10 identifies four at large member offices: (1) the members from Brookline in the General Court of the Commonwealth of Massachusetts, (2) the Moderator, (3) the Town Clerk, and (4) the Selectmen. Warrant Article 9 would apply to elected State office-holders (Governor, Lieutenant Governor, Auditor, Treasurer, Secretary of State, Attorney General, Governor's Council) and United States Senator and United States Representative. In practical terms in the year 2015, the amended by-law would grant voting privileges at Town Meeting to two additional current office-holders, the State Treasurer and Brookline's Representative to the United States House of Representatives.

A substitute motion under Article 9 proposes instead that a new category of Town Meeting membership be established, that of Honorary Town Meeting member, that would grant those same additional office-holders proposed in the original article an honorific status, with no attached voting privileges at Town Meeting.

The Advisory Committee discussed both versions of Article 9 and came to the same conclusion: there are no compelling arguments for either expanding the number of voting at large Town Meeting members, or for adding a new section within the by-law to create Honorary Town Meeting members.

The Advisory Committee took up the original Article on April 14th and, by a vote of 14–0–2 , recommended NO ACTION.

On April 30th the Advisory Committee considered the substitute motion under Article 9 and, by a vote of 19–0–1, recommends NO ACTION.

DISCUSSION:
Both versions of Warrant Article 9 address the same fundamental question: who should be granted Town Meeting member status?

Historical Perspective
Town Meeting members during the 1975 Annual Town Meeting tackled this question when they took a close look at the At Large Town Meeting member section of the Town's by-law. There was unanimous support from the Board of Selectmen for retaining the by-law, seeing no compelling reasons to change the composition of Town Meeting. The Advisory Committee, however, supported the citizen petition that recommended eliminating the at large by-law altogether. Its recommendation referenced a 1941 Brookline Board of Selectmen study recommendation that "the Moderator, Selectmen and Members of the General Court be ex-officio members of town meeting with the right to take part in discussions, but without the right to vote."

The Advisory Committee voiced a strong opinion opposing at large status of residents not specifically elected to be Town Meeting members. It noted: "At stake here is a difference of opinion as to the constitutional roles of the Town Meeting and the Board of Selectmen. In a sense, the Selectmen consider that they (like Her Majesty's Government) come to the floor of Town Meeting to report on their doings and seek the support of the Town. The Advisory Committee, consistent in its devotion to the separation of powers, views the Town Meeting as a legislative body and the Board of Selectmen as the executive body in the Town. ….it does not seem appropriate to us for the executive branch of our government to vote as members of the legislative body." (*Town By-Laws*, As amended, May 7, 1975. Approved, September 24, 1975, Effective, October 1, 1975.)

Historically, Selectmen were "selected" men from the adult voting population (only men prior to 1920 when women received the U.S. constitutional right to vote) who comprised the members of Town Meeting, as an executive board to run the day-to-day operations of the Town when towns became too large for individuals to handle the necessary work. As towns continued to grow, many towns hired town administrators or town managers to handle the necessary day-to-day operations and who were accountable to the formalized executive branch, the Board of Selectmen.

According to Town Counsel, in 1915 Brookline became the first town in the Commonwealth to adopt the representative town meeting under the Special Acts of 1915, c. 250, which was accepted by the town on November 2, 1915. Section 3 of Chapter 250 provided the following detail with regard to elected and at-large members of Town Meeting: "The town meetings of Brookline…shall, at and after the first annual election under this act [May 1916] be limited to, or composed each year of, the registered voters elected under sections two and seven of this act, together with the following, designated

as town meeting members as at large, namely: - (1) the members from Brookline in the general court of the commonwealth of Massachusetts, (2) the moderator, (3) the town clerk, (4) the selectmen, (5) the town treasurer, the chairmen of each of the following boards: - (6) of the assessors, (7) of the school committee, (8) of the trustees of the public library, (9) of the trustees of the Walnut Hills cemetery, (10) of the water board, (11) of the park commissioners, (12) of the planning board, (13) of the committee for planting trees, (14) of the gymnasium and baths committee, and (15) of the registrars of voters."

The by-law change that came out of the Town Meeting debate in 1975 removed all appointed officials and granted at large Town Meeting member status to the elected officials named in the original 1915 legislation who were in 1975 still elected by the residents of Brookline—members of the General Court of the Commonwealth of Massachusetts who reside in Brookline, the Moderator, Town Clerk, Selectmen and Town Treasurer.

Town Meeting members in 1975 also importantly clarified within the by-law that members of the General Court had to be residents of Brookline.

More recently, a vote at the November 1992 Town Meeting established the Finance Department. The Town Treasurer, who had been included in the list of at large members, ceased to be an elected official after that time and was removed from the list of at large Town Meeting members.

Current Warrant Article

The substitute motion under Warrant Article 9 proposes a new section 2.1.11 Honorary Town Meeting Members within Article 2.1 (Town Meetings) of the current by-laws of the Town. This proposed new section would grant "honorary" status to Brookline residents who have attained higher office in the Commonwealth by being elected to State and Federal offices, which unlike at large membership, would not confer voting privileges at Town Meeting. The goal of adding this section would be to gratefully acknowledge the achievement of such individuals by bestowing on them this honorific.

The Advisory Committee understands the generous intent of this substitute motion under Warrant Article 9, and appreciates the fact the residents have achieved higher elective office. That said, members of the Advisory Committee expressed a number of concerns:

(1) There is no precedent in Brookline for the category of Honorary Town Meeting member, and the petitioners could provide no examples of this honorific being used in other towns having a representative Town Meeting form of government;

(2) New section 2.1.11 would provide a new category that, while the petitioners understand the limited intent of this honorary status, future Town Meetings may choose to open up to many types of individuals not currently envisioned by the petitioners—long-serving former Town Meeting members, community notables who have contributed greatly to the life of the Town, etc.;

(3) In general, honors are put to Town Meeting through a resolution, not a by-law;

(4) There is no compelling reason to create this honorific for residents of the Town who may at some point hold higher office in the Commonwealth–the rise to higher office in and of itself is recognition.

RECOMMENDATION:
The members of the Advisory Committee found no persuasive reasons to support Warrant Article 9, and so by a vote of 19 in favor, none opposed, and 1 abstention, the Advisory Committee recommends NO ACTION.

XXX

ARTICLE 9

BOARD OF SELECTMEN'S SUPPLEMENTAL RECOMMENDATION

Given the position of the Advisory Committee and the petitioner's desire to not have the discussion at Town Meeting becoming divisive or discomforting the Board was asked to reconsider their vote and instead vote No Action on the warrant article.

As a result, the Board recommends NO ACTION, by a vote of 5-0 taken on May 19, 2015.

ARTICLE 10

TENTH ARTICLE
Submitted by: the Recreation Department

To see if the Town will amend the General By-laws, Article 4.8, Living Wage, as follows (additions appear in underlined bold text, and deletions appear in stricken bold text):

ARTICLE 4.8
LIVING WAGE

SECTION 4.8.2 LIVING WAGE

(a) The town of Brookline ("town") shall pay each of its employees no less than $10.30 an hour except as provided in Section 4.8.5 and in collective bargaining agreements with the town under G.L. c. 150E, section 7.

(b) The wage prescribed in paragraph (a) of this Section 4.8.2 shall be known as the "living wage" and shall be adjusted annually by the same percentage and on the same schedule relative to wage adjustments given to full-time, nonunion town employees on the town's general pay schedule, beginning in the year 2003.

(c) The living wage shall also be adjusted annually at the time of and after the adjustment set forth in paragraph (b) of this Section 4.8.2 if necessary to insure that as so adjusted, it is at least one dollar more than the state minimum wage in effect under G.L. c.151 at the time of such adjustment.

SECTION 4.8.3 MINIMUM WAGE

The compensation of employees exempted from the living wage under paragraphs (a), (b), (c) and (d) of Section 4.8.5 shall be adjusted annually at the same time as the adjustment referred to in paragraph (b) of Section 4.8.2 if necessary to insure that the hourly wage is at least ~~**one dollar more than**~~ the state minimum wage in effect under G.L. c.151 at the time of such adjustment.

SECTION 4.8.5 EXCEPTIONS

The town shall not be required to pay the living wage to the following persons:

(**a**) seasonal **or temporary** employees who work less than six **consecutive** months in ~~**any twelve-month cycle**~~ **in a fiscal year in a given position.**

(b) employees participating in a work-study or cooperative educational program;

(c) employees whose positions are funded, in full or in part, by Community Development Block Grant or State Elder Services Grant monies;

(d**)** town library Junior Library Pages;

(e) Putterham Meadows Golf Course rangers;

(f) **town junior, part-time positions funded by a Recreation revolving fund, specifically, Jr. Swim Coach, Jr. Swim Instructor, Jr. Lifeguard, Jr. Skate Guard, Jr. Referee, Jr. Assistant Recreation Leader, Jr. Camp Counselor, Jr. Camp Instructor, Jr. Skate Concessions;**

(g) volunteers and all persons appointed or elected to town committees;

(h) elected officers of the town.

Or an act on anything relative thereto.

SECTION 4.8.6

a. Definitions:

In construing SECTION 4.8.6, the following words shall have the meanings herein given, unless a contrary intention clearly applies.

Covered employer means anyone who has been awarded a service contract or subcontract with the Town after the effective date of the By-law.

Covered Employee means any employee who performs direct services for the purpose of fulfilling the covered employer's contractual obligations, provided however, employees who perform services that are incidental to the execution of the contract are not covered employees.

Person means one or more of the following or their agents, employees, servants, representatives, and legal representatives: individuals, corporations, partnerships, joint ventures, associations, labor organizations, educational institutions, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, fiduciaries, and all other entities recognized at law by this commonwealth,

***Seasonal employee* means an employee who has been hired for a certified seasonal position, as defined by the Department of Unemployment Assistance and M.G.L. c. 151A, sec. 1 (bb).**

Services means the furnishing of labor, time, or effort by a contractor and/or covered employer.

Service contract means a contract for services awarded to a vendor by the town for no less than the following amounts: (i) $25,000.00 for contracts commencing in fiscal year 2006, (ii) $10,000.00 for contracts commencing in fiscal year 2007 (iii) $5,000.00 for contracts commencing in fiscal year 2008 and thereafter. Any bids opened prior to fiscal year 2006 shall not be subject to this article.

***Temporary employee* means an individual who works for the Town of Brookline on either a full or part time basis; whose employment is explicitly temporary in nature and does not exceed six consecutive months of service in a given position.**

PETITIONER'S ARTICLE DESCRIPTION

Background and Purpose: The Living Wage Bylaw, currently at $13.19 per hour, was adopted in 2001 for the purpose of increasing wages for certain lower paid positions and ensuring wage protection into the future. During the thirteen years since its implementation, the Living Wage Bylaw has served the important purpose of providing wage protection to part-time and temporary employees who are not covered by a collective bargaining agreement, including those who may depend on their wages as their primary source of income. The thirteen years of implementation have also revealed certain inefficiencies that should be addressed to ensure that the Town's program and service offerings are sustainable and do not become cost prohibitive for our citizens.

The Bylaw, as originally drafted, contained exemptions to the Living Wage provisions for certain entry level, part-time positions generally filled by high school students, such as junior library pages. This article proposes to further define the exemptions for a small number of entry level positions in the Recreation Department, primarily filled by high-school and college students who work part-time, sporadically throughout the year. Under the proposed By-Law amendments, the Town would still maintain the State Minimum Wage for this group which is currently $9.00 per hour, and is set to increase to $10.00 and $11.00 per hour on Jan. 1, 2016 and Jan. 1, 2017 respectively. It also seeks to clarify the language under the exemptions which requires a burdensome manual tracking system for seasonal employees who work less than six months in any twelve-month cycle.

In 2001, when the state's minimum wage was only $6.75 per hour, a Brookline minimum wage provision, Article 4.8.3, was also adopted with the Living Wage, allowing exempt

positions to be paid at one dollar more than the State Minimum Wage. This Warrant Article also proposes to apply the State's minimum wage rate, now one of the nation's highest minimum wages, to the small number of positions that are exempt from the Living Wage without the addition of the extra dollar.

Living Wage: The Living Wage, currently $13.19 per hour, is generally increased each year on July 1, with the same cost of living increase paid to non-union employees. Currently, an estimated $370,000 (40%) of the Recreation Department's annual budget for part-time employees is paid at the Living Wage, covering an estimated 28,000 hours. The Recreation Department employs approximately 250 seasonal and temporary employees in a wide variety of programs serving the Brookline Community. These positions are primarily staffed by high school or college students with an average age of 19. Exempting these student employees in entry level positions who work in a seasonal and/or temporary capacity from the Living Wage rate will help to sustain Recreation programming and to ensure reasonable fees are charged for Recreation programs. It is estimated that these proposed changes will produce a significant cost savings of $40,000 per year for Recreation programs.

The Living Wage exemption for employees under Section 4.8.5 (a) is based solely on six months of service (per payroll records) and is not reflective of the employee's skill set, the position requirements or the duties performed. There is a sizeable group of student employees who work sporadically throughout the year for the Recreation Department who fall under this exemption. Once the individual student works more than six months in a year, the Living Wage is applied regardless of the position. As the Living Wage increases, there is a direct impact on the fees for self-funded Recreation programs. Expanding the exemption to this discrete group of Recreation employees is consistent with rationale for previously exempting these student workers who are obtaining important first job experience. A further concern in 2001, which applies today, is that these student employees' wages bump up against those of their co-workers who are more skilled and/or experienced, creating internal inequity among pay rates that are not skill or experience based, but based solely on 6 months of service.

Providing job opportunities to high school and college students through the Recreation Department is an ideal first job and is an important community priority, as is keeping the fees for Recreation programs affordable. However, providing the higher Living Wage to this group of unskilled, student employees has a direct effect on the Town's ability to deliver programming to the public at a reasonable, cost-effective rate. Increasing program and activity fees as the vehicle to accommodate the payment of Living Wage to all employees, even to youth who often live at home, decreases opportunities for the public to participate in programming due to higher program costs.

Section 4.8.5, Exemptions, subpart (a) (containing a trigger of six (6) months of Town employment), has become a tremendous administrative burden on the Recreation Department as it requires manual tracking of work schedules for hundreds of temporary, part-time employees on a rolling basis throughout the year. Clarifying the language of

subpart (a) as proposed will allow the Department to track only those employees scheduled to work consecutively in a single position for 6 months or more on a fiscal-year basis.

Section 4.8.5, Exemptions, subpart (f), as proposed, would create an exemption for part-time junior positions, with examples enumerated. Employees in these types of position are involved in programs at the pool, skating rink, summer camps and other programs where they work as lifeguards, skating guards and junior camp counselors, and are generally high school or college age. This exemption as proposed would be consistent with the exemption for junior library pages, which are also part-time, entry-level positions. In 2002, the Selectmen recommended exempting the junior library page position from the Living Wage due to the potential for wage "compression", a term that refers to the phenomenon when the lowest paid positions in an organization are increased without a corresponding increase in the higher paid positions and the range of pay becomes smaller. There is also a "ripple" effect where it becomes necessary to make a secondary increase in higher level positions to maintain internal equity.

Minimum Wage: Section 4.8.3 of Brookline's By-Laws, "Minimum Wage," currently requires that the compensation of a small number of Town positions exempt from the Living Wage be paid one dollar more than the State minimum wage (informally referred to as the Brookline minimum wage). This was adopted in 2001 when the State Minimum Wage had just been increased from $6.00 per hour to $6.75 per hour. Brookline, like all municipalities, is exempt from the requirement to pay the State Minimum Wage. Section 4.8.3 was enacted to ensure that no position fell *below* the State Minimum Wage and to provide a fair wage above the State Minimum Wage in effect at that time. However, since new legislation has increased the State Minimum Wage to $9.00, $10.00 and $11.00 per hour,[1] the Brookline minimum wage must increase to $10, $11 and $12.00 per hour. The Warrant Article does not seek to move away from a minimum wage, rather it seeks to tie itself to the state minimum wage for those small number of positions that are exempt from the Living Wage. To pay exempt employees one dollar above the state minimum wage is no longer sustainable and negatively impacts the ability of the Recreation Department to provide cost-effective, reasonably priced programming.

The Town's Recreation Department provides a wide range of sports, educational and childcare programs to the community. It also provides scholarships to certain families and individuals who cannot afford to pay the current program rates. In order for these programs to remain affordable and to provide scholarships, we must allow the Recreation Department to pay entry-level positions at a rate that is less than the Living Wage but still complies with State minimum wage pursuant to Section 4.8.3 as proposed.

[1] The State's Minimum Wage increased to $9.00 on January 1, 2015, it will increase to $10.00 on January 1, 2016, and to $11.00 on January 1, 2017.

SELECTMEN'S RECOMMENDATION

The Living Wage Bylaw provides wage protection to Brookline employees who may depend on their wages either as their primary source of income or an important supplemental income source but who are not part of a regular pay plan or covered by a union. The bylaw is particularly relevant in light of the ongoing national debate about what is an appropriate Living Wage. The Selectmen do not believe the proposed changes to the Living Wage bylaw are meant to take the Town away from the tradition of paying all workers an appropriate living wage. Rather, the petitioners of Warrant 10 seek to change the Living Wage Bylaw to accomplish the following:

- to expand the living wage exemptions to include unskilled student employees; and,
- to lessen the impact of the increasing State Minimum Wage increase on the recreation and other grant-based programs
- to clarify the language of the "seasonal" exemptions to the correct terminology of "temporary".

We understand the need to update the bylaw to keep it current with changes in staffing demographic changes, e.g., providing more job opportunities to Brookline youth but seek to maintain the commitment to a strong minimum wage.

Student Exemption (Recreation):
The Recreation Department provides a significant number of students with their first job, primarily as a camp counselor or as a junior lifeguard. Providing new entrants into the workforce with their first job is an important win/win for the student who receives important job skills and who can subsequently take part in other promotional opportunities within the Recreation Department, and for the Town which maintains a ready group of young, devoted employees who bring continuity across recreation programming and can fill program staffing gaps when a large event is held, e.g., Brookline Day. This model is been developed over the last 8 to 10 years and has been quite successful.

The Article seeks to exempt junior employees who perform work temporarily (during the summer or winter, for example) and sporadically throughout the rest of the year, primarily in Recreation (normally filled by 15-17 year olds working their first job) and apply the "Brookline minimum wage" instead. This proposed exemption is similar to other exemptions for junior positions under the Living Wage Bylaw who are paid the minimum wage, e.g., junior library pages.

The cost of continuing to have junior employees be covered by the living wage is administratively burdensome. These sporadic, student workers must be tracked manually to ensure they received an increase after they have been an "active employee" for more

than six months, even if they have worked a handful of days, e.g., summer camp and a Winter RAFT dance. Once they hit the six month mark, the students receive a 30% increase to their hourly rate (from $10 /hr to 13.19/hr). Further, applying the living wage to these students, many who are working their first job, also has a direct impact on the costs of programming and ensuring such programming is affordable. The impact of this additional $3/hour has a current cost of approximately $40,000, not including cost of labor to track these employees.

The living wage requirement has a direct impact on the Recreation programming fees and its ability to subsidize fees for low income participants. The Human Resources Department has extensively reviewed the scope of those impacted by the changes to the minimum wage and have determined that those positions exempt from the living wage, including the positions designated in the Recreation Department are only the most junior level positions that are most often occupied by students ages 15 to 17. If these entry-level, student employees were exempted from the living wages they would still receive the Brookline Minimum Wage and will see increases over the course of the next several years.

Hiring student employees is an excellent opportunity for these students giving them job experience and work skills, but does not require a pay level that would be the equivalent of a head of household supporting a family. The Recreation Department has many advancement opportunities, akin to a career ladder, for youth who have worked over the course of several years and in various positions.

Brookline Minimum Wage

The petitioner also sought to align the Brookline Minimum Wage with the state's minimum wage. The state's minimum wage will increase from$10.00 per hour and to $11.00 on Jan. 1, 2016 and to $12.00 Jan. 1, 2017. Currently the Town's bylaw provides that employees who are exempt from the Living Wage must be paid the state's minimum wage plus $1.00 more. The petitioners argue that the Massachusetts minimum wage will soon be among the highest minimum wages in the country. Although we have not confirmed this fact, we feel that it is important to continue to pay a minimum wage that is slightly above the state's minimum wage. Although we recognize there is some impact on the departments bottom lines, we feel it is important to recognize that low-income employees seek these positions to help defray the costs of their families and although they may not be the "bread winner" of the family the income they receive as a result of the Brookline Minimum Wage provides a measure of economic stability. Therefore we do not support the portion of the proposed bylaw changes that would remove the minimum wage plus $1 provision.

Clarification of Seasonal employee:

The petitioners also proposed language that would update the term "seasonal" used in the bylaw which they viewed as an outdated term. The more appropriate term used by the town is "temporary" which designates any position that exists for less than six months duration. There was considerable discussion regarding whether the addition of the term

"temporary employee" was clarifying language or expanding the group of individuals covered by the bylaw. Although, we understand it is a clarification, the petitioners were satisfied to remove the clarifying language as they did not want the public to view the addition of the word temporary as expansive. If the temporary language is to be removed then the accompanying definitions must also be removed, and "seasonal" will continue to be treated as those temporary jobs that are filled during the fall, winter, spring and summer seasons whose duration is less than six months.

Therefore the Board voted FAVORABLE ACTION by a vote of 4-0 on the following:

Roll Call Vote:
Favorable Action
Daly
DeWitt
Wishinsky
Franco

VOTED: that the Town amend the General By-laws, Article 4.8, Living Wage, as follows (additions appear in underlined bold text, and deletions appear in stricken bold text):

ARTICLE 4.8
LIVING WAGE

SECTION 4.8.2 LIVING WAGE

(a) The town of Brookline ("town") shall pay each of its employees no less than $10.30 an hour except as provided in Section 4.8.5 and in collective bargaining agreements with the town under G.L. c. 150E, section 7.

(b) The wage prescribed in paragraph (a) of this Section 4.8.2 shall be known as the "living wage" and shall be adjusted annually by the same percentage and on the same schedule relative to wage adjustments given to full-time, nonunion town employees on the town's general pay schedule, beginning in the year 2003.

(d) The living wage shall also be adjusted annually at the time of and after the adjustment set forth in paragraph (b) of this Section 4.8.2 if necessary to insure that as so adjusted, it is at least one dollar more than the state minimum wage in effect under G.L. c.151 at the time of such adjustment.

SECTION 4.8.3 MINIMUM WAGE

The compensation of employees exempted from the living wage under paragraphs (a), (b), (c) and (d) **and f** of Section 4.8.5 shall be adjusted annually at the same time as

the adjustment referred to in paragraph (b) of Section 4.8.2 if necessary to insure that the hourly wage is at least one dollar more than the state minimum wage in effect under G.L. c.151 at the time of such adjustment.

SECTION 4.8.5 EXCEPTIONS

The town shall not be required to pay the living wage to the following persons:

(**a**) seasonal employees who work less than six **consecutive** months in ~~**any twelve-month cycle**~~ **a fiscal year in a given position.**

(b) employees participating in a work-study or cooperative educational program;

(c) employees whose positions are funded, in full or in part, by Community Development Block Grant or State Elder Services Grant monies;

(d**)** town library Junior Library Pages;

(e) Putterham Meadows Golf Course rangers;

(f) town junior, part-time positions funded by a Recreation revolving fund, specifically, Jr. Swim Coach, Jr. Swim Instructor, Jr. Lifeguard, Jr. Skate Guard, Jr. Referee, Jr. Assistant Recreation Leader, Jr. Camp Counselor, Jr. Camp Instructor, Jr. Skate Concessions;

(g) volunteers and all persons appointed or elected to town committees;

(h) elected officers of the town.

Or an act on anything relative thereto.

SECTION 4.8.6

b. Definitions:

In construing SECTION 4.8.6, the following words shall have the meanings herein given, unless a contrary intention clearly applies.

Covered employer means anyone who has been awarded a service contract or subcontract with the Town after the effective date of the By-law.

Covered Employee means any employee who performs direct services for the purpose of fulfilling the covered employer's contractual obligations, provided however, employees who perform services that are incidental to the execution of the contract are not covered employees.

Person means one or more of the following or their agents, employees, servants, representatives, and legal representatives: individuals, corporations, partnerships, joint ventures, associations, labor organizations, educational institutions, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, fiduciaries, and all other entities recognized at law by this commonwealth,

Services means the furnishing of labor, time, or effort by a contractor and/or covered employer.

Service contract means a contract for services awarded to a vendor by the town for no less than the following amounts: (i) $25,000.00 for contracts commencing in fiscal year 2006, (ii) $10,000.00 for contracts commencing in fiscal year 2007 (iii) $5,000.00 for contracts commencing in fiscal year 2008 and thereafter. Any bids opened prior to fiscal year 2006 shall not be subject to this article.

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:
Article 10 further defines the exemptions to the Living Wage provision by amending section 4.8.5 (a) by adding the words **or temporary** and **consecutive** and replacing **in any twelve month cycle** with **in a fiscal year in a given position.** It adds and defines a group of junior positions to EXCEPTIONS in 4.8.5 (f). It adds definitions for **Seasonal employees** and **Temporary employees** in section 4.8.6 (a). The petitioner's article would also eliminate the **one dollar more than** phrase from section 4.8.3. The Advisory Committee however amended the article by leaving in the **one dollar more than** phrase in section 4.8.3.

The Advisory Committee voted unanimously for FAVORABLE ACTION on Article 10 as amended.

BACKGROUND:
The intent of this article, filed by the Recreation Department, is to first make it easier to track seasonal or temporary employees who may be eligible for the living wage in a

given time period, and second to define a group of junior employees, usually seasonal, Recreation Department employees, who would be exempt from the mandatory living wage increase that the present law requires after six months of employment. The savings realized by this change is estimated to be $28,000 ($40,000 with removal of the **one dollar more than** phrase), which could be used to maintain current fees.

The petitioners also sought to bring the Brookline minimum wage in line with the state minimum wage which will increase to $10 and $11 per hour on January 1, 2016 and January 1, 2017 respectively, one of the highest minimum wage rates in the country.

DISCUSSION:
The Recreation Department seeks to make it easier to track temporary employees by changing an on again off again six month period of employment in a twelve month cycle to a period of six consecutive months in a fiscal year to receive the living wage. Exceptions would be expanded to include junior positions in the Recreation Department such as junior counselors, junior instructors, etc., who are usually 15 and 16 year olds. They would receive raises based on merit and not automatically have their hourly salary raised to the living wage which is presently set at $13.19 per hour. These employees still would start at the "Brookline minimum wage" of one dollar more than the minimum wage.

The Recreation Department emphasized that these changes would affect employees in the 15-16-17 year old range and that this would represent a very small portion of the work force. (Only 31 of 77 employees are in this position. The other 46 are not employees of the Recreation Department but are already exempt from receiving the Living Wage.) The resulting step raises would be more in line with what is done in other communities. There is no intention to take away the Living Wage for other classes of employees.

There was concern that this might affect employees (adults) in positions in other departments. The Advisory Committee was informed that there are no employees in other departments who would fall into this category.

The savings realized by these changes is approximately $28,000 per year, which would help maintain fees at current levels. An additional $12,000 per year would be saved by eliminating the **one dollar more than** phrase but the Advisory Committee voted not to remove that phrase. It was felt by some that lower income students could use the extra dollar toward their college savings.

This version is different from the one offered by the Board of Selectmen in that it maintains **or temporary** in section 4.8.3 (a) and the definitions for **Seasonal employees** and **Temporary employees** in section 4.8.6 (a).

RECOMMENDATION:
By a vote of 19-0-0, the Advisory Committee unanimously recommends FAVORABLE ACTION on Article 10 as amended. The text of the amended article follows:

VOTED: That the Town amend the General By-laws, Article 4.8, Living Wage, as follows (additions appear in underlined bold text, and deletions appear in stricken bold text):

ARTICLE 4.8
LIVING WAGE

SECTION 4.8.2 LIVING WAGE

(a) The town of Brookline ("town") shall pay each of its employees no less than $10.30 an hour except as provided in Section 4.8.5 and in collective

bargaining agreements with the town under G.L. c. 150E, section 7.

(e) The wage prescribed in paragraph (a) of this Section 4.8.2 shall be known as the "living wage" and shall be adjusted annually by the same percentage and on the same schedule relative to wage adjustments given to full-time, nonunion town employees on the town's general pay schedule, beginning in the year 2003.

(f) The living wage shall also be adjusted annually at the time of and after the adjustment set forth in paragraph (b) of this Section 4.8.2 if necessary to insure that as so adjusted, it is at least one dollar more than the state minimum wage in effect under G.L. c.151 at the time of such adjustment.

SECTION 4.8.3 MINIMUM WAGE

The compensation of employees exempted from the living wage under paragraphs (a), (b), (c) and (d) of Section 4.8.5 shall be adjusted annually at the same time as the adjustment referred to in paragraph (b) of Section 4.8.2 if necessary to insure that the hourly wage is at least **one dollar more than**[2] the state minimum wage in effect under G.L. c.151 at the time of such adjustment.

SECTION 4.8.5 EXCEPTIONS

The town shall not be required to pay the living wage to the following persons:

[2] The petitioner's proposed article eliminates this phrase. The Advisory Committee amendment reinserts this phrase.

(**a**) seasonal **or temporary** employees who work less than six **consecutive** months in ~~**any twelve-month cycle**~~ **in a fiscal year in a given position.**

(b) employees participating in a work-study or cooperative educational program;

(c) employees whose positions are funded, in full or in part, by Community Development Block Grant or State Elder Services Grant monies;

(d**)** town library Junior Library Pages;

(e) Putterham Meadows Golf Course rangers;

(f) town junior, part-time positions funded by a Recreation revolving fund, specifically, Jr. Swim Coach, Jr. Swim Instructor, Jr. Lifeguard, Jr. Skate Guard, Jr. Referee, Jr. Assistant Recreation Leader, Jr. Camp Counselor, Jr. Camp Instructor, Jr. Skate Concessions;

(g) volunteers and all persons appointed or elected to town committees;

(h) elected officers of the town.

SECTION 4.8.6

c. Definitions:

In construing SECTION 4.8.6, the following words shall have the meanings herein given, unless a contrary intention clearly applies.

Covered employer means anyone who has been awarded a service contract or subcontract with the Town after the effective date of the By-law.

Covered Employee means any employee who performs direct services for the purpose of fulfilling the covered employer's contractual obligations, provided however, employees who perform services that are incidental to the execution of the contract are not covered employees.

Person means one or more of the following or their agents, employees, servants, representatives, and legal representatives: individuals, corporations, partnerships, joint ventures, associations, labor organizations, educational institutions, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, fiduciaries, and all other entities recognized at law by this commonwealth,

***Seasonal employee* means an employee who has been hired for a certified seasonal position, as defined by the Department of Unemployment Assistance and M.G.L. c. 151A, sec. 1 (bb).**

Services means the furnishing of labor, time, or effort by a contractor and/or covered employer.

Service contract means a contract for services awarded to a vendor by the town for no less than the following amounts: (i) $25,000.00 for contracts commencing in fiscal year 2006, (ii) $10,000.00 for contracts commencing in fiscal year 2007 (iii) $5,000.00 for contracts commencing in fiscal year 2008 and thereafter. Any bids opened prior to fiscal year 2006 shall not be subject to this article.

***Temporary employee* means an individual who works for the Town of Brookline on either a full or part time basis; whose employment is explicitly temporary in nature and does not exceed six consecutive months of service in a given position.**

XXX

ARTICLE 10

AMENDMENT OFFERED BY PATRICIA CONNORS, TMM-3

VOTED: That the Town amend the Selectmen's proposed amendment of the General By-Laws, Article 4.8, Living Wage By-Law, in the following manner (additions appear in underlined bold text, and deletions appear in stricken bold text):

SECTION 4.8.5 EXCEPTIONS

The town shall not be required to pay the living wage to the following persons:

(a) seasonal employees who work less than six **~~consecutive~~** months in **any twelve-month cycle** **~~in a fiscal year in a given position;~~**

(b) employees participating in a work-study or cooperative educational program;

(c) employees whose positions are funded, in full or in part, by Community Development Block Grant or State Elder Services Grant monies;

(d) town library Junior Library Pages;

(e) Putterham Meadows Golf Course rangers;

(f) town junior, part-time positions funded by a Recreation revolving fund, specifically, Jr. Swim Coach, Jr. Swim Instructor, Jr. Lifeguard, Jr. Skate Guard, Jr. Referee, Jr. Assistant Recreation Leader, Jr. Camp Counselor, Jr. Camp Instructor, Jr. Skate Concessions;

(g) volunteers and all persons appointed or elected to town committees;

(h) elected officers of the town.

Explanation:
This amendment would keep the original/current language of SECTION 4.8.5(a) of the Living Wage By-Law.

The very nature of seasonal work is that it may be off and on and not consecutive for six months. Rather, it may consist of three months in the winter and another three months in the summer.

Requiring seasonal employees to work a minimum of six consecutive months before paying them the living wage rate may in effect eliminate paying the living wage rate to many seasonal employees.

Further, using a fiscal year rather than twelve-month cycle method to calculate the six-month waiting period is similarly prejudicial to seasonal employees. The initial twelve-month cycle begins at the same date as when the employee begins to work for the town in a seasonal position not otherwise exempted by the living wage bylaw; for example, not work-study or cooperative educational program positions or Putterham Meadows Golf Course rangers, which are exempted from the living wage rate by Section 4.8.5 (b) and (e) respectively. The twelve-month cycle method for calculating the seasonal employee's six month waiting period to earn at least the living wage rate therefore gives credit to the employee for all of his/her seasonal work as of the date s/he begins working for the town and not just for work performed as of the beginning of a fiscal year. Say for instance the employee begins working for the town in seasonal employment as of December, 2014 and works more than 6 months off and on performing seasonal work between 12/2014 and 12/2015 but less than six months off and on between 7/2014 and 7/2015. Under the twelve-month cycle method, the town would credit the seasonal employee's work for each of the months s/he worked from 12/2014 and if s/he worked a cumulative six months by 9/2015, s/he would be paid at least the living wage rate thereafter. Compare using the fiscal year method. Under this method, the employee would not be entitled to the living wage rate by 9/2015 because during the fiscal year of 7/2014 to 7/2015, s/he would not have worked a cumulative period of six months. The clock would have to start over as of 7/2015 and the employee would need to accumulate six months of seasonal work beginning 7/2015. Starting the twelve-month cycle as of when the employee first begins working in seasonal employment is a fairer way to calculate the six-month waiting period for the seasonal employee.

Finally, it is important to note that though the Recreation Department is the petitioner of this warrant article, the changes it seeks regarding seasonal and temporary employees relate to all town employees not just those of the Recreation Department. Rather than make it more difficult for our seasonal town employees to earn a living wage rate, let’s give credit where credit is due and pay them a decent wage when they’ve worked their six-month waiting period.

ARTICLE 10

HUMAN RESOURCES BOARD REPORT AND RECOMMENDATION

The Human Resources Board, established under Article 3.15, has a mandate to ensure the establishment of fair and equitable Human Resources policies for the Town of Brookline and its employees; and to provide a system of Human Resources administration that is uniform, fair, and efficient and which represents the mutual interests of the citizens of the Town and the employees of the Town. Section 3.15.2 provides that the Town 's Human Resources program shall be consistent with all applicable State and Federal Laws and with well accepted merit principles, which include, but are not limited to providing just compensation for all employees (section 3.15.2(b). Further Section 3.15.6 (4) provides that the Human Resources Board shall review and approve, subject to staffing levels established by the Board of Selectmen, the title or classification and pay grade of each new or changed position subject to this bylaw, prior to Board of Selectmen final budget review and/or the effective date of any of the title/classification or pay grade changes. In this way, the Living Wages bylaw, under Article 4.8 of the Town Bylaws is an important adjunct to the Town's existing classification and pay plans as it establishes minimum wages and a living wage for those employed by the Town who may not fit neatly into the Town pay plans for regular part-time and full-time employees. The HR Board continues to fully support the Living Wage, recognizing that it serves an important purpose of providing wage protection to Brookline employees who may depend on their wages as their primary source of income but who are not a part of a regular pay plan or covered by a union.

The Living Wage bylaw has been in effect for nearly a decade and the petitioner came before us seeking changes that are reflected in the ever changing workforce. We are aligned with the Board of Selectmen and Advisory Committee in agreeing that there are certain junior, entry-level positions in the Recreation Department that should be exempt from the Living Wage. These exemptions currently apply to junior library pages and employees participating in work study positions. Therefore, we have voted to adopt the amendments as proposed by the petitioner in section 4.8.3(f). In keeping with our unanimous vote, we would amend the petitioner's proposal by adding an "(f)" in section 4.8.3, which applies to exemptions but was an apparent oversight of the petitioners.

As part of our unanimous vote we also agreed to the petitioners' amendments to section (a) of 4.8.3. The amendment to section 4.8.3(a) deals with two different issues; how to administratively track employees who are not "regular" employees and how to define who these "other" employees are. We are in agreement with both the Board of Selectmen and the Advisory Committee recommendations that voted to support the petitioner's change to a six month period in a Fiscal Year. As described by the Petitioner, the tracking of employees, who work sporadically throughout their school year, on a rolling basis, is a difficult, manual process. Tracking six consecutive months on a fiscal year will allow Human Resources and the

department to align this process into existing, automated processes resulting in less errors and greater administrative efficiencies.

With regard to the language defining the terms "Seasonal" and "Temporary" workers we voted to support the petitioner's proposed language for similar reasons as the Advisory Committee. The Human Resources Director explained that the term "Seasonal" as used in the bylaw is a misnomer and although it was used loosely in the past to describe temporary employees who were hired for certain work that occurred in specific seasons, that term is no longer used in that manner. Rather the appropriate term in use is "Temporary employee," describing any employee hired for less than six months. These are the terms and definitions that we recently approved in the Town's Classification and Pay Plan. The Town currently tracks all temporary employees to ensure we pay them the living wage, as appropriate, and that they receive other benefits if they work more than 6 consecutive months. The majority of temporary employees hired however such as, temporary painters, laborers and plumbers, are paid above the Living Wage. We accept the Petitioners' representation that we could not hire these temporary labor and skilled labor positions without offering wages above the living wage. The term "seasonal" is no longer used to describe those employees who go on and off the payroll based on the seasonal work as "seasonal employment" has a specific meaning under the state unemployment laws.

Although it would be a daunting task to keep all the language in the bylaws current and up to date, where, as here, the change is straight forward we feel it is prudent and advisable to keep the language up to date to ensure the Town's correctly pays either a Living Wage or Brookline minimum wage to employees who are not covered by a union.
As the Living Wage is an important bylaw, it is likewise important to update the bylaw to ensure it is current with staffing demographic changes, e.g., hiring more high school students in entry level, junior positions. However, like the Board of Selectmen and Advisory Committee, we are not opposed to have a minimum wage that is one dollar higher than the state's minimum wage. For the Recreation Department, if Town Meeting adopts the entry level positions as exempt from the Living Wage, that will save a significant amount of money, allowing the department to continue to keep programming rates reasonable and affordable. However, when paying the minimum wage, we reject the petitioners' proposal to align the minimum wage with the state's minimum wage and believe the Town should maintain its commitment to a strong minimum wage.

The Recreation Department provides youth employment opportunities to a significant number of students whose first job is a recreation job, either as a camp counselor or as a junior lifeguard. This first job opportunity is an important win/win for the student who receives important job skills and who can subsequently take part in other promotional opportunities within the Recreation Department, and for the Town which maintains a ready group of young, devoted employees who bring continuity across recreational programming and can fill program staffing gaps when a large program is put on, e.g., Brookline Day. This model has been developed over the last 8 to 10 years and has been quite successful.

The amendment to the Living Wage bylaw streamlines a burdensome tracking process putting it in sync with other tracking procedures for temporary employees. The petitioners' amendments also remove a discrete group of junior level student employees from the protection of the Living wage. Although these entry-level, student employees were exempt from the living wages, they would still receive the Brookline minimum wage and will see wage increases as the minimum wage increases and through other merit-based advancements for youth who have worked over the course of several years and in various positions across the Recreation programming.

Therefore, the Human Resources Board unanimously voted to adopted the language as submitted by the petitioners but amending Section 4.8.2 to include "and f" and by rejecting the strike out and keeping the language "one dollar more than" as previously provided in the Living Wage bylaw.

ARTICLE 10

REVISED AMENDMENT OFFERED BY PATRICIA CONNORS, TMM-3

VOTED: That the Town amend the Advisory Committee's proposed amendment of the General By-Laws, Article 4.8, Living Wage By-Law, in the following manner (additions appear in underlined bold text, and deletions appear in stricken bold text):

SECTION 4.8.2 LIVING WAGE

(a) The town of Brookline ("town") shall pay each of its employees no less than $10.30 an hour except as provided in Section 4.8.5 and in collective bargaining agreements with the town under G.L. c. 150E, section 7.

(**be**) The wage prescribed in paragraph (a) of this Section 4.8.2 shall be known as the "living wage" and shall be adjusted annually by the same percentage and on the same schedule relative to wage adjustments given to full-time, nonunion town employees on the town's general pay schedule, beginning in the year 2003.

(**cf**) The living wage shall also be adjusted annually at the time of and after the adjustment set forth in paragraph (b) of this Section 4.8.2 if necessary to insure that as so adjusted, it is at least one dollar more than the state minimum wage in effect under G.L. c. 151 at the time of such adjustment.

SECTION 4.8.3 MINIMUM WAGE

The compensation of employees exempted from the living wage under paragraphs (a), (b), (c), (d) and (f) of Section 4.8.5 shall be adjusted annually at the same time as the adjustment referred to in paragraph (b) of Section 4.8.2 if necessary to insure that the hourly wage is at least one dollar more than the state minimum wage in effect under G.L. c. 151 at the time of such adjustment.

SECTION 4.8.5 EXCEPTIONS

The town shall not be required to pay the living wage to the following persons:

(a) seasonal ~~**or temporary**~~ employees who work less than six ~~**consecutive**~~ months in **any twelve-month cycle** ~~**in a fiscal year in a given position;**~~

(b) employees participating in a work-study or cooperative educational program;

(c) employees whose positions are funded, in full or in part, by Community Development Block Grant or State Elder Services Grant monies;

(d) town library Junior Library Pages;

(e) Putterham Meadows Golf Course rangers;

(f) town junior, part-time positions funded by a Recreation revolving fund, specifically, Jr. Swim Coach, Jr. Swim Instructor, Jr. Lifeguard, Jr. Skate Guard, Jr. Referee, Jr. Assistant Recreation Leader, Jr. Camp Counselor, Jr. Camp Instructor, Jr. Skate Concessions;

(g) volunteers and all persons appointed or elected to town committees;

(h) elected officers of the town.

SECTION 4.8.6

a~~c~~. Definitions:

In construing SECTION 4.8.6, the following words shall have the meanings herein given, unless a contrary intention clearly applies.

Covered employer means anyone who has been awarded a service contract or subcontract with the Town after the effective date of the By-law.

Covered Employee means any employee who performs direct services for the purpose of fulfilling the covered employer's contractual obligations, provided however, employees who perform services that are incidental to the execution of the contract are not covered employees.

Person means one or more of the following or their agents, employees, servants, representatives, and legal representatives: individuals, corporations, partnerships, joint ventures, associations, labor organizations, educational institutions, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, fiduciaries, and all other entities recognized at law by this commonwealth,

~~***Seasonal employee* means an employee who has been hired for a certified seasonal position, as defined by the Department of Unemployment Assistance and M.G.L. c. 151A, sec. 1 (bb).***~~

Services means the furnishing of labor, time, or effort by a contractor and/or covered employer.

Service contract means a contract for services awarded to a vendor by the town for no less than the following amounts: (i) $25,000.00 for contracts commencing in fiscal year 2006, (ii)

$10,000.00 for contracts commencing in fiscal year 2007 (iii) $5,000.00 for contracts commencing in fiscal year 2008 and thereafter. Any bids opened prior to fiscal year 2006 shall not be subject to this article.

~~***Temporary employee* means an individual who works for the Town of Brookline on either a full or part time basis; whose employment is explicitly temporary in nature and does not exceed six consecutive months of service in a given position.***~~

REVISED EXPLANATION

This revised amendment would keep the original/current language of SECTION 4.8.5(a) and SECTION 4.8.6 of the Living Wage By-Law. It's important to note that though the Recreation Department is the petitioner of this warrant article, the changes it seeks regarding seasonal and temporary employees under SECTIONS 4.8.5(a) and 4.8.6 relate to all town employees not just those of the Recreation Department.

I. The very nature of seasonal work is that it may be off and on and not consecutive for six months. Rather, it may consist of three months in the winter and another three months in the summer. Requiring seasonal employees to work a minimum of six consecutive months before paying them the living wage rate may in effect eliminate paying the living wage rate to many seasonal employees.

Further, using a fiscal year rather than twelve-month cycle method to calculate the six-month waiting period is similarly prejudicial to seasonal employees. The initial twelve-month cycle begins at the same date as when the employee begins to work for the town in a seasonal position. The twelve-month cycle method for calculating the seasonal employee's six month waiting period to earn at least the living wage rate therefore gives credit to the employee for all of his/her seasonal work as of the date s/he begins working for the town and not just for work performed as of the beginning of a fiscal year. Say for instance the employee begins working for the town in seasonal employment as of December, 2014 and works more than 6 months off and on performing seasonal work between 12/2014 and 12/2015 but less than six months off and on between 7/2014 and 7/2015. Under the twelve-month cycle method, the town would credit the seasonal employee's work for each of the months s/he worked from 12/2014 and if s/he worked a cumulative six months by 9/2015, s/he would be paid at least the living wage rate thereafter. Compare using the fiscal year method. Under this method, the employee would not be entitled to the living wage rate by 9/2015 because during the fiscal year of 7/2014 to 7/2015, s/he would not have worked a cumulative period of six months. The clock would have to start over as of 7/2015 and the employee would need to accumulate six months of seasonal work beginning 7/2015. Starting the twelve-month cycle as of when the employee first begins working in seasonal employment is a fairer way to calculate the six-month waiting period for the seasonal employee. Rather than make it more difficult for our seasonal town employees to earn a living wage rate, let's give credit where credit is due and pay them a decent wage when they've worked their six-month waiting period.

Additionally, the petitioner proposes to use the state Unemployment Department's definition of "Seasonal employee" under M.G.L. c 151A, sec. 1 (bb) to determine who's a seasonal town employee under SECTION 4.8.6 of the Living Wage By-Law.

M.G.L. c 151A, sec. 1 (bb) provides:

"Seasonal employee," an individual who:

(1) has been employed by a seasonal employer in seasonal employment during a regularly recurring period or periods of less than 20 weeks in a calendar year for all seasonal periods, as determined by the commissioner, and

(2) has been hired for a specific temporary seasonal period as determined by the commissioner; and

(3) has been notified in writing at the time hired, or immediately following the seasonal determination by the department, whichever is later:

(A) that the individual is performing services in seasonal employment for a seasonal employer; and

(B) that the individual's employment is limited to the beginning and ending dates of the employer's seasonal period as determined by the department.

However, this definition conflicts with the petitioner's proposed language for SECTION 4.8.5 (a) of the Living Wage By-Law, which would exempt "seasonal…employees who work less than six consecutive months in a fiscal year in a given position." Is a seasonal employee one who works "…less than 20 weeks in a calendar year for all seasonal periods, as determined by the commissioner [of the department of unemployment assistance]…." as provided by M.G.L. c. 151A, sec. 1 (bb) **or** one who works "…less than six consecutive months in a fiscal year in a given position…." as provided by the petitioner's proposed language for SECTION 4.8.5 (a) of the Living Wage By-Law? In the interest of clarity and fairness, let's stick with the original definition of seasonal employees under SECTION 4.8.5 (a): "…employees who work less than six months in any twelve-month cycle."

II. The petitioner proposes to add "temporary employees" to the list of definitions under SECTION 4.8.6 and to exempt temporary employees "…who work less than six consecutive months in a fiscal year in a given position…" from the living wage rate under SECTION 4.8.5 (a). In the past, the town has employed "temporary" employees for years at a time. Be that as it may, why should adult temporary employees be paid anything less than the living wage, even if they work less than six consecutive months?

In conclusion, the writer submits that we have yet to receive information as to the total number of town employees whom the petitioner's proposed changes would impact. A May 21, 2015

Brookline TAB article reports that relative to the Recreation Dept. alone: "… roughly 40 percent of the Recreation Department's annual budget for part-time employees is paid at the living wage amount [that the] the department employs around 250 seasonal and temporary employees, usually high school and college students [and that] the average age of those employees is 19 years old."

The new "town junior, part-time position" exemptions under SECTION 4.8.5 (f) should reduce the number of minors who earn the living wage rate. Adulthood begins at age 18 and young adults are oftentimes looking at college expenses in the area of $30,000 - $60,000 per year. And what about the impact on other Departments? How many employees would be affected by the petitioner's proposed changes relative to seasonal and temporary employees such that they would earn less than the living wage? We just don't know.

Yes, add town junior part-time Recreation Dept. positions to the list of town positions exempted from the living wage rate but pay the employees who fill these positions at least the town minimum wage rate. And retain the remainder of the Living Wage By-Law to insure that most town employees earn, at a minimum, a living wage.

ARTICLE 11

ELEVENTH ARTICLE
Submitted by: Preservation Commission

PROPOSED ARTICLE TO ESTABLISH A CROWNINSHIELD LOCAL HISTORIC DISTRICT

To see if the Town will amend Article 5.6 of the Town's By-laws, entitled Preservation Commission & Historic Districts By-law, in the following manner:

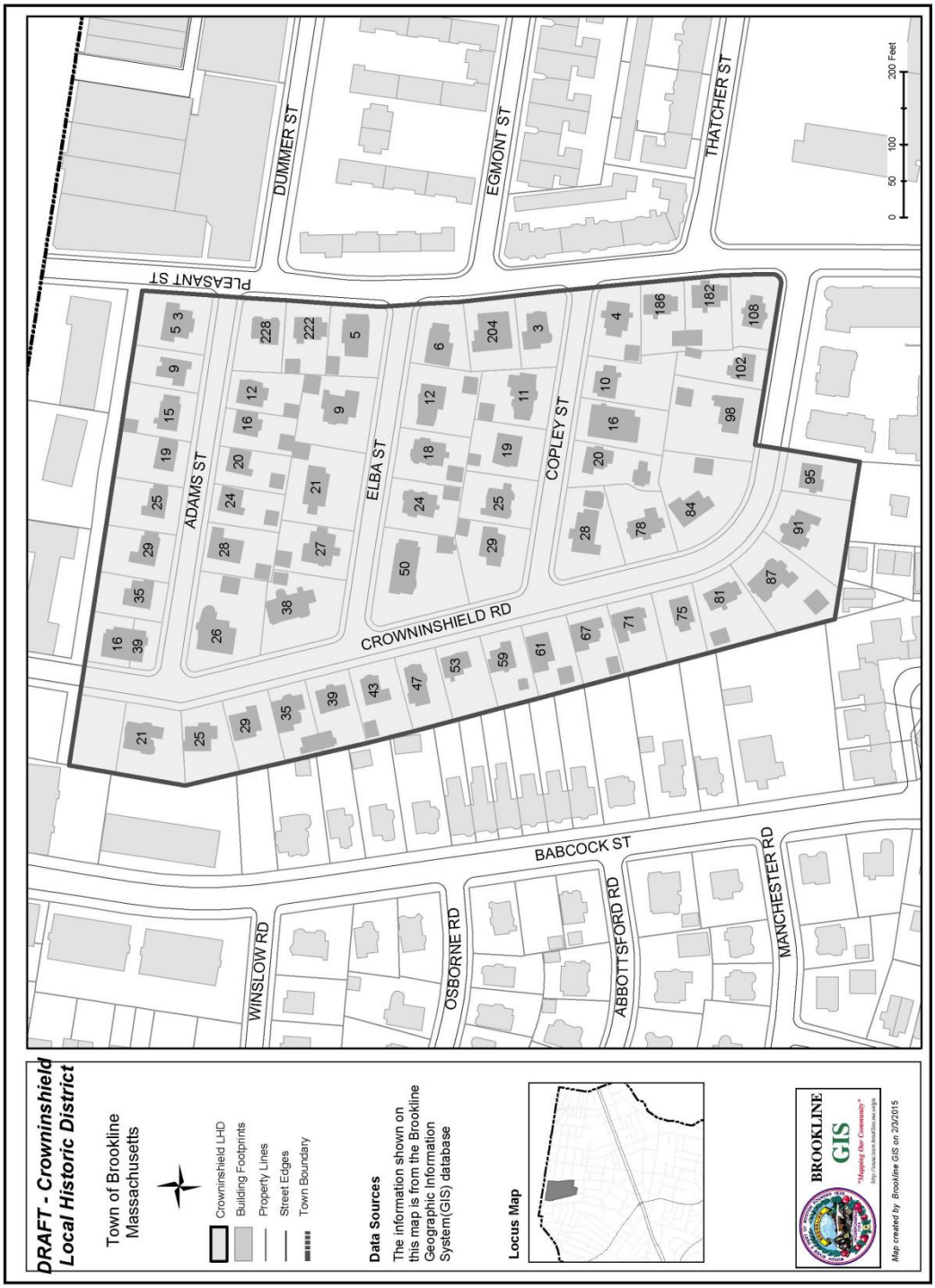
By deleting Section 5.6.3. (h) and substituting new sections 3 (h) and 3 (i) therefore:

"(h) Crowninshield Local Historic District

There is hereby established an Historic District, to be entitled the 'Crowninshield Local Historic District,' the boundaries of which shall be shown on the map entitled 'Crowninshield Local Historic District,' a copy of which is on file with the Town Clerk's office, which accompanies and is hereby declared to be part of this By-law.

(i) Other Historic Districts

Other Historic Districts within the Town may be established from time to time in accordance with the procedures set forth in Chapter 40C of the Massachusetts General Laws, as amended from time to time."



or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

At a meeting on January 22, 2015, the Preservation Commission received a petition signed by a large group of neighbors, who live within the area of Crowninshield Road, Elba Street, Adams Street, Copley Street and a section of Pleasant Street, requesting that a new local historic district be established for their neighborhood. The Commission voted to instruct the Commission's staff to work with a neighbors and a consultant to prepare a preliminary study report as required by M.G.L. Chapter 40C

A preliminary study report was prepared by consultant David C. Jack which describes the historical, architectural, and cultural significance of the residential neighborhood that includes parts of Pleasant Street, Crowninshield Road Street, Elba Street, Copley Street and Adams Street. The proposed district includes 95 properties (61 houses and 34 outbuildings/garages). This area represents the development of Brookline from the mid – 19th century exurban estates to the systematic subdivision plat and houses of the early 20th century. The area is defined by the boundaries of the19th century Crowninshield estate (Harriet Sears Crowninshield) and encompasses a variety, but homogeneous group of houses designed by prominent architects in styles of the first decades of the 20th century.

Based on the conclusions in the report, the Brookline Preservation Commission voted at its February 10,, 2015, meeting to accept the preliminary study report for submission to the Massachusetts Historical Commission and the Brookline Planning Board as required by M. G. L. Chapter 40C and to submit a warrant article to spring 2015 Town Meeting. It was accepted by MHC on February 17, 2015.

Under Article 5.6, Preservation Commission and Historic Districts By-law of the Town By-laws, any proposed local historic district must be approved by a 2/3 vote of Town Meeting. There are currently seven local historic districts in Brookline: Cottage Farm, established in 1979; Pill Hill, established in 1983; Graffam-McKay established in 2004; Harvard Avenue established in 2005; and Chestnut Hill North established in 2005; Lawrence established in 2011; and Wild-Sargent established in 2012.

There will be a Public Hearing on the matter on or after April 14, 2015, as per M.G.L. Chapter 40C, after which time the final study report will be completed and reviewed for acceptance.

PLANNING BOARD REPORT AND RECOMMENDATION

At the Planning Board Public Hearing on April 16, 2015 on the local historic district warrant article, there was overwhelming support expressed by the residents who would be affected by the new requirements for review and approval by the Preservation Commission for any exterior alterations or construction to homes in the proposed district. Approximately 84% of the residents within the proposed boundary support the creation a Crowninshield Local Historic District.

Article 11 proposes the creation of a Crowninshield Local Historic District. The impetus for this Warrant Article was neighborhood concern about development pressures on the area of Crowninshield Road, Elba Street, Adams Street, Copley Street and a section of Pleasant Street and the proposed demolition of some historically and architecturally significant structures; the most recent development proposal is a c.40B project at 21 Crowninshield, a cornerstone property of this residential enclave. The neighborhood is particularly concerned that new construction be compatible with the overall character of the area.

According to a preliminary study report prepared by a consultant and edited by Preservation Planner Greer Hardwicke, the boundary proposed for the District is virtually identical to that of the 19th century Crowninshield estate owned by Harriet Sears Crowninshield. The current single-family lots are also consistent with the subdivision plat devised in the early 20th century. The area encompasses a compatible variety of Arts and Crafts, Georgian and Colonial Revival, and American Shingle Style houses designed by prominent architects between 1900 and 1927.

The creation of the Crowninshield Local Historic District will serve as a valuable tool to guide responsible development in this architecturally coherent neighborhood and well-conserved representation of Brookline's transition from19th century estates to the single-family subdivision created in the early 1900s.

Therefore, the Planning Board voted unanimously to recommend FAVORABLE ACTION on Article 11.

SELECTMEN'S RECOMMENDATION

The Board of Selectmen considered the extensive research conducted by consultant David C. Jack, as well as the overwhelming support among residents, who initiated the process to establish a local historic district.

The catalyst for this Warrant Article was neighborhood concern about development pressures on the area and the proposed demolition of a historically and architecturally significant structure. An architecturally coherent single-family neighborhood, deemed significant by the Massachusetts Historical Commission, the area encompasses a compatible variety of Arts and Crafts, Georgian and Colonial Revival, and American Shingle Style houses designed by prominent architects between 1900 and 1927. The neighborhood is particularly concerned that new construction be compatible with the overall character of the area.

Adjacent to the Crowninshield neighborhood are multifamily and commercial districts, including the Boston University campus on Commonwealth Avenue and the Arbour HRI Hospital on Babcock Street. Area residents have intensively participated in community

reviews for several nearby affordable housing projects, including the St. Aidan's c.40B project on Pleasant Street and the expansion of the Trustman Estates on Dummer Street.

In addition to the compelling historical research, it is notable that property owners have consistently maintained their properties with the care that befits a carefully conserved neighborhood, including retaining much of the original materials that were constructed over 100 years ago. It is fitting to codify these efforts by designating the area as a local historical district. Doing so will establish a valuable tool that may guide new property owners to respect the architectural significance of this residential enclave and preserve the qualities that make it a cultural asset to the Brookline community.

Therefore, the Board of Selectmen recommends FAVORABLE ACTION, by a vote of 5-0 taken on April 21, 2015, on Article 11 as submitted.

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:
Article 11 seeks to create a new Crowninshield Local Historic District comprising an area encompassing 61 dwellings and their associated outbuildings. The proposal has received overwhelming support from affected property owners who are interested in preserving the distinctive physical characteristics of their neighborhood, which is bordered by dissimilar development in all directions. The Advisory Committee concurs with the findings of the Preservation Commission, Planning Board, and Board of Selectmen and recommends FAVORABLE ACTION on Article 11 by unanimous vote.

BACKGROUND:
Article 11 seeks to create a new Local Historic District (LHD) in an area of North Brookline covering Crowninshield Road, Elba Street, Adams Street, Copley Street and a section of Pleasant Street. Although it is submitted by the Preservation Commission, Article 11 originally came to fruition as the result of a neighborhood petition.

The Precinct 8 neighborhood is a distinct pocket of mostly single-family homes between Coolidge Corner and Commonwealth Avenue. While homes in this neighborhood differ in style, they tend to be of similar scale, orientation to the street and have consistent front yard depths. The neighborhood is surrounded by much larger, denser development as follows:

- To the north: commercial properties along Commonwealth Avenue, many of which are auto repair in nature;
- To the northeast: Boston University, including the Agganis Arena;
- To the east and southeast: large-scale multifamily housing developments at St. Aidan's, Dexter Park and Egmont;

- To the northwest: Arbour-HRI Psychiatric facility.

Earlier this year, the Preservation Commission authorized the neighbors and preservation staff to prepare a preliminary study report with the assistance of an outside consultant. This report has been accepted by the Preservation Commission and Massachusetts Historical Commission as required by MGL Ch. 40C and can be found at http://brooklinema.gov/1224/Prop-Crowninshield-LHD.

Article 11 would establish an eighth LHD in Brookline, subject to the provisions in the Town's Bylaw. It requires 2/3 vote of Town Meeting in order to be approved into Bylaw.

DISCUSSION:
The petitioners and other supporters are seeking to create an LHD to preserve the architecture and scale of their neighborhood, which is particularly vulnerable to redevelopment due to its location within Brookline. Over the years, several large-scale projects have raised concerns for the neighborhood. The most recent example of this is at 21 Crowninshield, a significant 1910 dwelling that is slated for demolition so that a 20-unit 40B project can be constructed in its place. This has been a catalyst event for the neighborhood, although they had been considering the idea of seeking LHD status for years. The neighborhood recognizes that LHD status will not stop the 40B development at 21 Crowninshield Road, nor will that property ultimately be subject to the provisions of an LHD if it relies on state or federal funding.

Neighborhood representatives have described their process of building consensus and disseminating information to the affected property owners. Multiple information sessions were held this past winter. The process was described as extremely positive, as evidenced by the following statistics:

Total Properties in proposed LHD:	63	
In Favor	53	(53/63 = 84.1 %)
Declined (D)*	3	(3/63 = 4.8 %)
Unresponsive (U)	7	(7/63 = 11.1 %

*Neighborhood representatives clarified that those that did not opt to formally support the LCD have stated they would not actively oppose it.

The Advisory Committee was impressed by the level of consensus reached, noting that an 80% consent rate is generally considered a high level of neighborhood agreement.

David King, Chair of the Preservation Commission, which is unanimous in its support of Article 11, stated that the Crowninshield neighborhood is an excellent example of early 20th Century suburban planning and development. He described the neighborhood as uniform in setbacks, height, scale, and quality of architecture, but having substantial diversity in style (Craftsman, Shingle, and Colonial Revival). The Advisory Committee noted that the creation of an eighth Brookline LHD, with its 95 buildings (dwellings and

garages) would add to the substantial workload of the Preservation Commission and its Department of Planning and Community Development staff, which is currently budgeted at 1.8 FTE.

The Advisory Committee praised the petitioners for the quality of the report and noted that the boundaries of the proposed LHD are clear and logical, occurring at rear property lines so that both sides of the street are treated similarly. The boundaries also closely resemble those of the original Crowninshield Estate property, thereby connecting the neighborhood to the historical legacy and provenance.

RECOMMENDATION:
The Advisory Committee agreed that the Crowninshield neighborhood identified in Article 11 an ideal candidate for an LHD due to its unique history, consistency and quality of architecture; its cohesiveness and distinctness from surrounding areas; and the strong level of neighborhood support it has garnered from affected property owners. By a vote of 17-0-0, the Advisory Committee unanimously recommends FAVORABLE ACTION on Article 11.

XXX

ARTICLE 12

TWELTH ARTICLE
Submitted by: Board of Selectmen

To see if the Town will amend Articles 7.7, 10.2 and 10.3 of the Town's General By-Laws as follows (new language is in bold and underlined and deleted language is stricken):

ARTICLE 7.7
REMOVAL OF SNOW AND ICE FROM SIDEWALKS

SECTION 7.7.1 BUSINESS AND INDUSTRIAL DISTRICTS

In all Business and Industrial Districts, as defined and delineated in the Zoning By-law, the owner, or his/her agent, of any land abutting upon or contiguous to a sidewalk of a street shall cause said sidewalk to be maintained in a non-slippery condition suitable for pedestrian travel by clearing all snow and ice from a pathway at least thirty-six (36) inches in width along the length of said sidewalk within the first three hours between sunrise and sunset after such snow and ice has come upon such sidewalk **as determined and posted on the Town's Internet home page by the Commissioner of Public Works**, and shall maintain said portion of sidewalk in a non-slippery condition by application(s) of sand and/or melting agents as may be necessary for this purpose. **Depending upon the severity of a storm and other factors, the Commissioner of Public Works may delay the period for compliance of this by-law. In the event of initiating a compliance delay, the Commissioner of Public Works shall post a notice prominently on the Town of Brookline's Internet home page and make other good faith efforts to notify the public including, but not limited to, social media outlets, the cable access television station, e-mail list serves and the emergency telephone notification system.**

SECTION 7.7.2 MULTI-FAMILY DWELLINGS

The owner, or his/her agent, of any building designed or occupied as a residence by more than four families or which contains more than four dwelling units, as defined in the Zoning By-law, shall cause all sidewalks of a street which are contiguous to the land upon which the building is situated to be maintained in a non-slippery condition suitable for pedestrian travel by clearing all snow and ice from a pathway at least thirty-six (36) inches in width along the length of said sidewalk within the first three hours between sunrise and sunset after such snow and ice has come upon such sidewalk **as determined and posted on the Town's Internet home page by the Commissioner of Public Works**, and shall maintain said portion of sidewalk in a non-slippery condition by application(s) of sand and/or melting agents as may be necessary for this purpose.

Depending upon the severity of a storm and other factors, the Commissioner of Public Works may delay the period for compliance of this by-law. In the event of initiating a compliance delay, the Commissioner of Public Works shall post a notice prominently on the Town of Brookline's Internet home page and make other good faith efforts to notify the public including, but not limited to, social media outlets, the cable access television station, e-mail list serves and the emergency telephone notification system.

SECTION 7.7.3 GENERAL REQUIREMENT

Except as set forth in Subsections ~~(a)~~**7.7.1** and ~~(b)~~**7.7.2** above, the owner, or his/her agent, of any land abutting upon or contiguous to a sidewalk of a street shall cause said sidewalk to be maintained in a non-slippery condition suitable for pedestrian travel by clearing all snow and ice from a pathway at least thirty-six (36) inches in width along the length of said sidewalk within thirty (30) hours of the cessation of each storm that results in the accumulation of snow and/or ice on such sidewalk~~,~~ **as determined and posted on the Town's Internet home page by the Commissioner of Public Works,** and shall maintain said portion of sidewalk in a non-slippery condition by application(s) of sand and or melting agents as may be necessary for this purpose. **Depending upon the severity of a storm and other factors, the Commissioner of Public Works may delay the period for compliance of this by-law. In the event of initiating a compliance delay, the Commissioner of Public Works shall post a notice prominently on the Town of Brookline's Internet home page and make other good faith efforts to notify the public including, but not limited to, social media outlets, the cable access television station, e-mail list serves and the emergency telephone notification system.** The Commissioner of Public Works, or his/her designee, may grant a waiver from the terms of this Section 7.7.3 for good cause.

SECTION 7.7.4 NO ICE AND SNOW TO BE PLACED ON STREET

No person, **contractor, agent, business or owner,** unless authorized by the Commissioner of Public Works, shall place or cause to be placed ice or snow upon any street of the Town. Without limiting the generality of the foregoing, no person, unless authorized by the Commissioner of Public Works, shall place or cause to be placed ice or snow upon any sidewalk of the Town.

SECTION 7.7.5 PENALTIES

~~The violation of~~**Any person or entity who violates** any provision~~ of Sections~~**, condition, or requirement of Section** 7.7.1 ~~and~~**or** 7.7.2 of this Article 7.7 shall be ~~punishable by a fine not exceeding One Hundred ($~~**liable to the Town in the amount of $**100~~.) Dollars~~**.00** for ~~each offense. In any fiscal year,~~ the first violation**, $150.00 for the second violation, and $200.00 for each subsequent violation. Any person or entity who violates any provision, condition, or requirement** of ~~any provision of ARTICLE~~**Section** 7.**7.**3 **of this Article 7.7** shall be ~~noted with a Warning. The second~~

liable to the Town in the amount of $50.00 for the first violation and **$100.00 for** each subsequent violation~~, in~~**. Any person or entity who violates** any ~~fiscal year,~~**provision, condition, or requirement** of ~~said~~**Section 7.7.4 of this Article** 7.~~3~~**7** shall be ~~punishable by a fine not exceeding Twenty-Five ($25.00) Dollars for~~ **liable to the Town in the amount of $250.00 for** each violation. **Each day that a violation exists shall be considered a separate and distinct violation.**

SECTION 7.7.6 **MANNER OF ENFORCEMENT AND** ANNUAL REPORT

It is the goal of this By-Law to ensure safe travel on the sidewalks of the Town during winter weather conditions. To this end, the Town shall make good faith efforts to notify the public of their responsibilities under this By-Law. Based on certain factors including, but not limited to, weather conditions, ability to travel and park on the public ways and past performance, authorized enforcement officers of the Town may use discretion when levying financial penalties under this By-Law, including the issuance of warnings. Enforcing departments may hold ticket appeal hearings. Hearing decisions must be in writing.

The Board of Selectmen shall include in the Annual Report of the Town a summary of the Town's efforts and results during the past year in implementing Sections 7.7.1, 7.7.2, and 7.7.3, including, but not limited to, public education, enforcement and assistance to owners.

ARTICLE 10.2
PROSECUTIONS AND ENFORCEMENT

The provisions in Parts V, VI, VII and VIII of the by-laws of the Town of Brookline shall be enforced and violations prosecuted by any police officer of the town. In addition, enforcement and prosecution of the following by-laws and articles shall be by the following department head or his or her designees:

DEPARTMENT HEAD		ARTICLE
BUILDING COMMISSIONER		
Part V-Private Property	Articles	5.2, 5.3, 5.4, 5.6, 5.7, 5.8
Part VI-Public Property	Articles	6.1, 6.5, 6.9, 6.10
Part VII-Streets & Ways	Articles	7.3, 7.5, 7.7, 7.8, 7.9

Part VIII-Public Health & Safety	Articles	8.3, 8.6, 8.7, 8.8, 8.9, 8.11, 8.13, 8.14, 8.15, 8.16,

COMMISSIONER OF PUBLIC WORKS

Part VI-Public Property	Articles	5.7, 6.1, 6.2, 6.3, 6.4, 6.5, 6.9
Part VII-Streets & Ways	Articles	7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10,7.11
Part VIII-Public Health & Safety	Articles	8.2,8.8, 8.14, 8.15,8.16, 8.18,8.24, 8.25,8.26

DIRECTOR OF HEALTH & HUMAN SERVICES

Part V-Private Property	Articles	5.1, 5.2, 5.4, 5.5, 5.7
Part VI-Public Property	Articles	6.2, 6.6
Part VII-Streets & Ways	Articles	7.1, 7.5**, 7.7**
Part VIII-Public Health & Safety	Articles	8.1, 8.2, 8.3, 8.4, 8.6, 8.7, 8.8, 8.9, 8.10,8.11, 8.12,8.13, 8.14, 8.15, 8.16, 8.22, 8.23, 8.32

PRESERVATION COMMISSION

Part V-Private Property	Articles	5.3, 5.6

HUMAN RELATIONS-YOUTH RESOURCES COMMISSION

Part V-Private Property	Article	5.5

ARTICLE 10.3
NON-CRIMINAL DISPOSITION

A violation of any provision of these by-laws, the violation of which is subject to a specific penalty under Section 10.1 or in the specific provision which has been violated,

except when otherwise provided by law, or any rule or regulation of any municipal officer, board or department may be dealt with as a non-criminal offense in accordance with the provisions of General Laws, Chapter 40, section 21d. If not subject to a specific penalty in the following table, each violation shall be subject to a specific penalty of fifty ($50.00) dollars for each offense, unless a different penalty is provided in the specific by-law, rule or regulation provision being enforced. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as a separate offense hereunder. Violations of this Article 10.3 may be enforced by any police officer of the town, by the department head or his or her designee as set forth with particular reference to specific articles in Article 10.2, above, and, when a violation involves a rule or regulation of any municipal officer, board or department, by that municipal officer or by that board or the head of that department, by his or her designee, and in all instances, in accordance with the requirements set forth in General Laws, Chapter 40, section 21d.

TABLE OF SPECIFIC PENALTIES UNDER ARTICLE 10.3

Article 5.1	Alarm Systems		
	Section 5.1.9	False Alarms	$100.00
	Section 5.1.10	Penalties	$100.00
Article 5.8	Sign By-Law		
	Section 5.8.9	Penalty For Violation	$100.00
Article 6.2	Alcoholic Beverages On Public Property		
	Section 6.2.2	Penalty	$100.00
Article 6.3	Grass Borders		$ 75.00
Article 6.4	Damage To Trees		$100.00
Article 6.5	Defacing Public Grounds		$ 75.00
Article 6.6	Discharging Firearms		$100.00
Article 7.1	Alcoholic Beverages		$100.00

Article 7.3 Construction In Streets

Section 7.3.3 Penalty $100.00

Article 7.6 Newsrack Regulation

Section 7.6.5 Penalty $ 25.00

Article 7.7 Removal Of Snow And Ice From Sidewalks

Section 7.7.5 Penalties
For Sections 7.7.1 & 7.7.2 ~~$100.00~~
First Violation $100.00

Second Violation $150.00

Third & Subsequent Violations $200.00

For Section 7.7.3
First Violation **$50.00**~~Warning~~

Second & Subsequent Violations **$100.00**~~25.00~~

For Section 7.7.4 $250.00

Article 7.8 Removal Of Vehicles From Streets $ 25.00

Article 7.9 Snow Parking Ban $100.00

Article 8.3 Dwelling Houses Used In Common $100.00

Article 8.5 Disorderly Behavior

Section 8.5.5 Specific Penalty $100.00

Article 8.6 Dog Control

Section 8.6.9 Penalty

	First Violation	$ 15.00
	Second & Third Violations	$ 25.00
	Fourth & Subsequent Violations	$ 50.00
Article 8.7	Food Stores – Hours Of Operation	$ 50.00
Article 8.8	Food Establishments Handling Of Refuse	$100.00
Article 8.9	Toilet Facilities – Restaurants	$ 50.00

Article 8.23 Tobacco Control

Section 8.23.5
Violations & Penalties

For each violation under Article 8.23 –Three Hundred Dollars ($300.00.

Article 8.24 Water Supply Emergencies

Section 8.24.6
Penalties

First Violation	$ 50.00
Second & Subsequent Violations	$100.00

Article 8.25 Water System Backflow And Cross Connections

Section 8.25.6 Enforcement $100.00

Article 8.26 Stormwater Management

First Violation	$100.00
Second Violation	$200.00
Third and Subsequent Violations	$300.00

HEALTH DEPARTMENT REGULATIONS

Regulations Governing the Handling, Storage,
Collection and Disposal of Waste

1. Violations and Penalties for Owners of Commercial Businesses, Corporations and Buildings Containing More Than Three Dwelling Units

First Violation	$100.00
Second Violation	200.00
Third & Subsequent Violations	*$300.00*

2. Violations and Penalties for Owners of Single, Two and Three Unit Dwellings

First Violation	$20.00
Second Violation	$35.00
Third & Subsequent Violations	$50.00

Or Act on anything relative thereto

PETITIONER'S ARTICLE DESCRIPTION

This article is submitted by the Board of Selectmen at the request of the Town Administrator, who convened a Sidewalk Snow Removal Task Force over the past year. The Task Force was in response to a Town Meeting Resolution passed in May of 2014 that encouraged the Town to pursue a more proactive and aggressive strategy to enforce the by-law requiring property owners to clear snow and ice from the public sidewalks abutting their property. This article amends the existing by-law, Article 7.7- Removal of Snow and Ice from Sidewalks, as well as companion by-laws, Article 10.2 and 10.3. The main focus of this article is to amend the schedule of fines for violation of the by-law requirements. The proposal would establish an increasing schedule of fines for subsequent violations of the by-law. The proposed amendments would also;

1.) Clarify that commencement of the enforcement period will be determined by the Commissioner of Public Works and that such determination will be posted on the Town's Internet home page.

2.) Permits the Commissioner of Public Works to defer the commencement of the default enforcement period based on weather conditions and other factors. Any such deferment must be posted on the Internet home page.

3.) Eliminates the requirement to issue a Warning to residential violators for a first offense pursuant to Section 7.7.3

4.) Imposes a fine for violations of Section 7.7.4.

5.) Authorizes discretion in the enforcement of the By-Law including the issuance of warnings.

6.) Establishes an administrative appeal mechanism

SELECTMEN'S RECOMMENDATION

Article 12 was submitted by the Board of Selectmen at the request of the Town Administrator, who was advised over the past year by a Sidewalk Snow Removal Task Force he convened. The Task Force was formed in response to a Town Meeting Resolution passed at the 2014 Annual Town Meeting that encouraged the Town to pursue more proactive and aggressive enforcement of the by-law requiring property owners to clear snow and ice from the public sidewalks abutting their property. This article amends the existing by-law, Article 7.7- Removal of Snow and Ice from Sidewalks, as well as companion by-laws, Article 10.2 and 10.3. The main focus of this article is to amend the schedule of fines for violation of the by-law requirements. The proposal would establish an increased schedule of fines for subsequent violations of the by-law. The proposed amendments would also;

1.) Clarify that commencement of the enforcement period will be determined by the Commissioner of Public Works and that such determination will be posted on the Town's Internet home page.

2.) Permits the Commissioner of Public Works to defer the commencement of the default enforcement period based on weather conditions and other factors. Any such deferment must be posted on the Internet home page.

3.) Eliminates the requirement to issue a Warning to residential violators for a first offense pursuant to Section 7.7.3

4.) Imposes a fine for violations of Section 7.7.4.

5.) Authorizes discretion in the enforcement of the By-Law including the issuance of warnings.

6.) Establishes an administrative appeal mechanism

Several aspects of the by-law were reviewed by the Advisory Committee's subcommittee and other individuals. As expected, the first proposed change in this by-law in many years generated a lot of differing opinions and wording to address them. In addition, the huge snowfall this past winter may have had the effect of inflating the concern about this article. In particular, there was concern raised about the proposal to eliminate the automatic warning for residential violations and to replace that requirement with general language allowing for enforcement discretion (see #3 and #5 above). The other controversial aspect was the establishment of a local appeal process in addition to the district court appeal for non-criminal disposition of this by-law (see #7 above).

A version recently developed by Advisory Committee members Stanley Spiegel and Dennis Doughty eliminated the controversial sections and seems to address the most important aspects of the by-law, including an increase in the fine schedule. Specifically, the new version does not include language addressing #1, #3, #5 and #6 above. The Board of Selectmen voted unanimously to recommend favorable approval of this version with the understanding that some further changes may be necessary to make the new by-law consistent and legally compliant.

By a vote of 5-0 taken on April 28, 2015, the Board recommends FAVORABLE ACTION on the amendment offered by Stanley Spiegel:

VOTED: to amend Articles 7.7.5 and 7.76 of the Town's General By-Laws as follows:

SECTION 7.7.5 PENALTIES

The violation of any provision of Sections 7.7.1 and 7.7.2 of this Article 7.7 shall be subject to a fine of $100.00 for the first violation, $150.00 for the second violation, and $200.00 for each subsequent violation in any fiscal year. The violation of any provision of Section 7.7.3 of this Article 7.7 shall be noted with a warning for the first violation, and subject to a fine of $50.00 for the second violation and $100.00 for each subsequent violation in any fiscal year. The violation of any provision of Section 7.7.4 of this Article 7.7 shall be subject to a fine of $250.00.

SECTION 7.7.6 COMPLIANCE DELAY

Depending upon the severity of a storm and other factors, the Commissioner of Public Works may delay the period for compliance with Sections 7.7.1, 7.7.2, or 7.7.3 of this by-law. In the event of initiating a compliance delay, the Commissioner of Public Works shall post a notice prominently on the Town of Brookline's Internet home page and make other good faith efforts to notify the public including, but not limited to, social media outlets, the cable access television station, e-mail list serves, and the emergency telephone notification system.

ADVISORY COMMITTEE'S RECOMMENDATION

A report and recommendation by the Advisory Committee on Article 12 (Sidewalk Snow Removal Bylaw) will be provided in the Supplemental Mailing.

XXX

ARTICLE 12

ADVISORY COMMITTEE'S SUPPLEMENTAL RECOMMENDATION

SUMMARY:
By a vote of 11-6-5 the Advisory Committee voted FAVORABLE ACTION on an amendment to Article 12 which maintains the existing warning requirement under By-Law 7.7.3 General Requirement, but like the originally proposed Warrant Article 12: (1) increases fines under companion By-Law Article10.3, including adding a fine for placing snow in a public way; and (2) updates By-Law Article 10.2 to provide appropriate ticketing authority to the Director of Health and Human Services and his designees. The amended article also includes a new section 7.7.6 Compliance Delay and renumbers the existing 7.7.6. It is silent on other suggested changes proposed by the Task Force, such as the process for administrative appeals to the departments responsible for enforcing the by-law.

BACKGROUND:
The Board of Selectmen submitted Warrant Article 12 at the Town Administrator's request. The article is the result of the work of the Sidewalk Snow Removal Task Force, convened last year and charged with studying Section 7.7 of the Town's by-laws (Removal of Snow and Ice from Sidewalks.) The Task Force was comprised of representatives from the Building, Health, Public Safety and Public Works Departments as well as citizens, who met from August 2014 through March 9, 2015. Warrant Article 12 in its original form was the result of the Task Force's study and included recommendations for creating more effective and enforceable snow and ice removal regulations.

Per the Warrant Article 12 description Article 12 as submitted updates the existing Snow Removal by-law and companion enforcement by-laws as follows:

- Clarifies the enforcement period
- Allows enforcement deferral for extenuating circumstances
- Eliminates the warning requirement for first offenses
- Authorizes enforcement discretion by permitting warnings
- Imposes a fine for violations of Section 7.7.4 (placing snow into the street)
- Establishes an administrative appeal mechanism

Now, as in the past, enforcement of Section 7.7 is a complaint-driven system. While the Building Commissioner, Commissioner of Public Works, the Director of Health and Human Services, and the Police Department, have always had the authority to issue tickets to enforce violations, the Commissioner of Public Works and his designees have been the primary enforcers. Moving forward, all of the aforementioned departments plan to take a more active role by helping the Department of Public Works (DPW) during one

of its busiest times of year. This past winter while the Task Force was still at work, the DPW proactively notified commercial and private residences of snow removal plans and took additional steps to address locations that are often poorly cleared, if at all, with some measure of success. The DPW intends to continue active outreach.

Removing the Warning and new fine structure

One of Task Force's primary reasons for removing the Warning for the first offense under 7.7.3 General Requirement was to create a more immediate enforcement impact, and to ensure that frequent offenders received a fine for the first offense, rather than receive what was tantamount to one free pass each winter. (The Task Force identified approximately twenty specific commercial properties and private residences that often require repeat enforcement measures.)

In addition, the Task Force recommended graduated fines for offenses, rather than the existing $100 for 7.71 Business and Industrial Districts and 7.7.2 Multi-Family Dwellings for any offense. The proposed fines are $100 for the first violation, $150 for the second, and $200 for the third and subsequent violations.

For General Requirement offenses, which are generally other private residences, the Task Force suggested replacing the existing Warning for the First Violation with a $50 fine and increased the Second & Subsequent violation fine from $25 to $100, intending to induce greater compliance.

The Task Force also proposed adding a $250 fine under 10.3 for section 7.7.4 of the by-law, No Snow and Ice to be Placed on Street. The Commissioner with Public Works made clear that this last violation was one of the department's most frustrating problems short of the snow and ice itself. He said that it was generally quite clear when residents or their contractors had placed snow in the public way. If passed, these fines will be issued to the property owners.

Compliance Delay

Each day that the snow and ice is not cleared is considered a new offense, however, **extenuating circumstances and discretion have been and will continue to be mitigating factors;** Warrant Article 12 attempted to clarify the manner of enforcement in 7.7.6 including the use of discretion.

The stated the goal of the By-law, which is safe travel, requires that citizens, business owners and the Town all make good faith efforts to that end. The Task Force added language to the By-law clarifying the ways in which the Commissioner of Public Works may notify the businesses and residence owners of their responsibilities, including use of a wide variety of social media outlets. It also stated that certain extenuating factors, including but not limited to weather conditions and ability to travel on public ways to clear non-residential properties of snow, may impact compliance expectations. To that end, Warrant Article12 as submitted contains the language below; this language is also included in the amendment favored by the majority of the Advisory Committee:

Depending upon the severity of a storm and other factors, the Commissioner of Public Works may delay the period for compliance with Sections 7.7.1, 7.7.2, or 7.7.3 of the By-law. In the event of initiating a compliance delay, the Commissioner of Public Works shall post a notice prominently on the Town of Brookline's Internet home page and make other good faith efforts to notify the public including, but not limited to, social media outlets, the cable access television station, e-mail list serves, and the emergency telephone notification system.

Repeat offenders, liens and appeals

The Task Force reported that there are approximately 20 habitual or known offenders, almost evenly split between commercial and residential properties. Of all of the tickets issued in past years, the town places a lien on a property for unpaid tickets an average of once a year.

Traditionally the Commissioner of Public Works handled ticket appeals. Alleged violators also could choose to appeal through the Municipal Court, but there are no known incidents of alleged violators appealing to the Court. Warrant Article 12 attempted to include language providing for appeals in all of the four enforcing agencies, and maintained the option to appeal directly to the courts. The expressed rationale was to provide options to ticket recipients and to ensure that the Court or a single department was not overly burdened with ticket appeals. Members of the Task Force did acknowledge that there may be some confusion among ticket recipients but supposed the language on the tickets themselves would properly inform them of their options. The amendment to Warrant Article 12 is silent on this issue.

<u>DISCUSSION:</u>

The full Advisory Committee discussed issues and possible amendments to Article 12 during three separate meetings before finally taking a vote. The concerns at each meeting varied and included questions that ranged from concern over the proposed elimination of a warning, to questions about the appeals process, to concern over snow management issues and community outreach.

Warning

Initially the focus was on a proposed amendment which reinstated the Warning for first offenses under 7.7.3 and included language regarding "Chronic Offenders" who it was hoped, would not benefit from any warning. However, the language seemed problematic to the committee for a number of reasons, not the least of which was the complexity that it seemed to add to the by-law in order to address a small number of scofflaws who are already generally known and receive tickets. Part of the Task Force's work included an effort to clarify the existing by-law, which the proposed additions seemed to frustrate. The Advisory Committee, with several remaining questions, did not vote on the "Chronic Offender" amendment in favor of additional review of the Warrant Article at a later date.

Appeals

Another concern of note was the appeals process, which was unsatisfying to the committee. Warrant Article 12 as initially submitted proposed expanding section 7.7.6 to include extending appeal hearings to all enforcing departments, rather than simply the DPW and the (historically unused) municipal court. The committee took issue with the language "Enforcing departments may hold ticket appeal hearings," under 7.7.6. There was a proposal to substitute "may" with "shall" in order to clearly require appeal hearings, but that change alone did not satisfy concerns regarding the lack of clarity and possible uneven results that might result due to a lack of guidelines standardizing the process across departments.

There was also discussion regarding the lack of explicit process for appealing the Commissioner's or enforcing department's appeals decisions. Of course, that problem exists in the current By-law 7.7. There are no known cases in which this level of appeal has been sought.

The committee learned that when a property owner does not appear or pay the ticket after the department sends a 15-day demand notice, the department refers it to the Office of Town Counsel, which then sends a final 10-day demand letter. If the recipient does not respond, the Town Treasurer receives notice to add that ticketed amount to the recipient's tax bill. As noted above, this occurs on average once a year. The committee also learned that the addresses and owners of ticketed properties are public information; a few members suggested publishing the repeat offender information each year.

Discretion and Compliance Delay

Warrant Article 12 came to the committee on the heels of a relentlessly snowy winter. Many of the concerns around enforcement were based on concerns committee members had witnessed or experienced just months earlier, including large snow banks which were initially pushed onto some corner sidewalks – immoveable by individual home owners by any practical means, cleared walk-ways and driveways that became narrower after necessary and commendable street widening efforts, and eventually lack of anywhere to put newly fallen snow. However none of the snow related issues that arose this year were new, they were just amplified. The committee seemed to agree that explicitly providing both enforcement discretion and providing the Commissioner of Public Works the flexibility to delay compliance, and actively and clearly communicating to the public using a number of social media outlets, would benefit everyone.

<u>Conclusion</u>

The Advisory Committee reviewed and suggested several possible changes to Warrant Article 12. The final amendment (a substitute motion) which a slim majority of the committee voted to recommend was an amalgam of work the Task Force suggested, absent any changes to the appeals process. The Advisory Committee's apparent rationale to support the proposed amendment was to implement many of the positive changes the Task Force presented in the original article by increasing fines, including notice

requirement language, and better enabling the Director of Health and Human services and his assigns to manage sidewalk snow and ice removal concerns next winter, leaving remaining issues for another day.

A minority of members would have preferred to pass Warrant Article 12 as originally presented. Their view was that any existing issues around the appeals process already exist and by providing broader enforcement appeal avenues may make it easier for recipients to appeal what may be an up-tick in appeals now that the by-law will likely be more actively enforced by all permitted departments. Still a number of committee members choose to abstain from voting on the proposed amendment.

Ultimately, the committee supported the amendment which:

- Replaces Section 7.7.5 PENALTIES;
- Adds a new Section 7.7.6 COMPLIANCE DELAY to the Town By-laws;
- Renumbers existing Section 7.7.6 to Section 7.7.7;
- Modifies companion enforcement Article 10.2 to provide enforcement authority under Article 7.7 to the Director of Health and Human Services; and
- Makes corresponding fine structure changes in companion Article 10.3.

RECOMMENDATION:
By a vote of 11-6-5 the Advisory Committee recommends FAVORABLE ACTION on the following motion under Article 12:

VOTED: To amend the Town of Brookline General By-laws as follows:

1. Replace Section 7.7.5 of Article 7.7 with the following:

SECTION 7.7.5 PENALTIES
The violation of any provision of Sections 7.7.1 and 7.7.2 of this Article 7.7 shall be subject to a fine of $100.00 for the first violation, $150.00 for the second violation, and $200.00 for each subsequent violation in any fiscal year. The violation of any provision of Section 7.7.3 of this Article 7.7 shall be noted with a warning for the first violation, and subject to a fine of $50.00 for the second violation and $100.00 for each subsequent violation in any fiscal year. The violation of any provision of Section 7.7.4 of this Article 7.7 shall be subject to a fine of $250.00.

2. Renumber Section 7.7.6 to Section 7.7.7 and insert the following at Section 7.7.6 of Article 7.7:

SECTION 7.7.6 COMPLIANCE DELAY
Depending upon the severity of a storm and other factors, the Commissioner of Public Works may delay the period for compliance with Sections 7.7.1, 7.7.2, or 7.7.3 of this by-law. In the event of initiating a compliance delay, the Commissioner of Public Works shall post a notice prominently on the Town of Brookline's Internet home page and make

other good faith efforts to notify the public including, but not limited to, social media outlets, the cable access television station, e-mail list serves, and the emergency telephone notification system.

3. In Article 10.2, under DIRECTOR OF HEALTH & HUMAN SERVICES, add ",7.7" to the line that currently reads "Part VII-Streets & Ways Articles 7.1, 7.5".

4. In Article 10.3, change the portion of the "Table of Specific Penalties under Article 10.3" concerning Article 7.7 as follows:

Article 7.7 Removal of Snow and Ice From Sidewalks

Section 7.7.5 Penalties

For Section 7.7.1 and 7.7.2	
First Violation	$100
Second Violation	$150
Third and Subsequent Violations	$200
For Section 7.7.3	
First Violation	Warning
Second Violation	$50
Third and Subsequent Violations	$100
For Section 7.7.4	$250

ARTICLE 12

BOARD OF SELECTMEN'S SUPPLEMENTAL RECOMMENDATION

The actions described in the Board's original motion for this article are spelled out in the revised vote taken on May 19, 2015 meeting. There is no difference between this version and what was included in the Combined Reports, but the references are spelled out in this motion in order to provide additional clarity.

A unanimous Board recommends FAVORABLE ACTION on the following motion:

To the Town of Brookline General Bylaws:
1. Replace Section 7.7.5 of Article 7.7 with the following:

> SECTION 7.7.5 PENALTIES
> The violation of any provision of Sections 7.7.1 and 7.7.2 of this Article 7.7 shall be subject to a fine of $100.00 for the first violation, $150.00 for the second violation, and $200.00 for each subsequent violation in any fiscal year. The violation of any provision of Section 7.7.3 of this Article 7.7 shall be noted with a warning for the first violation, and subject to a fine of $50.00 for the second violation and $100.00 for each subsequent violation in any fiscal year. The violation of any provision of Section 7.7.4 of this Article 7.7 shall be subject to a fine of $250.00.

2. Renumber Section 7.7.6 to Section 7.7.7 and insert the following at Section 7.7.6 of Article 7.7:

> SECTION 7.7.6 COMPLIANCE DELAY
> Depending upon the severity of a storm and other factors, the Commissioner of Public Works may delay the period for compliance with Sections 7.7.1, 7.7.2, or 7.7.3 of this by-law. In the event of initiating a compliance delay, the Commissioner of Public Works shall post a notice prominently on the Town of Brookline's Internet home page and make other good faith efforts to notify the public including, but not limited to, social media outlets, the cable access television station, e-mail list serves, and the emergency telephone notification system.

3. In Article 10.2, under DIRECTOR OF HEALTH & HUMAN SERVICES, add ",7.7" to the line that currently reads "Part VII-Streets & Ways Articles 7.1, 7.5".

4. In Article 10.3, change the portion of the "Table of Specific Penalties under Article 10.3" concerning Article 7.7 as follows:

Article 7.7 <u>Removal of Snow and Ice From Sidewalks</u>

Section 7.7.5 Penalties

For Section 7.7.1 and 7.7.2	
First Violation	$100
Second Violation	$150
Third and Subsequent Violations	$200
For Section 7.7.3	
First Violation	Warning
Second Violation	$50
Third and Subsequent Violations	$100
For Section 7.7.4	$250

ARTICLE 12

AMENDMENT OFFERED BY THOMAS VITOLO, TMM-6

SECTION 7.7.6 COMPLIANCE DELAY

Depending upon the severity of a storm and other factors, the Commissioner of Public Works may delay the period for compliance with Sections 7.7.1~~,~~ or 7.7.2~~, or 7.7.3~~ of this by-law for as long as thirty (30) hours following the cessation of any storm that results in the accumulation of snow and/or ice on a Brookline sidewalk. In the event of initiating a compliance delay, the Commissioner of Public Works shall post a notice prominently on the Town of Brookline's Internet home page and make other good faith efforts to notify the public including, but not limited to, social media outlets, the cable access television station, e-mail list serves, and the emergency telephone notification system.

ARTICLE 12

AMENDMENT OFFERED BY THOMAS VITOLO, TMM-6

Article 7.7 Removal of Snow and Ice From Sidewalks

Section 7.7.5 Penalties

For Section 7.7.1 and 7.7.2

First Violation	$100
Second Violation	$150
Third and Subsequent Violations	$200

For Section 7.7.3

First Violation	~~Warning~~$50
Second and Subsequent Violations	~~$50~~$100
~~Third and Subsequent Violations~~	~~$100~~

For Section 7.7.4 $250

ARTICLE 13

THIRTEEN ARTICLE

Submitted by: Clint Richmond and Jane Gilman

To see if the Town will amend the Town's General By-laws by adding a new Article 8.34 and by amending Articles 10.2 and 10.3 as follows (All of the proposed language for Article 8.34 is new. For Articles 10.2 and 10.3, the proposed language is underlined and bolded to distinguish it from the existing language.):

ARTICLE 8.34 Drinking Water Access By-law

SECTION 8.34.1 Access to Tap Water

All indoor Common Victualer Licensees in the Town of Brookline shall be required to offer Town tap water to customers. Establishments may charge for this service item.

SECTION 8.34.2 PENALTIES AND ENFORCEMENT

(a) Each establishment as defined in Section 1, above, located in the Town of Brookline shall comply with this by-law.
(1) If the Director of the Brookline Department of Public Health determines that a violation has occurred, the Director (or designee) shall issue a warning notice to the licensee for the initial violation.
(2) If an additional violation of this by-law has occurred within one year after a warning notice has been issued for an initial violation, the Director shall issue a notice of violation and shall impose a penalty against the licensee.
(3) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:
A) $50 for the first offense
B) $100 for the second offense and all subsequent offenses. Payment of such fines may be enforced through non-criminal disposition, as set forth in Article of 10.3 of the General By-Laws.
(4) No more than one penalty shall be imposed upon a licensee within a seven calendar day period.
(5) A licensee shall have twenty-one (21) calendar days after the date that a notice of violation is issued to pay the penalty.

SECTION 8.34.4

All of the requirements set forth in this by-law shall take effect January 1, 2016.

ARTICLE 10.2
PROSECUTIONS AND ENFORCEMENT

The provisions in Parts V, VI, VII and VIII of the by-laws of the Town of Brookline shall be enforced and violations prosecuted by any police officer of the town. In addition, enforcement and prosecution of the following by-laws and articles shall be by the following department head or his or her designees:

DEPARTMENT HEAD		ARTICLE
BUILDING COMMISSIONER		
Part V-Private Property	Articles	5.2, 5.3, 5.4, 5.6, 5.7, 5.8
Part VI-Public Property	Articles	6.1, 6.5, 6.9, 6.10
Part VII-Streets & Ways	Articles	7.3, 7.5, 7.7, 7.8, 7.9
Part VIII-Public Health & Safety	Articles	8.3, 8.6, 8.7, 8.8, 8.9, 8.11, 8.13, 8.14, 8.15, 8.16,
COMMISSIONER OF PUBLIC WORKS		
Part VI-Public Property	Articles	5.7, 6.1, 6.2, 6.3, 6.4, 6.5, 6.9
Part VII-Streets & Ways	Articles	7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10,7.11
Part VIII-Public Health & Safety	Articles	8.2,8.8, 8.14, 8.15,8.16, 8.18,8.24, 8.25,8.26
DIRECTOR OF HEALTH & HUMAN SERVICES		
Part V-Private Property	Articles	5.1, 5.2, 5.4, 5.5, 5.7
Part VI-Public Property	Articles	6.2, 6.6
Part VII-Streets & Ways	Articles	7.1, 7.5
Part VIII-Public Health & Safety	Articles	8.1, 8.2, 8.3, 8.4, 8.6, 8.7, 8.8, 8.9, 8.10,8.11, 8.12,8.13, 8.14, 8.15, 8.16, 8.22, 8.23, 8.32**,** **8.34**

PRESERVATION COMMISSION
Part V-Private Property Articles 5.3, 5.6

HUMAN RELATIONS-YOUTH RESOURCES COMMISSION
Part V-Private Property Article 5.5

ARTICLE 10.3
NON-CRIMINAL DISPOSITION

A violation of any provision of these by-laws, the violation of which is subject to a specific penalty under Section 10.1 or in the specific provision which has been violated, except when otherwise provided by law, or any rule or regulation of any municipal officer, board or department may be dealt with as a non-criminal offense in accordance with the provisions of General Laws, Chapter 40, section 21d. If not subject to a specific penalty in the following table, each violation shall be subject to a specific penalty of fifty ($50.00) dollars for each offense, unless a different penalty is provided in the specific by-law, rule or regulation provision being enforced. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as a separate offense hereunder. Violations of this Article 10.3 may be enforced by any police officer of the town, by the department head or his or her designee as set forth with particular reference to specific articles in Article 10.2, above, and, when a violation involves a rule or regulation of any municipal officer, board or department, by that municipal officer or by that board or the head of that department, by his or her designee, and in all instances, in accordance with the requirements set forth in General Laws, Chapter 40, section 21d.

TABLE OF SPECIFIC PENALTIES UNDER ARTICLE 10.3

Article 5.1	Alarm Systems		
	Section 5.1.9	False Alarms	$100.00
	Section 5.1.10	Penalties	$100.00
Article 5.8	Sign By-Law		
	Section 5.8.9	Penalty For Violation	$100.00
Article 6.2	Alcoholic Beverages On Public Property		
	Section 6.2.2	Penalty	$100.00

Article 6.3	Grass Borders	$ 75.00
Article 6.4	Damage To Trees	$100.00
Article 6.5	Defacing Public Grounds	$ 75.00
Article 6.6	Discharging Firearms	$100.00
Article 7.1	Alcoholic Beverages	$100.00
Article 7.3	Construction In Streets	
	Section 7.3.3 Penalty	$100.00
Article 7.6	Newsrack Regulation	
	Section 7.6.5 Penalty	$ 25.00
Article 7.7	Removal Of Snow And Ice From Sidewalks	
	Section 7.7.5 Penalties For Sections 7.7.1 & 7.7.2	$100.00
	For Section 7.7.3 First Violation	Warning
	Second & Subsequent Violations	$ 25.00
Article 7.8	Removal Of Vehicles From Streets	$ 25.00
Article 7.9	Snow Parking Ban	$100.00
Article 8.3	Dwelling Houses Used In Common	$100.00
Article 8.5	Disorderly Behavior	
	Section 8.5.5 Specific Penalty	$100.00
Article 8.6	Dog Control	
	Section 8.6.9 Penalty	
	First Violation	$ 15.00

	Second & Third Violations	$ 25.00
	Fourth & Subsequent Violations	$ 50.00
Article 8.7	Food Stores – Hours Of Operation	$ 50.00
Article 8.8	Food Establishments Handling Of Refuse	$100.00
Article 8.9	Toilet Facilities – Restaurants	$ 50.00

Article 8.23 Tobacco Control

Section 8.23.5
Violations & Penalties

For each violation under Article 8.23 –Three Hundred Dollars ($300.00.

Article 8.24 Water Supply Emergencies

Section 8.24.6
Penalties

First Violation	$ 50.00
Second & Subsequent Violations	$100.00

Article 8.25 Water System Backflow And Cross Connections

Section 8.25.6 Enforcement $100.00

Article 8.26 Stormwater Management

First Violation	$100.00
Second Violation	$200.00
Third and Subsequent Violations	$300.00

Article 8.34 Drinking Water Access By-Law

Initial Violation	**Warning**
First Offense	**$50.00**
Second and Subsequent Offenses	**$100.00**

HEALTH DEPARTMENT REGULATIONS

Regulations Governing the Handling, Storage,
Collection and Disposal of Waste

1. Violations and Penalties for Owners of Commercial Businesses, Corporations and Buildings Containing More Than Three Dwelling Units

First Violation	$100.00
Second Violation	$200.00
Third & Subsequent Violations	$300.00

2. Violations and Penalties for Owners of Single, Two and Three Unit Dwellings

First Violation	$20.00
Second Violation	$35.00
Third & Subsequent Violations	$50.00

Or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

Drinking water is nature's original beverage and serves a basic human need. Brookline is privileged to be a member of the Massachusetts Water Resources Authority (MWRA), a state governmental agency. The MWRA has some of the finest water in the United States. For example, MWRA water was voted the best tasting in a blind test at the 2014 annual conference of the American Waterworks Association. This clean, renewable source of water is provided at minimal cost to residences and businesses. This warrant article seeks to make that water available in all licensed Brookline restaurants.

This warrant article requires restaurants to make tap water available to patrons only. As is customary, restaurants may charge for this service in order to offset the cost of providing a container, and realize a profit if they want.

Tap water is already available at eating establishments so we do not expect this change to have a large impact on the restaurants in town. This bylaw will formalize the practice so that members of the public will not hesitate to ask for water if they so desire.

One benefit of this bylaw should be a small reduction in the use of bottled water. Bottled water consumes significant resources and generates significant unnecessary waste (which today is typically petrochemical plastic). Recycling rates on plastic water bottles are

much lower than for valuable, natural materials such as aluminum or paper. However, this article makes no changes in the availability of bottled water in restaurants. More information on the topic of bottled water is presented in another warrant article from the same petitioners.

CLIMATE ACTION COMMITTEE REPORT AND RECOMMENDATION

The Selectmen's Climate Action Committee recommends favorable action on Article 13. This article, submitted by Jane Gilman and Clint Richmond by citizen petition, and as revised, would require commercial food establishments to provide tap water to customers upon request.

While there are few establishments in town that do not already provide tap water to patrons, the warrant article supports the effort to move away from bottled water, which contributes to greenhouse gas emissions substantially more than tap water. Tap water should be readily available in commercial food establishments, and this new bylaw will ensure it is a viable alternative to bottled water for patrons.

The Climate Action Committee supports the revisions as voted by the Board of Selectmen, namely adding the phrase "upon request" at the end of proposed Section 8.34.1 and striking "Establishments may charge for this service item."

Therefore, the Selectmen's Climate Action Committee recommends favorable action on Article 13, as revised.

SELECTMEN'S RECOMMENDATION

Article 13 would require all indoor Common Victualler (CV) licenses in Brookline to offer Town tap water to customers. It states that they may charge for this service. At the public hearing there was no public opposition to the article. It was noted that a mailing regarding the warrant article and the public hearing had been sent to all CV licensees by the Town's Economic Development department.

The Board questioned the petitioners closely on the need for this by-law. The petitioners conceded that they had not identified and restaurants that decline to offer tap water to their customers (at a subsequent meeting a restaurant was identified). They did consult with one restaurateur who expressed support, noting that this restaurant is a member of the Green Restaurant Association. The petitioners stated that they did not expect the by-law to have a large impact on restaurants, and that they hoped it might lead to a small reduction in bottled water.

The Board discussed the merits of the article and the ability of common victullar establishments to comply with the by-law requirements. The Board decided to add the phrase "upon request" to section to 8.34.1 and strike the sentence that states that "Establishments may charge for this service item". While establishments are able to

charge for tap water the Board felt that leaving the sentence in might give the impression that it was a requirement.

Therefore, by a vote of 5-0 taken on April 14, 2015, the Selectmen recommend FAVORABLE ACTION, on the following:

To see if the Town will amend the Town's General By-laws by adding a new Article 8.34 and by amending Articles 10.2 and 10.3 as follows (All of the proposed language for Article 8.34 is new. For Articles 10.2 and 10.3, the proposed language is underlined and bolded to distinguish it from the existing language.):

ARTICLE 8.34 Drinking Water Access By-law

SECTION 8.34.1 Access to Tap Water

All indoor Common Victualler Licensees in the Town of Brookline shall be required to offer Town tap water to customers **upon request**. ~~**Establishments may charge for this service item.**~~

SECTION 8.34.2 PENALTIES AND ENFORCEMENT

(a) Each establishment as defined in Section 1, above, located in the Town of Brookline shall comply with this by-law.
(1) If the Director of the Brookline Department of Public Health determines that a violation has occurred, the Director (or designee) shall issue a warning notice to the licensee for the initial violation.
(2) If an additional violation of this by-law has occurred within one year after a warning notice has been issued for an initial violation, the Director shall issue a notice of violation and shall impose a penalty against the licensee.
(3) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:
A) $50 for the first offense
B) $100 for the second offense and all subsequent offenses. Payment of such fines may be enforced through non-criminal disposition, as set forth in Article of 10.3 of the General By-Laws.
(4) No more than one penalty shall be imposed upon a licensee within a seven calendar day period.
(5) A licensee shall have twenty-one (21) calendar days after the date that a notice of violation is issued to pay the penalty.

SECTION 8.34.4

All of the requirements set forth in this by-law shall take effect January 1, 2016.

ARTICLE 10.2
PROSECUTIONS AND ENFORCEMENT

The provisions in Parts V, VI, VII and VIII of the by-laws of the Town of Brookline shall be enforced and violations prosecuted by any police officer of the town. In addition, enforcement and prosecution of the following by-laws and articles shall be by the following department head or his or her designees:

DEPARTMENT HEAD		ARTICLE
BUILDING COMMISSIONER		
Part V-Private Property	Articles	5.2, 5.3, 5.4, 5.6, 5.7, 5.8
Part VI-Public Property	Articles	6.1, 6.5, 6.9, 6.10
Part VII-Streets & Ways	Articles	7.3, 7.5, 7.7, 7.8, 7.9
Part VIII-Public Health & Safety	Articles	8.3, 8.6, 8.7, 8.8, 8.9, 8.11, 8.13, 8.14, 8.15, 8.16,
COMMISSIONER OF PUBLIC WORKS		
Part VI-Public Property	Articles	5.7, 6.1, 6.2, 6.3, 6.4, 6.5, 6.9
Part VII-Streets & Ways	Articles	7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10,7.11
Part VIII-Public Health & Safety	Articles	8.2,8.8, 8.14, 8.15,8.16, 8.18,8.24, 8.25,8.26
DIRECTOR OF HEALTH & HUMAN SERVICES		
Part V-Private Property	Articles	5.1, 5.2, 5.4, 5.5, 5.7
Part VI-Public Property	Articles	6.2, 6.6
Part VII-Streets & Ways	Articles	7.1, 7.5
Part VIII-Public Health & Safety	Articles	8.1, 8.2, 8.3, 8.4, 8.6, 8.7, 8.8, 8.9, 8.10,8.11, 8.12,8.13, 8.14, 8.15, 8.16, 8.22, 8.23, 8.32**,** **8.34**

PRESERVATION COMMISSION
Part V-Private Property Articles 5.3, 5.6

HUMAN RELATIONS-YOUTH RESOURCES COMMISSION
Part V-Private Property Article 5.5

ARTICLE 10.3
NON-CRIMINAL DISPOSITION

A violation of any provision of these by-laws, the violation of which is subject to a specific penalty under Section 10.1 or in the specific provision which has been violated, except when otherwise provided by law, or any rule or regulation of any municipal officer, board or department may be dealt with as a non-criminal offense in accordance with the provisions of General Laws, Chapter 40, section 21d. If not subject to a specific penalty in the following table, each violation shall be subject to a specific penalty of fifty ($50.00) dollars for each offense, unless a different penalty is provided in the specific by-law, rule or regulation provision being enforced. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as a separate offense hereunder. Violations of this Article 10.3 may be enforced by any police officer of the town, by the department head or his or her designee as set forth with particular reference to specific articles in Article 10.2, above, and, when a violation involves a rule or regulation of any municipal officer, board or department, by that municipal officer or by that board or the head of that department, by his or her designee, and in all instances, in accordance with the requirements set forth in General Laws, Chapter 40, section 21d.

TABLE OF SPECIFIC PENALTIES UNDER ARTICLE 10.3

Article 5.1	Alarm Systems		
	Section 5.1.9	False Alarms	$100.00
	Section 5.1.10	Penalties	$100.00
Article 5.8	Sign By-Law		
	Section 5.8.9	Penalty For Violation	$100.00
Article 6.2	Alcoholic Beverages On Public Property		
	Section 6.2.2	Penalty	$100.00

Article 6.3	Grass Borders	$ 75.00
Article 6.4	Damage To Trees	$100.00
Article 6.5	Defacing Public Grounds	$ 75.00
Article 6.6	Discharging Firearms	$100.00
Article 7.1	Alcoholic Beverages	$100.00
Article 7.3	Construction In Streets	
	Section 7.3.3 Penalty	$100.00
Article 7.6	Newsrack Regulation	
	Section 7.6.5 Penalty	$ 25.00
Article 7.7	Removal Of Snow And Ice From Sidewalks	
	Section 7.7.5 Penalties For Sections 7.7.1 & 7.7.2	$100.00
	For Section 7.7.3	
	First Violation	Warning
	Second & Subsequent Violations	$ 25.00
Article 7.8	Removal Of Vehicles From Streets	$ 25.00
Article 7.9	Snow Parking Ban	$100.00
Article 8.3	Dwelling Houses Used In Common	$100.00
Article 8.5	Disorderly Behavior	
	Section 8.5.5 Specific Penalty	$100.00
Article 8.6	Dog Control	
	Section 8.6.9 Penalty	
	First Violation	$ 15.00

Second & Third Violations	$ 25.00
Fourth & Subsequent Violations	$ 50.00

Article 8.7 Food Stores – Hours Of Operation $ 50.00

Article 8.8 Food Establishments Handling Of Refuse $100.00

Article 8.9 Toilet Facilities – Restaurants $ 50.00

Article 8.23 Tobacco Control

Section 8.23.5
Violations & Penalties

For each violation under Article 8.23 –Three Hundred Dollars ($300.00.

Article 8.24 Water Supply Emergencies

Section 8.24.6
Penalties

First Violation	$ 50.00
Second & Subsequent Violations	$100.00

Article 8.25 Water System Backflow And Cross Connections

Section 8.25.6 Enforcement $100.00

Article 8.26 Stormwater Management

First Violation	$100.00
Second Violation	$200.00
Third and Subsequent Violations	$300.00

Article 8.34 Drinking Water Access By-Law

Initial Violation	**Warning**
First Offense	**$50.00**
Second and Subsequent Offenses	**$100.00**

HEALTH DEPARTMENT REGULATIONS

Regulations Governing the Handling, Storage,
Collection and Disposal of Waste

1. Violations and Penalties for Owners of Commercial Businesses, Corporations and Buildings Containing More Than Three Dwelling Units

First Violation	$100.00
Second Violation	$200.00
Third & Subsequent Violations	$300.00

2. Violations and Penalties for Owners of Single, Two and Three Unit Dwellings

First Violation	$20.00
Second Violation	$35.00
Third & Subsequent Violations	$50.00

Or act on anything relative thereto.

ADVISORY COMMITTEE'S RECOMMENDATION

Article 13 asks the Town to amend the Town's General By-Laws by adding a new Article 8.34: Drinking Water Access By-Law; Section 8.34.1: Access to Tap Water and Section 8.34.2: Penalties and Enforcement requiring all indoor Common Victualer Licensees in Brookline to offer Town tap water to customers. Establishments may charge for this service item; upon violations a warning notice will be sent. Additional violations will have a $50 penalty for the first offense and $100 for all subsequent violations.

BACKGROUND:
The petitioners are seeking to make tap water available by right. Brookline has excellent water and restaurants do already offer patrons a choice of tap or bottled water. The petitioners claim that reducing the use of bottled water in plastic containers is warranted due to the very negative health impacts of plastic bottle production, transportation, disposal and the leaching of chemicals into the water. The petitioners also stress the importance of stopping the merchandising of a product that should be available to all free of charge. The petitioners expressed their belief that a new By-Law 8.34 will not have a negative impact on food establishments since they already supply tap water.

DISCUSSION**:**
The petitioners admitted that they were unaware of any restaurants that were not already offering tap water. It was felt by the Advisory Committee that this proposed law was a solution in search for a problem. It is doubtful that a bylaw to provide tap water (or pay a fine) will strongly reduce the use of bottled water. Enforcement of this article should not be difficult and is a non-issue for fine dining establishments as well as for most of our food establishments. Many already provide pitchers of water and cups, provide tap water on request and some establishments (such as Dunkin Donuts) may have to charge for the cup used since they are required by their franchises to account for every item used. Allowing establishments to charge for water also defeats the stated position of petitioners to stop merchandising water that should be free to all. Charging for tap water is not a precedent that the Advisory Committee would like to set. The magnitude of adding a layer of regulation, complexity and expense in monitoring compliance is not justified relative to this perceived but unfounded problem.

A more unified approach towards green initiatives, including strong educational components, would be more beneficial, as evidenced by the initiatives of the Green Team at Lawrence School. Here many approaches to increase consumption of tap water include a letter writing campaign by students to bottled water endorsers such as Tom Brady (use tap water instead); counting how many bottles were saved on a daily basis by filling your own thermos; and asking parents to bring their own tap water to school events, as well as installation of water refilling stations at school. Sharing these initiatives at the monthly Wellness Committee meetings may increase coordination of these initiatives between all schools and will increase understanding of these issues for both students and adults. Perhaps it will result in more Brookline citizens requesting tap water when dining out, eating at fast food restaurants or bringing their own.

Most Brookline merchants, citizens and town officials share the goal of reducing the negative impact of water that is transported in bottles and many already bring their own thermos filled with tap water. We believe that creating a new law for a problem that has not been shown to exist is not a proper course of action. Education of businesses and the public through positive not punitive methods will be more effective in reducing the use of bottled water.

RECOMMENDATION:
By a vote of 18-0-0 the Advisory Committee recommends NO ACTION on Article 13.

XXX

ARTICLE 14

FOURTEEN ARTICLE

Submitted by: Clint Richmond and Jane Gilman

To see if the Town will amend the Town's General By-laws by adding a new Article 8.35 and by amending Articles 10.2 and 10.3 as follows (All of the proposed language for Article 8.35 is new. For Articles 10.2 and 10.3, the proposed language is underlined and bolded to distinguish it from the existing language.):

ARTICLE 8.35 Bottled Water By-law

SECTION 8.35.1 Definitions

"Bottled Water" means non-sparkling, unflavored drinking water in a single-serving container with a volume of 1 liter or less that is made in whole or in part of plastic resin codes 1 through 6 (excluding the label or cap).

"Town Property" means real property, including any buildings thereon, owned or leased by the Town, and in the Town's possession or in the possession of a public or private entity under contract with the Town to perform a public purpose, including but not limited to recreational and park purposes.

"Town Funds" means all monies or other assets received and managed by, or which are otherwise under the control of the Town's Treasurer/Collector, and any notes, bonds, securities, certificates of indebtedness or other fiscal obligations issued by the Town.

"Town Street" means public ways owned by the Town including any area across, along, on, over, upon, and within the dedicated public alleys, boulevards, courts, lanes, roads, sidewalks, streets, and ways within the Town.

"Director", means the Director of the Brookline Department of Public Health or the Director's designee or successor.

"Event" means any gathering held on Town Property, including a Town Street, and subject to a Town event permit, where more than 100 people are expected to attend and/or participate.

"Participant Athletic Event" means an athletic event in which a group of people collectively walk, jog, run, or bicycle or otherwise participates in a sport on Town Property, including a Town Street.

SECTION 8.35.2 SALE OR DISTRIBUTION OF BOTTLED WATER ON TOWN PROPERTY RESTRICTED

(a) No person may sell or distribute Bottled Water at an Event held on Town Property, including a Town Street.

(b) No person may sell or distribute Bottled Water at an Event held outdoors on Town Property, including a Town Street, where access to reliable on-site potable water connections adequate to meet the hydration needs of the Event participants or attendees is available. Departments that issue permits for Events on Town Property shall, at least ninety (90) days before the effective date of this Section 8.35 and in consultation with the Department of Health, determine which Town Property that is frequently used for Events have a reliable on-site supply of drinking water that may be used by Event sponsors.

(c) The provisions of this Section shall not apply to the sale or distribution of Bottled Water to participants in a Participant Athletic Event.

(d) The provisions of this Section shall not apply to Town Property where the general public is granted access to enter on such Town Property including a Town Street, without the requirement of a permit.

SECTION 8.35.3 NEW LEASES, PERMITS, AND AGREEMENTS; MOBILE FOOD VENDORS

(a) All leases, permits, occupancy agreements or other agreements awarded by the Town permitting any person or entity to use Town Property, including a Town Street, for purposes that contemplate or would allow the sale of beverages (collectively, "permits") shall specifically require that the permittee comply with the requirements of this by-law. This requirement shall also apply to any such permit renewed, extended, or materially amended after the effective date of this by-law.

(b) No Town officer or department shall issue a bid proposal or solicitation, request for bid or proposal, or contract for vendors or concessions to be operated on Town Property that requires or permits the sale of Bottled Water on such Property.

(c) This Section does not apply to permits for the use of Town Property, including a Town Street, for a Participant Athletic Event if the permit allows the Event sponsor to distribute Bottled Water to participants in the Participant Athletic Event at no cost, and not to any other persons.

(d) All Mobile Food Vendor permits issued or renewed shall specifically provide that the permittee shall not sell or distribute or allow the sale or distribution of Bottled Water as part of the operation of the Facility.

SECTION 8.35.4 BARRING USE OF TOWN FUNDS FOR PURCHASE OF BOTTLED WATER.

(a) No Town officer, department, or agency (collectively, "department") shall use Town Funds to purchase Bottled Water for the department’s own general use in offices. A department may use Town Funds to purchase Bottled Water for uses specifically exempted from or allowed under this Section.

(b) Town offices or other facilities shall not dispense drinking water from plastic water bottles of any size where satisfactory alternatives exist and are feasible at the location under consideration. This applies without limitation to vending machines and water coolers.

SECTION 8.35.5 PENALTIES AND ENFORCEMENT

(a) Each permittee as defined above, operating in the Town of Brookline shall comply with this by-law.
(1) If it is determined that a violation has occurred the Director shall issue a warning notice to the permittee for the initial violation.
(2) If an additional violation of this by-law has occurred within one year after a warning notice has been issued for an initial violation, the Director shall issue a notice of violation and shall impose a penalty against the permittee.
(3) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:
A) $50 for the first offense
B) $100 for the second offense and all subsequent offenses. Payment of such fines may be enforced through non-criminal disposition, as set forth in Article of 10.3 of the General By-Laws.
(4) No more than one (1) penalty shall be imposed upon a permittee within a seven (7) calendar day period.
(5) A permittee shall have twenty-one (21) calendar days after the date that a notice of violation is issued to pay the penalty.

SECTION 8.35.6 EXCLUSIONS

The provisions of this by-law shall not apply where the Director finds that relying on Bottled Water is necessary in a given situation to protect the public or occupational health or safety.

SECTION 8.35.7 EFFECTIVE DATE

The provisions of this by-law shall take effect on June 1, 2016

ARTICLE 10.2
PROSECUTIONS AND ENFORCEMENT

The provisions in Parts V, VI, VII and VIII of the by-laws of the Town of Brookline shall be enforced and violations prosecuted by any police officer of the town. In addition, enforcement and prosecution of the following by-laws and articles shall be by the following department head or his or her designees:

DEPARTMENT HEAD		ARTICLE
BUILDING COMMISSIONER		
Part V-Private Property	Articles	5.2, 5.3, 5.4, 5.6, 5.7, 5.8
Part VI-Public Property	Articles	6.1, 6.5, 6.9, 6.10
Part VII-Streets & Ways	Articles	7.3, 7.5, 7.7, 7.8, 7.9
Part VIII-Public Health & Safety	Articles	8.3, 8.6, 8.7, 8.8, 8.9, 8.11, 8.13, 8.14, 8.15, 8.16,
COMMISSIONER OF PUBLIC WORKS		
Part VI-Public Property	Articles	5.7, 6.1, 6.2, 6.3, 6.4, 6.5, 6.9
Part VII-Streets & Ways	Articles	7.3, 7.4, 7.5, 7.6, 7.7,7.8, 7.9, 7.10,7.11
Part VIII-Public Health & Safety	Articles	8.2,8.8, 8.14, 8.15,8.16, 8.18,8.24, 8.25,8.26
DIRECTOR OF HEALTH & HUMAN SERVICES		
Part V-Private Property	Articles	5.1, 5.2, 5.4, 5.5, 5.7
Part VI-Public Property	Articles	6.2, 6.6
Part VII-Streets & Ways	Articles	7.1, 7.5
Part VIII-Public Health & Safety	Articles	8.1,8.2, 8.3, 8.4, 8.6, 8.7, 8.8, 8.9, 8.10,8.11, 8.12,8.13, 8.14, 8.15, 8.16, 8.22, 8.23, 8.32**,** **8.35**

PRESERVATION COMMISSION		
Part V-Private Property	Articles	5.3, 5.6

HUMAN RELATIONS-YOUTH RESOURCES COMMISSION		
Part V-Private Property	Article	5.5

ARTICLE 10.3
NON-CRIMINAL DISPOSITION

A violation of any provision of these by-laws, the violation of which is subject to a specific penalty under Section 10.1 or in the specific provision which has been violated, except when otherwise provided by law, or any rule or regulation of any municipal officer, board or department may be dealt with as a non-criminal offense in accordance with the provisions of General Laws, Chapter 40, section 21d. If not subject to a specific penalty in the following table, each violation shall be subject to a specific penalty of fifty ($50.00) dollars for each offense, unless a different penalty is provided in the specific by-law, rule or regulation provision being enforced. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as a separate offense hereunder. Violations of this Article 10.3 may be enforced by any police officer of the town, by the department head or his or her designee as set forth with particular reference to specific articles in Article 10.2, above, and, when a violation involves a rule or regulation of any municipal officer, board or department, by that municipal officer or by that board or the head of that department, by his or her designee, and in all instances, in accordance with the requirements set forth in General Laws, Chapter 40, section 21d.

TABLE OF SPECIFIC PENALTIES UNDER ARTICLE 10.3

Article 5.1	Alarm Systems		
	Section 5.1.9	False Alarms	$100.00
	Section 5.1.10	Penalties	$100.00
Article 5.8	Sign By-Law		
	Section 5.8.9	Penalty For Violation	$100.00
Article 6.2	Alcoholic Beverages On Public Property		
	Section 6.2.2	Penalty	$100.00

Article 6.3	Grass Borders	$ 75.00
Article 6.4	Damage To Trees	$100.00
Article 6.5	Defacing Public Grounds	$ 75.00
Article 6.6	Discharging Firearms	$100.00
Article 7.1	Alcoholic Beverages	$100.00
Article 7.3	Construction In Streets	
	Section 7.3.3 Penalty	$100.00
Article 7.6	Newsrack Regulation	
	Section 7.6.5 Penalty	$ 25.00
Article 7.7	Removal Of Snow And Ice From Sidewalks	
	Section 7.7.5 Penalties For Sections 7.7.1 & 7.7.2	$100.00
	For Section 7.7.3 First Violation	Warning
	Second & Subsequent Violations	$ 25.00
Article 7.8	Removal Of Vehicles From Streets	$ 25.00
Article 7.9	Snow Parking Ban	$100.00
Article 8.3	Dwelling Houses Used In Common	$100.00
Article 8.5	Disorderly Behavior	
	Section 8.5.5 Specific Penalty	$100.00

Article 8.6 Dog Control

Section 8.6.9 Penalty

First Violation	$ 15.00
Second & Third Violations	$ 25.00
Fourth & Subsequent Violations	$ 50.00

Article 8.7	Food Stores – Hours Of Operation	$ 50.00
Article 8.8	Food Establishments Handling Of Refuse	$100.00
Article 8.9	Toilet Facilities – Restaurants	$ 50.00

Article 8.23 Tobacco Control

Section 8.23.5
Violations & Penalties

For each violation under Article 8.23 –Three Hundred Dollars ($300.00.

Article 8.24 Water Supply Emergencies

Section 8.24.6
Penalties

First Violation	$ 50.00
Second & Subsequent Violations	$100.00

Article 8.25 Water System Backflow And Cross Connections

Section 8.25.6 Enforcement $100.00

Article 8.26 Stormwater Management

First Violation	$100.00
Second Violation	$200.00
Third and Subsequent Violations	$300.00

Article 8.35 Water Bottle By-Law

Initial Violation	**Warning**
First Offense	**$50.00**
Second and Subsequent Offenses	**$100.00**

HEALTH DEPARTMENT REGULATIONS

Regulations Governing the Handling, Storage, Collection and Disposal of Waste

1. Violations and Penalties for Owners of Commercial Businesses, Corporations and Buildings Containing More Than Three Dwelling Units

First Violation	$100.00
Second Violation	$200.00
Third & Subsequent Violations	*$300.00*

2. Violations and Penalties for Owners of Single, Two and Three Unit Dwellings

First Violation	$20.00
Second Violation	$35.00
Third & Subsequent Violations	$50.00

Or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

Background:

Bottled water may be convenient, but the tremendous growth of the industry since the 1980's has caused many problems:

1. **The production of Single-use plastic containers made from fossil fuels is not sustainable**

Single-use containers are not the highest and best use of non-renewable fossil fuels. Our goal is to reduce unnecessary plastic packaging, and this article is similar to the recent ones for polystyrene and plastic shopping bags.

2. **The carbon footprint of bottled water is much larger than for tap water**

The carbon footprint is represented by the energy required for manufacture and transportation, which is between 11 and 31 times that of tap water. (The larger footprint figure is for more distant product sources, with Fiji Water as an extreme example). This article is consistent with the goal of the Brookline Climate Action Plan to reduce Brookline's carbon footprint.

3. **Solid waste problems**

The enormous number of bottles (30-50 billion per year in the U.S.) creates other problems. Nearly all of these bottles are single-use containers of 1 liter or less. Brookline's share of this volume is on the order of 500 thousand per month.

Even if only a small percentage of the volume becomes litter, this causes a large amount of visual blight and animal harm.

Bottles are light, but occupy disproportionate space in recycling trucks and landfills.

These problems are compounded since bottles do not biodegrade. Such plastics can persist for 1000 years. However, they are subject to fragmentation, and may enter our human food chain.

Bottles suffer from low recycling rates compared to valuable natural materials like paper or aluminum. Plastic bottles are hard to process, which contributes to their low value. Bottles are composed of three different plastic materials bound together:

- PETE (polyester) bottle
- Polypropylene (or polyethylene) cap and ring
- Polyethylene film label.

The Town actually loses money on plastic bottles. Contamination makes them unsuitable for food or medical applications. Contaminants include the synthetic non-degradable adhesive (also made from petrochemicals) used to attach the label; and additives and dyes. The polyester is downcycled into non-recyclable products such as fleece. The other rigid plastics from the bottle have even lower value. The label is printed extensively with ink reducing its already extremely low value.

4. **The plastic container is bad for human health**

Satisfying the demand for the raw materials of plastics is one of the causes of the growth of fracking. Concerns around fracking include the exposure to toxic fracking chemicals, water use and pollution, and the generation of huge volumes of toxic liquid waste.

The plastic that comprises most of the weight of a bottle, PETE, is a more dangerous chemical than for instance polyethylene, and creates greater potential occupational and environmental hazards (including accidental releases).

A further compromise to our health begins once the water is placed in the plastic container. The industry is not required to list additives to plastics, which can migrate from the container into the liquids and be ingested by consumers. These include:

- Phthalates - a class of plasticizer added to increase flexibility, which is also a hormonal disrupter.
- Benzophenone - an ultraviolet blocker to prevent photo-degradation especially of clear plastics such as water bottles.

In addition, there are:

- impurities and contaminants from the manufacturing process such as antimony (a polymerization catalyst), and
- degradation products such as acetaldehyde (the fruity off-taste you might recognize from the degradation of PETE by heat or the sun's ultraviolet rays).

Scientific studies have detected all of these chemicals in bottled water.

5. **Bottled water is not inspected like public water**

Tap water is regulated by the EPA. Large municipal systems (such as the MWRA) are tested nearly continuously. Bottled water is regulated by the Food & Drug Administration. The mandated frequency of testing of bottled water is less than for tap water and the results of bottled water tests are not public. Bottled water has been subject to safety recalls for contamination such as algae, yeast, mold, sand, coliform bacteria, arsenic and benzene.

6. **The industry is undermining consumer confidence in public water**

Most bottled water is merely processed tap water. Yet the mass advertising campaigns boost bottled water to make it seem somehow superior to tap water. In some cases, it is promoted as a luxury good, especially for those brands that come from proprietary sources:

- "Earth's Finest Water"™ (Fiji Water)
- "Born Better" (Poland Spring)
- "Experience the Treasure of the Volcano" (Volvic)

The industry targets children, with products such as the "Aquapod" brand of mini-bottles from Nestlé in the shape of youth sports equipment like baseballs and soccer balls.

7. **High cost relative to tap**

The price of bottled water can be 1500 times that of tap water. This figure does not include the cost of electricity often used to chill and dispense the water. Town spending to provide bottled water is an unnecessary expense. Passage of this bylaw will also support Massachusetts bill H2817, which is similarly attempting again this session to stop spending state funds on bottled water.

8. **Drinking water is a human right**

With limited water supplies remaining for our growing population, bottled water competes with other uses. Furthermore, the production of bottled water wastes water (manufacturing requires three gallons of water for every gallon of product). When a company bottles water and sells it at a profit, it is privatizing water sources. Bottled water is profitable because it is mostly subsidized, low-cost public water. In general, a mass

market for bottled water reduces investment in public supplies, because the affluent always have access to bottled water, and so they may not be inclined to adequately support public water. The leading bottled water companies in the United States such as Nestlé (the Swiss company that owns Poland Springs, Deer Park, etc.), Coca-Cola (Dasani) or Pepsi (Aquafina), also sell bottled water around the world creating a global problem.

9. Bottled water tastes worse than tap

Tap water wins in numerous blind taste tests, including those conducted by the independent *Consumer Reports*. Perhaps this is because of the plastic container and looser regulation of bottled water.

Summary

This bylaw is based on a successful ordinance in San Francisco that has been in effect for over one year. This bylaw does not affect seltzers or flavored waters. This bylaw does not affect drinking water in better container materials such as glass or biodegradable plastic. The bylaw does not restrict bulk containers of water (outside of Town funds), because one way to reduce waste is to reduce the ratio of packaging to product. The bylaw does not apply to emergency situations that involve public or employee health and safety.

The bylaw does three things:

1. Limits unnecessary use of Town funds to purchase bottled water for general office use,
2. Limits bottled water at large public events in Town,
3. Limits the sale of bottled water on Town properties.

In general, the limits do not apply if public water is not available.

We urge Town Meeting to take this limited step in controlling runaway bottled water risks and problems. We can take easy, positive steps now that will benefit the Town and its residents by combining this initiative with efforts to educate the Town about the numerous benefits of our excellent MWRA tap water; and to support access to tap water in our public spaces and restaurants and at public events.

CLIMATE ACTION COMMITTEE REPORT AND RECOMMENDATION

The Selectmen's Climate Action Committee recommends favorable action on Article 14. This article, submitted by Jane Gilman and Clint Richmond by citizen petition, would create a new general by-law to prohibit the use of town funds for bottled water in town offices.

The Committee supports the efforts to move away from bottled water when tap water is an available alternative, as bottled water has a substantially greater impact on greenhouse gas emissions than tap water. The emissions created due to packaging and transporting the water are significant, and bottled water is not recycled at as high a rate as other bottled beverages, including soda.

However, due to the issue's complexity, the Climate Action Committee supports a substantially limited version of the initially proposed warrant article, specifically supporting only Section 8.35.4 (a), as outlined in the proposed warrant article. This section only refers to prohibiting the use of town funds to purchase bottled water for general use in offices, except in cases where it is necessary to protect the public or occupational health or safety. The Committee feels this serves as an important first step to moving away from bottled water, and the town should lead the way on this issue. All other aspects of warrant article 14 should be referred to a committee created by the Selectmen for further study.

Therefore, the Selectmen's Climate Action Committee recommends favorable action on Article 14, as revised, and the establishment of a committee for further study.

SELECTMEN'S RECOMMENDATION

This Article would restrict the sale or distribution of plastic bottled water on town-owned property, during certain events held on town property and in town offices. The petitioner suggests that plastic bottles are a health hazard, are not sustainable and leaves a larger carbon footprint than tap water, and the Town should not be using town funds to purchase something that is readily available for free.

The Board felt that the Article was broad in the restrictions and had some concerns about play fields, and other community events on town-owned property. The DPW Commissioner and Park and Recreation Commission raised several operational and infrastructure concerns that would need to be addressed including the replacement or upgrading of drinking water stations, water fountain maintenance and seasonal availability and education and impact on user groups. There would be significant enforcement needed, plus there was a concern that the community would resort to sugary drinks in the absence of bottled water. The petitioner offered a pared down version of the Article that restricted the ban to the use of Town for bottled water in Town offices only. The Board felt that there would still be the unintended consequences of promoting unhealthy drinks as the only alternative, and that more research was needed before implementing this sort of change.

The Board voted 4-1 to refer Article 14 to a Selectmen's Committee for further study and to report back in time for the 2016 Annual Town Meeting.

ROLL CALL VOTE
Aye: Goldstein, DeWitt, Wishinsky, Franco
Nay: Daly

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:

Article 14 seeks to amend the Town By-Laws to create a ban on the sale or distribution of bottled water in certain situations involving Town property, Town permits, or Town funds. While there was general support in the Advisory Committee for the overall goal of the Article, there was much opposition to the specific methods and means proposed by the Article. The Advisory Committee recommends NO ACTION on Article 14 by a vote of 16-2-0.

BACKGROUND:

Article 14 has three operative sections:

(1) Section 8.35.2 would ban the sale or distribution of single serving plastic bottles containing non-sparkling, unflavored water at events where more than 100 people are expected to attend that is held on town property, with exceptions.
(2) Section 8.35.3 would generally require that the recipient of a Town lease, permit, or occupancy agreement, including food trucks, agree not to sell or distribute bottled water.
(3) Section 8.35.4 would bar the use of Town funds to purchase bottled water for the department's own use in offices. It would also bar the Town from dispensing water from plastic water bottles of any size, including vending machines and water coolers fed by large 5 gallon water jugs.

The petitioners stated reasons for proposing Article 14 are to raise awareness, make a statement, and use the town as an example against the bottle water industry. The petitioners' submitted explanations outline their objections to the bottled water industry. The issues raised relate to sustainability, reducing solid waste, health concerns, and displeasure with the bottled water industry for marketing that disparages municipal water sources, cost, social justice, and taste.

There was broad consensus in support of the overall goal of reducing the use of single serving disposable plastic water bottles. However, most of the Advisory Committee did not support the method and means of Article 14 for achieving that goal.

DISCUSSION:

Substitution of Soda

There was major disagreement with the petitioners on what would be substituted for bottled water if Article 14 was enacted into law. The petitioners asserted that users would bring their own reusable water bottles and fill them with municipal tap water. Their claim was that "people know better." The majority of the Advisory Committee felt that soda and other less healthy alternatives to bottled water would more likely be bought in place of bottled water. Moving to tap water in bring-your-own reusable water thermoses requires a large change in behavior and planning. Bottles of soda are almost always

available where bottled water would otherwise be sold, and requires a minimal change in behavior and effort compared to buying bottled water.

This was especially true in the case of beverage vending machines on Town property, which would be covered under Article 14. In Town Hall there is a soda machine in the third floor lounge. It has eight slots—six are filled with Coca-Cola, and two are filled with bottled water. Under Article 14, all eight slots would be filled with soda.

Dr. Alan Balsam, director of health and human services, spoke of how, the day after a *Boston Globe* article was published, (http://www.bostonglobe.com/metro/2015/04/12/brookline-finds-plastic-bottle-ban-thorny-issue/8w93oq9ywHFW9jpdmIDPJL/story.html), he was inundated with phone calls from nutritionists who were opposed to removing the only healthy option from soda machines.

Article 14 does not ban the use of plastic bottles for soda, but instead targets only the healthiest beverage that is served in a disposable plastic bottle.

Availability of tap water

Another major objection was that Article 14 bans bottled water in locations without reliable access to tap-based drinking facilities without supplying a plan or funding for supplying such facilities. Three-quarters of town parks and two-thirds of town buildings do not currently have sufficient hydration facilities. Article 14 does not address this supply side of the issue.

At the subcommittee public hearing, multiple town department heads spoke of how they wanted to see the overall goals of Article 14 achieved, but felt that it did not provide the tools for successful implementation. The infrastructure to provide a reliable source of clean drinking water needs to be built before banning bottled water in such locations.

Article 14 is an unfunded mandate. It does not provide capital or operating funds for installing plumbing, water fountains or filling stations. It was suggested that installing a water bottle filling station could cost somewhere between $400 to $1800 per station. Capital projects are often planned a year and a half in advance, and Article 14 does not provide any funds for this.

In relation to parks and outdoor facilities, even when water fountains do exist, they are not turned on for most of the year due to cold weather. Many parks do not currently have a water source. Laying new plumbing would be required. There were also question raised regarding funding to cover maintenance and prompt repair, which is not provided by Article 14. There were also concerns about ADA accessibility, which may boost the costs. Portable hydration stations which can serve large crowds do exist, but they are very expensive and need to be connected to an on-site water source, which mostly do not exist in Brookline parks.

Ecological and Health Consequences

Some Advisory Committee members disputed that Article 14 would have a positive ecological or health impact. Refillable water thermoses require washing, which uses hot

water and detergent, and might not be properly cleaned and maintained. The use of disposable cups might replace bottled water, and such cups would similarly end up in a landfill. Others felt that public drinking fountains might not be hygienic. The negative health impact of substitution of soda and other sugary drinks might outweigh any ecological gains.

Process

A different set of objections raised had to do with the process of bringing Article 14 to Town Meeting. Most of the heads of the Town departments that would be most impacted by Article 14 were not contacted until two days before the closing of the Warrant. This gave them very little time to provide any input or feedback.

There was also a question regarding whether proper notice was given to the public before the public hearing. Section 8.35.3 would bar the sale or distribution of bottled water by restaurants with outdoor seating areas that rests on a Town sidewalk. Petitioners originally indicated that Article 14 would include an exemption for such restaurants. Article 14 as submitted does not include such an exemption. There was no readily available list of which restaurants this would impact, so no specific notice was sent.

Bylaws the Proper Vehicle?

Another broad category of objections to Article 14 had to do with whether an amendment to the Town By-Laws was the proper vehicle for making a statement. Many Advisory Committee members felt that a Town Meeting Resolution was the more appropriate venue for making political statements.

From a slightly different tack, several Advisory Committee members felt that the Town By-Laws should not be cluttered with amendments designed to make statements and send messages, but rather should be used solely for the purpose of governing.

It was also noted that the Article 14 lacked any educational component, and that achieving its goals should include a public education campaign.

A comment was made that Town Meeting did not have the authority to bar the School cafeterias from buying and selling bottled water. That is the purview of the School Committee.

With regard to the bar to using Town funds to purchase bottled water, it was suggested that the Advisory Committee could create such a restriction as a Condition of Appropriation, and that would be more appropriate than amending the By-Laws.

Motions Considered by the Advisory Committee

The Advisory Committee considered two amendments to Article 14, as well as the petitioner's original Article.

The first amendment voted upon, which was based partially on a proposal circulated by the petitioners just before the Advisory Committee meeting, would delete Sections

8.35.2, 8.35.3, and 8.35.4(b) and other extraneous language no longer needed. This failed by a vote of 2-15-1.

The second amendment voted upon would have referred the entirety of Article 14 to a Selectmen's Committee to report back in June 2016. This failed by a vote of 4-13-1.

RECOMMENDATION:
By a vote of 16-2-0, the Advisory Committee recommends NO ACTION on Article 14.

XXX

ARTICLE 14

BOARD OF SELECTMEN'S SUPPLEMENTAL RECOMMENDATION

Since the Board of Selectmen's vote to recommend that the subject matter of Article 14 be referred to a study committee, the petitioners have proposed to divide the Article into two parts. The first part, containing the bulk of the original article, is proposed to be referred to a study committee. The second part creates a new section (8.36) that prohibits the expenditure of Town funds to purchase bottled water for its own use. The Board is supportive of this revised Article and feels that the other issues that have been brought up under the original article can be worked out by the committee.

Therefore at their meeting on May 19, 2015 the Board of Selectmen voted 4-1 to recommend favorable action on the following motion:

MOVED: to divide the question so that sections 8.35.2, 8.35.3 and 8.35.4(b) of the warrant article shall be considered and acted on separately from the other sections of the article.

VOTED: To refer parts of Article 14 including sections originally numbered 8.35.2, 8.35.3, 8.35.4(b) and supporting language to a Selectmen's Committee for further study, Committee to report back to the Board of Selectmen no later than Spring 2016.

VOTED: That the Town will amend the Town's General By-laws by adding a new Article 8.36:

ARTICLE 8.36 Bottled Water By-law

SECTION 8.36.1 Definitions

"Bottled Water" means non-sparkling, unflavored drinking water in a single-serving container with a volume of 1 liter or less that is made in whole or in part of plastic resin codes 1 through 6 (excluding the label or cap).

"Town Funds" means all monies or other assets received and managed by, or which are otherwise under the control of the Town's Treasurer/Collector, and any notes, bonds, securities, certificates of indebtedness or other fiscal obligations issued by the Town.

"Director", means the Director of the Brookline Department of Public Health or the Director's designee or successor.

SECTION 8.36.3 BARRING USE OF TOWN FUNDS FOR PURCHASE OF BOTTLED WATER.

(a) No Town officer, department, or agency (collectively, "department") shall use Town Funds to purchase Bottled Water for the department's own general use in offices. A department may use Town Funds to purchase Bottled Water for uses specifically exempted from or allowed under Section 8.36.4.

SECTION 8.36.4 EXCLUSIONS

The provisions of this by-law shall not apply where the Director finds that relying on Bottled Water is necessary in a given situation to protect the public or occupational health or safety.

SECTION 8.36.5 EFFECTIVE DATE

The provisions of this by-law shall take effect on June 1, 2016.

ROLL CALL VOTE:

Favorable Action	No Action
Daly	Wishinsky
Franco	
Heller	
Greene	

ARTICLE 14

AMENDMENT OFFERED BY JOHN HARRIS, TMM-8

Moved to refer the entirety of Article 14 to a Selectmen's Committee for study, with the request that the Committee report back to Town Meeting prior to the 2016 Annual Town Meeting.

EXPLANATION:

Petitioner believes that the proposals contained in Article 14 raise many complex issues regarding the impacts of bottled water on human health, the environment, and personal economic choices. For that reason, Petitioner believes the entire issue needs further study before any action is considered by Town Meeting.

Petitioner recommends that the Selectmen's Committee examine all direct implications of bottled water, including:

- The environmental impacts of plastic bottles and of alternative containers
- The environmental impacts on local watersheds, and economic impacts on local communities, of harvesting water to supply the bottles
- The environmental impact of transporting bottled beverages, compared to the impact of transporting other goods
- The impacts on human health of plastic bottles and of alternative containers
- The impacts on human health of the contents of bottled water
- The impacts on human health of the contents of likely alternative bottled beverages, including sugared sodas, diet sodas, and chemically - enhanced drinks such as exercise drinks, energy drinks, "water beverages," etc.
- The possibility of designing and implementing town- directed programs designed to educate consumers regarding the health, environmental and personal- economic impacts of single - serving bottled beverages
- The possibility of expanding the availability of municipal tap water on town property, including town parks and recreation areas.

Petitioner recommends that the Selectmen recruit relevantly- trained professionals, such as public health professionals, nutritionists, chemists, endocrinologists, hydrologists, etc., as well as members of the concerned citizenry, as members of the Committee.

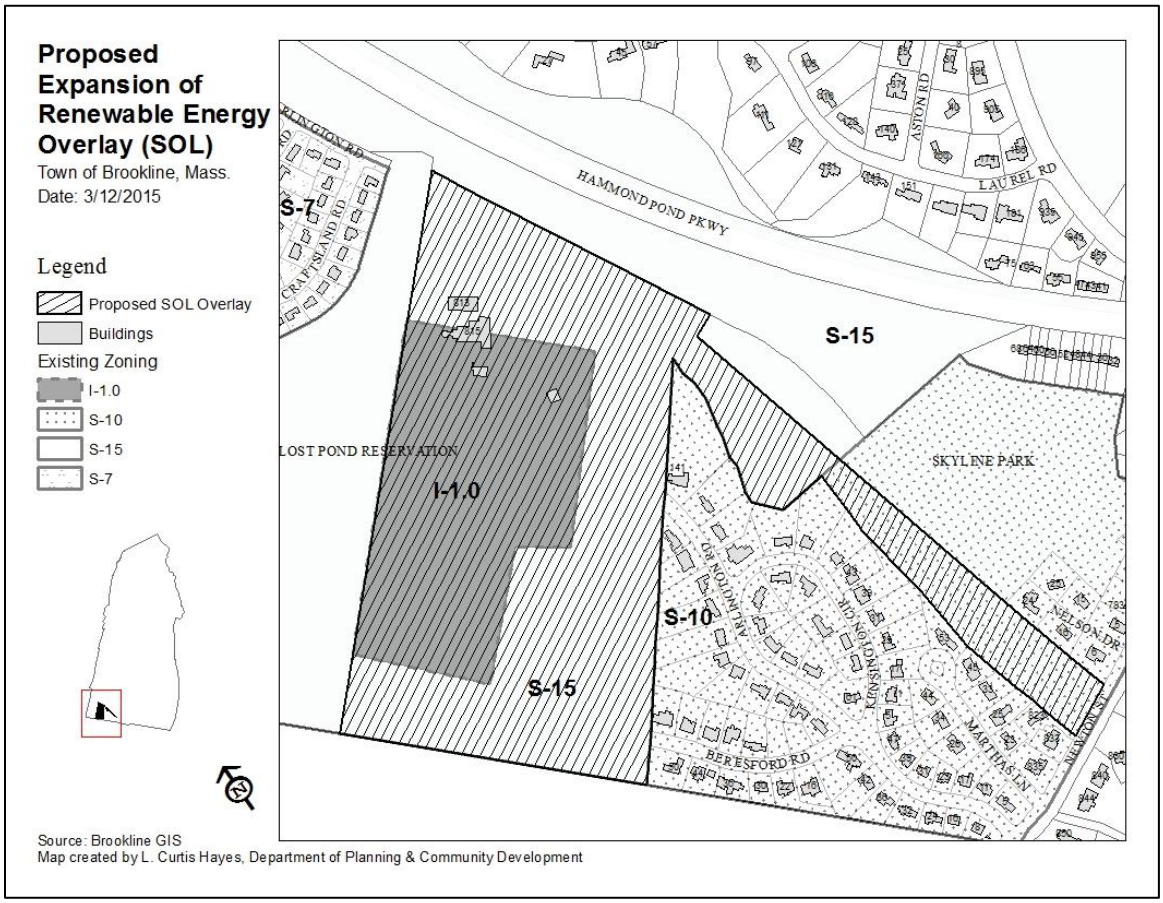
Petitioner hopes that the activities of the Committee encourage a full, free and respectful exchange of views by all concerned members of the Brookline community.

Petitioner recommends that the Committee report its findings at the Annual Town Meeting in May 2016.

ARTICLE 15

FIFTEENTH ARTICLE
Submitted by: Department of Planning and Community Development

To see if the Town will amend the Zoning Map by extending the Renewable Energy Overlay District (SOL) to include the parcel of land located at 813, 815 and 817 Newton Street, and shown as Parcel 19 in Block 418 on Pages 118A and 118B of the Town's 2010 Assessor's Atlas,



or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

The Department of Planning and Community Development would like to extend the existing Renewable Energy Overlay (SOL) District to include the municipally-owned parcel at 813-817 Newton Street, which serves as both Brookline's Transfer Station, managed by the Department of Public Works, and the Lost Pond Conservation Area.
The SOL overlay, first adopted by Town Meeting in 2010, allows for the construction of ground-mounted solar facilities that meet the requirements of the overlay district, subject to site plan review by the Planning Board. One of the principal reasons for originally adopting the SOL Overlay is that it satisfies a required condition to become a "Green Community," a status offered by the Massachusetts Department of Energy Resources that also enables the town to apply for grant funding. The SOL overlay currently exists only over the municipally-owned Singletree Hill Reservoir at 990 Boylston Street, parcel ID #437-04-01.

The Department of Planning and Community Development, Building Department, Selectmen's Office and the Department of Public Works have been working with a solar developer to find appropriate municipal sites on which to install solar photovoltaic (PV) facilities. Specifically, Brookline has been working with Blue Wave Capital, who is the lead of a solar development team selected through a regional RFQ process managed by the Metropolitan Area Planning Council (MAPC). Town staff is working with Blue Wave to find as many appropriate municipally-owned locations as possible to install solar; the solar facilities installed by Blue Wave will not be owned or managed by the town, but the town will agree to purchase the electricity generated by the panels at a specific rate, through what is often referred to as a Power Purchase Agreement or PPA. The addition of this site increases the potential that the overall PPA rate being negotiated with the developer will be lower due to a larger overall portfolio.

During the process of evaluating municipal sites for solar feasibility, the Transfer Station property at 813-817 Newton Street became evident as having the space and orientation for a large-scale ground-mounted solar installation over already-paved portions of the DPW-managed site. There is the strong possibility that a carport-like solar facility could be constructed that would allow for enough clearance for DPW vehicles. A solar PV facility on this site would need to ensure the DPW could continue to use the site as needed, but it could also provide shelter for their equipment and materials and provide for a renewable source of electricity for the town. A solar installation on this property would likely generate the most energy of all the sites the town is currently considering.

Although this parcel is close to Lost Pond, and encompasses some of the Lost Pond Conservation area, the town is only interested in installing a solar facility on that portion of the transfer station site that is already used for DPW industrial purposes, such as the storage of equipment and materials. Town staff will not consider any solar installation on the site that infringes on the Lost Pond open space.

A companion warrant article has been submitted in conjunction with this one to enable the Board of Selectmen to enter into an agreement to lease a portion of the Transfer Station property for a ground-mounted solar installation. A similar warrant article for Singletree Hill Reservoir was adopted by Town Meeting in the fall of 2013. Additionally, the SOL Overlay requires that any ground-mounted solar facility be reviewed by the Planning Board prior to issuance of a building permit. Extension of the SOL Overlay District to include the Transfer Station property is one step of many still needed to move Brookline towards the development of renewable energy facilities on municipal property.

CONSERVATION COMMISSION REPORT AND RECOMMENDATION

The Conservation Commission recommends favorable action on Article 15, as revised. This article, submitted by the Department of Planning and Community Development, would modify the Zoning Map to extend the Renewable Energy Overlay District to include the transfer station property at 813, 815 and 817 Newton Street.

The overlay district was adopted by Town Meeting in 2010 to permit construction of ground mounted solar facilities, subject to site plan review by the Planning Board. The town is actively engaged in installing solar photovoltaic facilities on appropriate municipal properties, and extending the overlay district to include the transfer station would allow for a canopy of solar panels over the portion of the site used by the DPW. This would be the largest solar installation of all municipal projects currently under consideration, providing economic benefit to the Town through the purchase of electricity generated, sheltering DPW trucks and materials, and realizing long-term environmental benefits.

The Conservation Commission has significant long-term concerns about the effects of climate change on Town sanctuaries that it manages, on open space and wildlife, and on the town generally. Increasing the production of renewable energy through facilities such as this solar installation and thus reducing reliance on fossil-fuel-based energy production is an important step in reducing the emission of carbon dioxide into the atmosphere, which causes global warming.

The Conservation Commission was initially concerned that the overlay district was large enough to infringe upon forested areas near Lost Pond Sanctuary. But the size of the district has been substantially reduced from the proposal in the warrant article as initially submitted; it now includes only that portion of the lot that is not conservation land, and the Commission has been assured that the solar canopy will cover only paved portions of the DPW site.

For these reasons, the Conservation Commission recommends favorable action on Article 15, as revised.

CLIMATE ACTION COMMITTEE REPORT AND RECOMMENDATION

The Selectmen's Climate Action Committee recommends favorable action on Article 15. This article, submitted by the Department of Planning and Community Development, would modify the Zoning Map to extend the Renewable Energy Overlay District to include the transfer station property at 813, 815 and 817 Newton Street.

Extending the overlay district to include the transfer station would allow for a ground-mounted solar facility to be installed over the DPW-used portion of the site. The town has been working for some time to install solar on as many municipal properties as appropriate, and this site would allow for the largest solar installation of all the projects currently under consideration.

The Climate Action Committee supports the efforts of the town to develop renewable energy where appropriate. Establishing renewable energy as a viable alternative to petroleum- or natural gas-based energy is a key component in the overall effort to reduce greenhouse gas emissions. A large ground-mounted solar development on this site would still allow for the DPW to operate, with the benefit of shelter from the panels. In addition, the town expects to purchase the energy generated from the panels, which should result in financial savings. The project represents an opportunity for the town to support renewable energy generation and realize a financial benefit.

The overlay district has been substantially reduced in size from when it was initially submitted to the warrant; the overlay initially covered the entire lot, but it has since been modified to only include that portion of the lot that is not conservation land. Though the town has never had any intention of trying to install solar panels on conservation land, the revised overlay dimensions ensure that would not be an option in the future. Any solar installation could only be located on DPW-managed property, which is an appropriate site for solar development.

Therefore, the Selectmen's Climate Action Committee recommends favorable action on Article 15, as revised.

SELECTMEN'S RECOMMENDATION

Article fifteen, submitted by the Department of Planning and Community Development, would modify Brookline's Zoning Map to extend the Renewable Energy Overlay (SOL) District to include a portion of the municipally-owned transfer station site at 813, 815, and 817 Newton Street. Currently only Singletree Hill Reservoir, a municipal parcel just south of Route 9, is in the SOL District.

The Town has been exploring solar alternatives on municipal properties for the past two years, with the support of the Metropolitan Area Planning Council (MAPC) and private company Blue Wave Capital. The Town recently determined that the transfer station site could be an ideal location for a ground-mounted solar photovoltaic (PV) system, but current zoning only allows such systems within the SOL Overlay District. If adopted by Town Meeting, this map amendment would extend the SOL Overlay to include the transfer station property and enable the town to pursue a ground-mounted solar facility on the site.

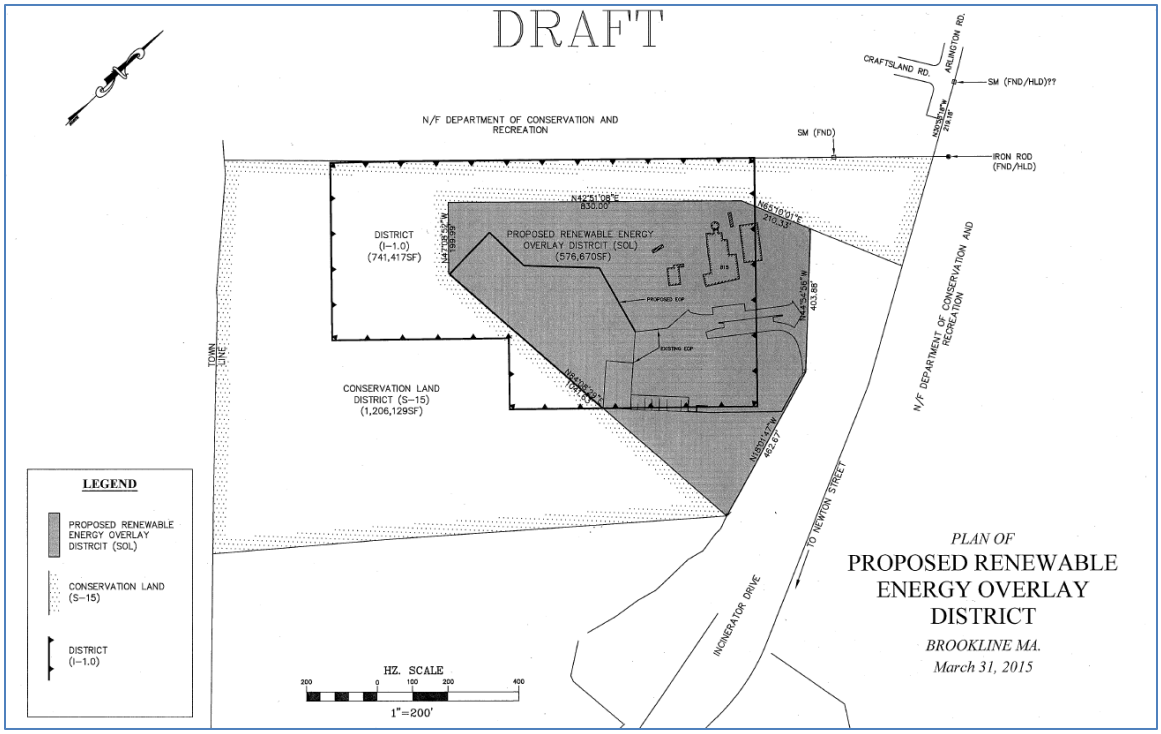
A new solar PV installation on the site would go over only that portion of the lot that is used by the Department of Public Works for storing vehicles, equipment and materials. The solar panels would be installed in a way to still allow DPW trucks and equipment to operate underneath the panels. As such, the solar installation will not only generate renewable energy for the town, but they will provide shelter for DPW equipment and materials.

When initially submitted, the article proposed allowing the SOL District to include the entire site. The lot is very large, and includes not only the industrial uses at the transfer station, but also a significant amount of conservation land. Since the Town's intention is to install solar panels only on that area of the lot used for industrial purposes, the article has been revised to reduce the overall size of the proposed SOL District to cover only that portion of the lot that is used for DPW industrial uses and is or will be paved. The revised amendment does not include any conservation land within its boundary.

The Board of Selectmen supports the proposed zoning map amendment, as revised. A ground-mounted solar facility on the industrially-used area of the lot would result in energy savings for the Town and provide shelter for town equipment and materials. Any proposed ground-mounted solar installation would still need to be reviewed by the Planning Board prior to the issuance of a building permit, and the Board of Selectmen would still need to approve any contract for a PPA involving the property.

Therefore, by a vote of 5-0 taken on April 14, 2015, the Selectmen recommend FAVORABLE ACTION on the following:

VOTED: that the Town amend the Zoning Map by extending the Renewable Energy Overlay District (SOL) to include the parcel of land located at 813, 815 and 817 Newton Street, and shown as Parcel 19 in Block 418 on Pages 118A and 118B of the Town's 2010 Assessor's Atlas,



or act on anything relative thereto.

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:

Article 15 adds a second parcel of land at 813-817 Newton Street to Brookline's Renewable Energy Overlay District (SOL) allowing installation of a ground-based solar facility to generate electricity through the use of photovoltaic solar panels. This site, if approved, will be in addition to the Singletree Hill Reservoir that was approved in 2010. The Advisory Committee unanimously recommends a vote of favorable action.

BACKGROUND:

For a number of years, the Town has attempted to take advantage of renewable energy by creating a ground-based photovoltaic system of solar panels to capture energy from the sun. To that end, in 2010 Town Meeting approved the creation of a Renewable Energy Overlay District (SOL) that covers the Town-owned Singletree Hill Reservoir at 990 Boylston Street (parcel id# 437-0401). The formation of the overlay district was a requirement of Green Community status, which allows the Town to apply for grant funding. Although a delay at this site was caused by a change in vendors led by the Metropolitan Area Planning Council (MAPC), the Town hopes to move forward with this site construction in the very near future.

DISCUSSION:
The solar development company Blue Wave Capital was selected by the MAPC and has been working with the Town to determine the best sites for future solar development. Blue Wave is able to, in partnership with the Town, take advantage of the Massachusetts Solar Renewable Energy Certificates in that the Town would be unable to take advantage of on its own. The Town would agree to a Power Purchase Agreement to purchase electricity generated by the photovoltaic system for specific town accounts at a specified and guaranteed rate for a long-term period (10–20 years).

Despite any delay at the Singletree Road site, the Town moved forward with a review of all Town owned land and buildings to determine the best sites for the placement of solar panels. During the process of municipal site evaluations, the Transfer Station at 813-817 Newton Street was found to have more than sufficient land and proper orientation to be a desirable site for a ground-based solar photovoltaic system. Working the Town and the Department of Public Works (DPW), a design has been created that would benefit the DPW operations through the creation of a "truck-port" (think large carport) that can shelter DPW trucks and equipment for the elements and will contain a roof lined with solar photovoltaic panels. This particular site is ideal for such a system.

It is noted that this site is near Lost Pond. We have received assurances that we will only be creating the photovoltaic system on DPW land that is already paved. Nothing the Town or Blue Wave Capital will do at this site will encroach upon Lost Pond or cause any harm to this conservation area. No trees will be removed.

The map of the SOL was amended prior to the Advisory Committee's Capital Subcommittee vote and the Advisory Committee's recommendation is based on the redrawn map that is included in the Selectmen's motion.

All facilities within a SOL will require Planning Board approval prior to the issuance of a building permit.

As a companion to Article 15, Article 16 seeks authority for the Selectmen to enter into a contract to lease a portion of the Transfer site to develop a solar photovoltaic installation. In 2013, Town Meeting approved authority for the Selectmen to lease a portion of the land at the Singletree site for the identical purpose.

Brookline will need to continue to work on locating other sites for the purposed of developing renewable energy systems on Town-owned land.

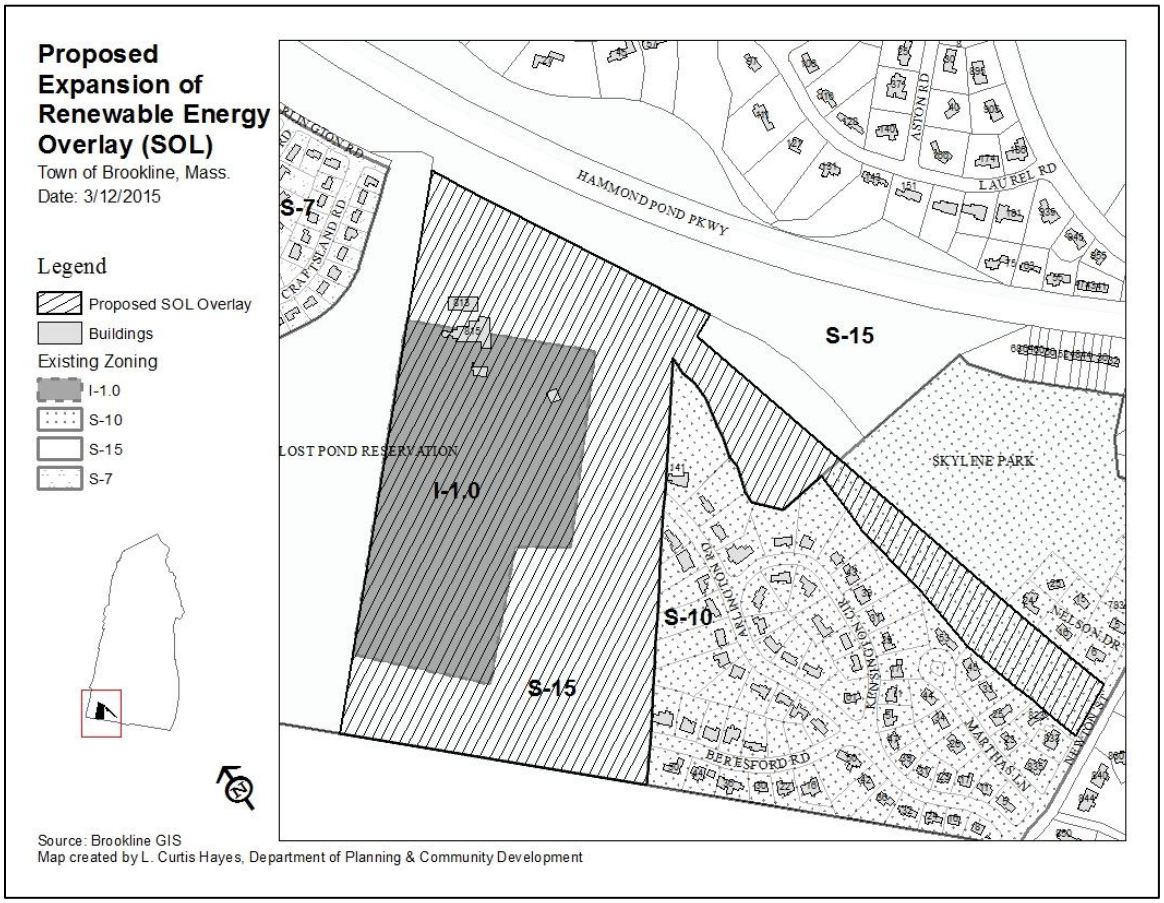
RECOMMENDATION:
By a unanimous vote (14-0-0) the Advisory Committee recommends FAVORABLE ACTION on the motion offered by the Selectmen under Article 15.

XXX

ARTICLE 16

SIXTEENTH ARTICLE
Submitted by: Board of Selectmen

To see if the Town will authorize and empower the Board of Selectmen to lease for a term of not more than thirty (30) years a portion of the property known as the Transfer Station Site designated on the map below as "Proposed SOL Overlay," located at 813, 815 and 817 Newton Street and shown as Parcel 19 in Block 418 on Pages 118A and 118B of the Town's 2010 Assessors Atlas, for the purpose of hosting a ground-mounted solar photovoltaic installation (solar panels and appurtenant equipment), subject to any authorizations, approvals and reviews, on such terms and conditions determined by the Board of Selectmen to be in the best interest of the Town.



or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

The Town of Brookline has been exploring opportunities to install solar photovoltaic (PV) systems on municipal buildings and properties in an effort to support the generation of renewable energy and to reduce spending on energy costs. M.G.L. Ch. 25A §11i allows public agencies seeking to generate local renewable energy to issue a Request for Qualifications (RFQ) for solar developers that are qualified in Massachusetts to provide comprehensive solar energy management services (EMS). A solar EMS contract is a long-term (up to 20 years) service agreement that includes PV system design, financing, and installation; operations, maintenance and PV system removal; long-term lease of public space; electricity generated by a PV system; and a system performance guarantee. A community entering into a solar EMS contract will be responsible for hosting the PV system on a municipally-owned site, and purchasing all the electricity generated by the PV system per a price schedule agreed upon in the solar EMS contract. The developer owns the PV system and generates revenue by selling electricity to the community and monetizing the tax incentives and Solar Renewable Energy Credits (SRECs) associated with solar electricity generation. The community benefits from a long-term guarantee for solar energy production without the risks of ownership. In November, 2010 Town Meeting created a new overlay zoning district to allow large-scale ground-based solar panels on the Town-owned Singletree Hill Reservoir, located off of Boylston Street behind the Chestnut Hill Benevolent Association. A warrant article accompanying this seeks permission from Town Meeting to extend this overlay district to the Transfer Station Site. The current plan is to install PV Panels over the existing DPW parking area. In addition to generating electricity, the PV Panels would provide a cover under which DPW vehicles could be stored. The installation of these panels will be designed to have minimal impact on the DPW's use of the site. Approval of this warrant article would give the Selectmen the authority to lease the site to a solar electricity developer on terms and conditions determined by the Selectmen to be in the best interest of the Town.

SELECTMEN'S RECOMMENDATION

Article 16, would enable the Board of Selectmen to enter into a contract to lease the transfer station site at 813, 815, and 817 Newton Street for the purposes of hosting a ground-mounted solar facility. Warrant Article 15, submitted by the Department of Planning and Community Development, is a companion article to this one that would modify the zoning map to allow for a ground-mounted solar facility on the same property.

The Town has been looking to install solar photovoltaic (PV) facilities on municipal properties, with the support of the Metropolitan Area Planning Council (MAPC) and private company Blue Wave Capital, and the transfer station site has been found to be a possible location for a large-scale ground-mounted solar installation. For this property, solar panels would be installed only over that portion of the lot that is used by the Department of Public Works for storing vehicles, equipment and materials, and the DPW would still be able to operate trucks and equipment underneath the panels. Such an

arrangement will allow for the panels to generate renewable energy as well as provide shelter for DPW equipment.

This warrant article allows the Board of Selectmen to enter into a contract with a developer for a ground-mounted solar system on the transfer station property. The town will still need to negotiate specific terms and conditions for the contract, and the town has hired the consultant Cadmus as an Owner's Agent to assist with these negotiations.

The Board of Selectmen supports the proposed warrant article. A ground-mounted solar system on the transfer station would provide multiple benefits, and with the assistance of the MAPC, town staff, and hired consultants, the Board of Selectmen will be able to make an informed decision about contract terms and conditions in the best interest of the town.

Therefore, by a vote of 5-0 taken on April 14, 2015, the Selectmen recommend FAVORABLE ACTION on Article 16.

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:
Warrant Article 16 provides Town Meeting's approval and authorizes the Selectmen to sign a lease agreement to lease a portion of land at the Transfer Station on Newton Street**,** for the purpose of hosting a ground-mounted solar photovoltaic installation –solar panels and appurtenant equipment in a truck-port configuration. The Advisory Committee unanimously recommends favorable action on this Article.

BACKGROUND:
Article 16 is a companion article to Article 15 creating a Renewable Energy Overlay District (SOL) at the transfer station land on Newton Street. Article 16 empowers the Board of Selectmen to enter into a lease for a portion of land at this site for the purpose of a solar photovoltaic installation. In 2013, Town Meeting approved authority for the Selectmen to lease a portion of the land at the Singletree site for the identical purpose as proposed in Article 16.

For a number of years, the Town has tried to take advantage of renewable energy by creating a ground-based photovoltaic system of solar panels to capture energy from the sun.

DISCUSSION:
The solar development company Blue Wave Capital was selected by the MAPC through a competitive process as the preferred solar developer for the Regional Solar initiative. Blue Wave and has been working with the Town to determine the best sites for future solar development. Blue Wave is able to in partnership with the Town, take advantage of

the Massachusetts Solar Renewable Energy Certificates that the Town would be unable to take advantage of on its own. The Town would agree to a Power Purchase Agreement to purchase electricity generated by the photovoltaic system for specific town accounts at a specified and guaranteed rate for a long-term period (10–20 years).

The benefits of solar power are numerous and can significantly reduce both the Town's reliance on fossil fuels and its carbon footprint.

Blue Wave at the request of the Town examined the Transfer Station site at 813-817 Newton Street for the installation and operation of a carport solar facility that would shelter DPW vehicles and equipment and would generate electricity through photovoltaic panels.

Blue Wave has proposed the construction and operation of a 1.4 MW facility interconnected to NSTAR's distribution network on Hammond Pond Parkway adjacent to the site. This proposed site is being planned to generate 1.6 million kilowatt hours per year with more that 30 Million KWH over a twenty (20) year span. This site will generate Solar Renewable Energy Credits (SREC).

The bottom line is that with no investment other than the land lease, the Town will save approximately $75,000 per year for the life of the contract at this site.

All facilities within a SOL will require Planning Board approval prior to the issuance of a building permit.

RECOMMENDATION:
By a unanimous vote (14-0-0) the Advisory Committee recommends FAVORABLE ACTION on Article 16.

XXX

ARTICLE 17

SEVENTEEN ARTICLE
Submitted by: Nancy Heller and John F. Sherman

Resolution In Support of Changes to The Affordable Housing Law, Mass G.L. c.40B

TO SEE IF THE TOWN WILL ADOPT THE FOLLOWING RESOLUTION:

Whereas, the Affordable Housing Law, Mass G.L. c. 40B, was enacted in 1969 by the legislature of the Commonwealth of Massachusetts to address the shortage of affordable housing statewide by reducing barriers created by local municipal building permit approval processes, local zoning, and other restrictions with the stated goal to encourage the production of affordable housing; and

Whereas, the stated goal of the Affordable Housing Law is laudable and many seniors and those of reduced means will benefit in many areas of the Commonwealth; and

Whereas, the Town of Brookline now has a population of more than 59,000 and has a high residential density; and

Whereas, the result of the application of Mass G.L. c. 40B in Brookline is to increase residential density even more at a time when public schools and municipal services are already stretched beyond capacity; and

Whereas, the further effect of the application of Mass G.L. c. 40B in Brookline is to reduce precious green and/or open space in a community that has set as a goal the increase of such space; and

Whereas, developers of residential housing are not currently obligated to use environmentally friendly building practices or materials, while our Town values the use of environmentally friendly building practices or materials in efforts to ameliorate the threat of climate change; and

Whereas, the Town of Brookline has, independent of Mass G.L. c. 40B, taken significant and meaningful steps to increase affordable housing in the town and has plans in place to continue to promote such housing;

THEREFORE, be it resolved, that the Town Meeting urges the Town's state representatives and state senator to propose and vote in favor of an amendment to Mass G.L. c. 40B, authorizing local elected officials, in communities that have taken steps to promote affordable housing at a local level, to make binding recommendations regarding density, required parking, effect on green and open spaces, and other project characteristics (including but not limited to requirements for affordable housing for seniors, for environmentally efficient building materials and practices, and for preservation of historic structures) in order to protect existing neighborhoods and

businesses from negative impacts on infrastructure and public services, to the local board of appeals when such board of appeals is deciding whether to approve an application for a comprehensive permit to build affordable housing in that locality under Mass. G.L. c 40B, and

Be it further resolved, that the Board of Selectmen/Town Clerk shall convey this Resolution Article to the Town's state representatives and state senator within two weeks of its adoption,

Or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

This Article is a resolution, asking that Town Meeting request our legislators to work with legislators from other cities and town to propose changes to Mass. G.L. c 40 B (40B)

While 40B has laudable goals to increase affordable housing across the Commonwealth, Brookline faces huge increases in school enrollment, but lacks the infrastructure to accommodate such increased enrollment. The problem is very complex because our schools are limited by size, expansion beyond current capacity is very difficult, and Brookline does not have available, free space to build additional school facilities.

One solution for Brookline could be to limit 40B projects to senior affordable housing, which would allow the expansion of affordable housing, but would not impose undue burdens on an already overburdened school system. Other communities may have different ideas about solutions to solve strained infrastructure and municipal service issues.

Petitioners have worded the resolution in a broad manner. The purpose is to give our legislators as much latitude as they need to work with other legislators to amend 40B, not only to address the infrastructure problems that face the Brookline Public Schools, but also to propose amendments to 40B that will bring relief to other communities whose infrastructure and municipal services may be overburdened by 40B, and that will address the serious issues of open space, climate change and historic preservation.

SELECTMEN'S RECOMMENDATION

Article 17 is a resolution that requests our local legislators to work with legislators from like communities to amend 40b regulations addressing communities currently facing infrastructure and overburdened services due to 40B requirements.

The Selectmen noted that Brookline aggressively promotes affordable housing, but feel that the State's formula in reaching its affordable housing quota is flawed because it takes on a one size fits all approach and does not address individual communities that are built-out and are facing infrastructure pressures and limited open space constraints. The Board felt that there could be some alterations in the State's "safe harbor" parameters without

the need to amend the Chapter 40B law itself, allowing built-out communities to achieve its affordable housing quotas. It was noted that he Planning Board also recommended approval of the motion to refer Article 17 to the Housing Advisory Board and the Planning Board for further evaluation and to report their recommendations to Fall 2015 Town Meeting.

The Board acknowledges that this Article does not require legislative action, rather seeks support and coordination with other communities to work towards a better and fairer 40B for all communities.

By a vote of 5-0 taken on April 21, 2015, the Board recommends FAVORABLE ACTION on the following:

VOTED: to refer the subject matter of Warrant Article 17 to the Housing Advisory Board (HAB) and the Planning Board, each to report back to the 2015 Fall Town Meeting in accordance with the following:

1. HAB is requested to develop a plan for Brookline to work with other mature, built-out communities that demonstrate substantial and continuous progress towards reaching the goal of 10% of affordable housing in order to effectuate changes to the regulations promulgated under c. 40B to achieve a temporary "safe harbor" status as Brookline and these other communities continue to progress towards 10%.
2. HAB and the Planning Board are requested to take advantage of available planning tools to ensure that Brookline makes progress towards its affordable housing goal in a manner that: (a) optimizes the Town's opportunity to secure c.40B "safe harbor" status, including through the development of a Housing Production Plan that will be acceptable to the Commonwealth's c.40B regulators; and (b) is sensitive to the integrity of existing residential properties and neighborhoods.

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:
This petitioned article is a resolution that seeks Town Meeting approval of a resolution calling upon the Town's legislators to work with legislators from other communities to adopt amendments to Chapter 40B of the General Laws that would enable mature, built-out communities such as Brookline that have taken steps to promote affordable housing to place conditions on the granting of 40B comprehensive permits in order to mitigate the impact of 40B housing on the town's infrastructure, environment and historic preservation, one such possible condition being to limit 40B housing to senior residents. The Advisory Committee recommends instead that the subject of the article be referred to the Housing Advisory Board (HAB) and the Planning Board to develop an approach joining collaboratively with other similar communities in an effort to modify the "Safe Harbor" regulations under 40B that would allow a temporary respite from 40B to communities that have made concrete efforts to provide more affordable housing and

have developed a plan to achieve the desired 10% affordable housing threshold. This approach is viewed as being more productive in offering Brookline some short-relief from 40B than what's regarded as a futile effort to obtain requested legislative changes, and has been endorsed by the article's petitioners.

BACKGROUND:

As described on the website of the Massachusetts Executive Office of Housing and Economic Development, "Chapter 40B is a state statute, which enables local Zoning Boards of Appeals to approve affordable housing developments under flexible rules if at least 20-25% of the units have long-term affordability restrictions." In effect, Chapter 40B enables to build housing that does not comply with local zoning if a percentage of that housing is deemed affordable. In a community in which less than 10% of the housing qualifies as affordable, a developer may seek a comprehensive permit from the Zoning Board of Appeals to build at greater densities than allowed by zoning. It is very difficult for such communities to deny applications for comprehensive permits. Brookline's percentage of affordable housing is approximately 8%. Several Chapter 40B developments have been built or proposed in Brookline, including St. Aidan's, the current Hancock Village, and 21 Crowninshield Road proposals. In 2010, a statewide referendum (Question 2) to repeal Chapter 40B failed by a vote of 58% to 42%.

DISCUSSION:

As the recent controversy over the Hancock Village 40B comprehensive permit illustrates, the application of 40B can create serious impacts and demands on the Town's environment, infrastructure, and preservation of historic structures, to the point that we now have the bizarre situation wherein the Board of Selectmen is suing its own Zoning Board of Appeals appointees over their granting of the special permit, with residents paying for attorneys on both sides of the lawsuit. However, the Housing Advisory Board, in considering this article, firmly believes that legislative attempts to modify 40B as the article requests will fail because 40B is the only legislative spur to create badly needed affordable housing in the Commonwealth. Moreover, a legislative change such as allowing the Town to require that 40B developments be limited to senior housing would be strongly opposed by powerful and influential development interests and would never be adopted on Beacon Hill.

However, the HAB believes that helpful changes to 40B's safe harbor regulations might be possible if Brookline were to seek such changes in conjunction with other similarly affected communities. An earlier attempt at securing regulatory relief was unsuccessful, but in that effort, Brookline stood alone, and there is reason to believe that a united effort with several other municipalities would have a much better chance of succeeding. The petitioners have joined with the HAB in agreement with this approach.

RECOMMENDATION:

The Advisory Committee concurs with the HAB and the petitioners, and by a vote of 17–0–1 recommends FAVORABLE ACTION on the following substitute referral motion under Article 17:

MOVED: to refer the subject matter of Warrant Article 17 to the Housing Advisory Board (HAB) and the Planning Board, each to report back to the 2015 Fall Town Meeting in accordance with the following:

1. HAB is requested to develop a plan for Brookline to work with other mature, built-out communities that demonstrate substantial and continuous progress towards reaching the goal of 10% of affordable housing in order to effectuate changes to the regulations promulgated under Chapter 40B to achieve a temporary "safe harbor" status as Brookline and these other communities continue to progress towards 10%.

2. HAB and the Planning Board are requested to take advantage of available planning tools to ensure that Brookline makes progress towards its affordable housing goal in a manner that: (a) optimizes the Town's opportunity to secure Chapter 40B "safe harbor" status, including through the development of a Housing Production Plan that will be acceptable to the Commonwealth's Chapter 40B regulators; and (b) is sensitive to the integrity of existing residential properties and neighborhoods.

XXX

ARTICLE 18

EIGHTEEN ARTICLE
Submitted by: Regina Frawley

Resolution: Request the Board of Selectmen to study and consider use of Eminent Domain for two green space buffer zones along Russett and Beverly Roads

To see if the Town will adopt the following Resolution:

Whereas Precinct 16 lacks ***any*** publicly-accessible Open Space for active recreation within its boundaries, outside of the Baker School which is reserved for school use, and not publicly-accessible when in use by Baker School, and,

Whereas Residents of both Russett Road and Beverly Road were promised by the original owners of Hancock Village that these "buffer zones" zoned as S-7, would be perpetually "green" and undeveloped, and thus most purchased homes with that specific consideration, and,

Whereas, no other Open Space within the precinct can be used for publicly accessible recreational purposes and playground, including the Walnut Hill Cemetery (inappropriate use for recreation), conservation land Hoar Sanctuary, the small open land at Putterham Library (too small for varied typical recreational use) and the Putterham Circle rotary which is unsafe to access, although publicly accessible open space, are not deemed suitable for recreational purposes involving playgrounds or equipment, and,

Whereas, these open spaces are deemed by the Town for "passive" use only, rather than "active" and/or are otherwise restricted for conservation purposes, for example, and,

Whereas, The Open Space "***walkability***" as a valuable function of accessing active recreational space, the Town acknowledges that Precinct 16 appears to be the ***only precinct without walkability*** to such space within its boundaries, or even within any reasonable or safe walking distance, the nearest space being approximately
1½ miles from the majority of its precinct residents, and regarded as dangerous to access by foot as it crosses major vehicular arteries in all directions, and,

Whereas no other property is available for this active use anywhere in Precinct 16, <u>or will ever be again</u> if this property is not preserved as publicly-accessible recreational Open Space, and thus Precinct 16 will never again have any opportunity to expect such recreational space without restriction, and,

Whereas it is historically used as publicly-accessible Open Space including cross-country skiing this winter, and,

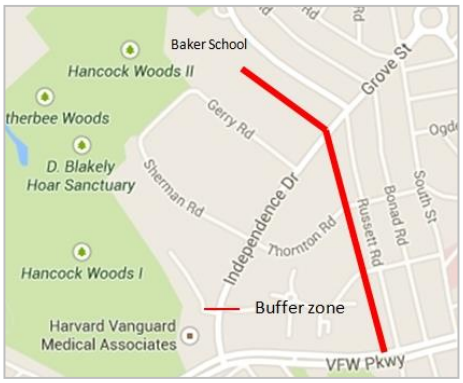
Whereas, in the interests of ***equity and fairness***, two principles highly valued by Brookline, to Precinct 16 residents who cannot enjoy reasonable, safe, walkable access to active recreational space as other precincts can and do, and,

Whereas there are indications that the Commonwealth of Massachusetts may assist in the costs of acquisition, if the Town supports the taking, and which possibility should be actively pursued through South Brookline's State Representative, among others,

Now therefore Be It Resolved: That Town Meeting asks the Board of Selectmen to study, and consider in good faith the taking under the powers of Eminent Domain the two buffer zones presently zoned S-7 within the Hancock Village property, abutting Russett and Beverly Roads for a permanently publicly-accessible active recreational space, and report its findings and recommendations and any possible decision at least two weeks prior to the filing deadline for November 2015 Town Meeting, so as to allow time for a citizen Warrant Article to be filed. Be it further resolved, that the Selectmen will consult with the Commonwealth of Massachusetts for possible funding sources.

Or, act on anything thereto.

PETITIONER'S ARTICLE DESCRIPTION



Google map showing approximate locations of the two Buffer Zones.

In 1968, I purchased my Russett Road home from family members, who built my home and who were active in the negotiations with the John Hancock Insurance Company, the original builders/owners of Hancock Village. In the wide-spread patriotism of the times, the neighborhood agreed to the multi-unit development on the previous golf course, for returning veterans and their families. As we were looking at homes in other suburban towns, my family used this argument to persuade us to reconsider, and move to South Brookline.

In consideration of neighborhood cooperation of this change-in-use, in turn, John Hancock reasonably agreed to leave a wide swath of green buffers on both Russett Road and Beverly Road to indicate the separation in use between multi-unit Garden Apartment -use, and the already-existing neighborhood single-family housing along Russett and Beverly Roads, most of which were built 10 years earlier.

At some point, the State required all privately-owned apace to have some zoning designation, exempting only publicly-owned space from this requirement. Thus, the two buffers were ascribed S-7 zoning. However, it was assumed this was a "paper" designation, only, and would not affect any prior understandings that the space would remain green.

Until recent years, it was always assumed that the "perpetual green buffer zone" (the language used by family and realtors traditionally when showing homes here) would remain intact. It was only recently discovered that this common understanding and assumption, supported in some documents at the time, was never formally recorded in the deed, perhaps due to a scrivener's error, or the mere fact it was assumed such a provision was understood widely, and thus it was unnecessary to record in the deed . We are now painfully aware this was an unfortunate oversight.

During the 5-year Comprehensive Plan study (2000-2005), additional development at Hancock Village was mentioned, and I quote, "for the garage". Hancock Village has 2 garages, one in heavy use on Independence Drive, and another, rarely used to the rear on the Beverly Road side. Acknowledged to be rarely used, this was a reasonable assumption that it might be developed into additional housing. There were no objections raised to additional housing at Hancock Village on the Brookline side.

However, we now know it is the two buffers that are proposed for development, not the garage (at this time) and the 1949 understanding between the owner and the Town is no longer an "understanding," that the 2 buffers will be permanent green space. They called it a "buffer zone" for a reason: Now, the owners prefer to refer to it as "green belts". But "Buffer" is the original designation, and that fact should be understood and respected.

The petitioner, in good faith, is concerned *exclusively* with the reality that if *any* housing is built on these buffers, it will remove all possibility for recreational space for the public, that was not only assumed, but will never again become available within the precinct, or in any walkable distance.

Thus this request represents an actual "chance of a lifetime," one which geographically, realistically will never come this way again. Never.

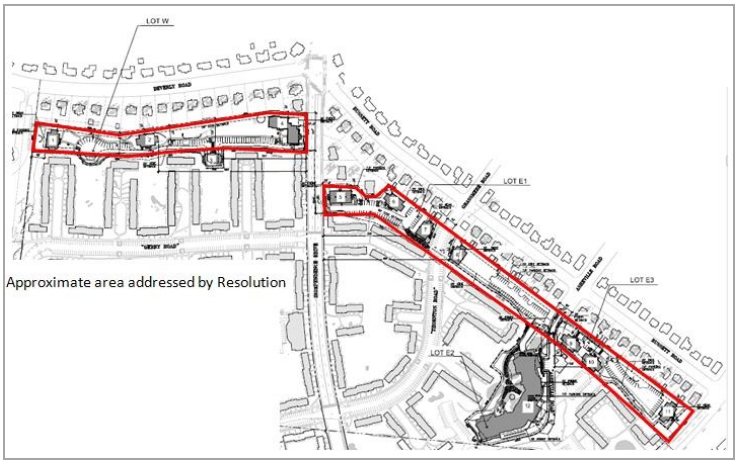
Some have asked about Bournewood Hospital which has large open space. Unfortunately, the petitioner has been assured by Town officials that the hospital wishes to keep its patients separate from any close contact with the neighbors, and the neighbors concur. Indeed, since the hospital is profit-making, further growth is likely (they have doubled in recent years). Thus, Bournewood appears to be a closed door for active recreational space for the public to enjoy.

The petitioner has looked at every lovely green space within Precinct 16, ***in a good faith effort*** to find alternatives to the buffer zones for publicly-accessible active recreational use. Each parcel had either conservation, school, and/or safety limitations.

Thus, quite literally, the two buffers are "it", if we are ever to enjoy with our families the kind of recreational space so widely enjoyed across town, even in the most densely populated sections.

As one who has supported every precinct neighborhood across town in whatever it deemed best for its quality of life, and had been recognized as having been instrumental in preserving open space at Saint Aidan's development, the Petitioner and the

undersigned ask Town Meeting Members to support Precinct 16 in attempting to provide its residents a once-in-a-lifetime chance to use walkable, publicly-accessible active recreational space within safe distance for the majority of its residents.



Approximate area addressed by resolution

Lot "W" in winter

SELECTMEN'S RECOMMENDATION

The Board chose to not take a positon on Article 18 and unanimously voted the following on April 28, 2015:

VOTED: Consistent with the Board's long standing interest in protecting the so-called "Green Belt" at Hancock Village; to best preserve options seeking to advance this interest and not take any actions which may adversely affect pending litigation, the Board takes no position with respect to the subject matter of Article 18 at this time.

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:
Article 18 proposes a resolution by Town Meeting calling on the Board of Selectmen "to study, and consider in good faith the taking under the powers of Eminent Domain the two buffer zones presently zoned S-7 within the Hancock Village property, abutting Russett and Beverly Roads for a permanently publicly-accessible active recreational space." The resolution would ask the Board of Selectmen to "report its findings and recommendations and any possible decision at least two weeks prior to the filing deadline for November 2015 Town Meeting, so as to allow time for a citizen Warrant Article to be filed." The resolution also asks the Board of Selectmen to "consult with the Commonwealth of Massachusetts for possible funding sources" to pay the owner for the land at issue. While expressing certain concerns regarding the overall practicality of pursuing a taking of this

land, the Advisory Committee nevertheless felt that it deserved further study. By a vote of 14 in favor, 1 opposed, and 0 abstentions, the Advisory Committee recommends FAVORABLE ACTION on Article 18.

BACKGROUND:

The parcels of land that are the subject of the proposed resolution consist of approximately 6.5 acres along Beverly and Russett Roads in South Brookline (Precinct 16). While the property at issue is part of the same parcel of land that includes all of Hancock Village, it has, since the very outset of the Hancock Village construction, which dates back to 1946, been maintained by the various owners of the property as an undeveloped area separating the built-up areas of Hancock Village from the largely single-family houses located along the west sides of Beverly and Russett Roads.

In 1946, the Town of Brookline entered into an agreement with the John Hancock Insurance Company ("Hancock") to transform the Weld Golf Course into an affordable housing development comprised of 789 townhouse-style units. As part of the overall agreement, Town Meeting voted to change the zoning of most of the land from single-family to multi-family zoning in exchange for certain commitments memorialized in a written agreement ("the 1946 Agreement") that would be binding on Hancock as well as on its successors and assigns in perpetuity. Under the 1946 Agreement, which is incorporated verbatim in the legislation that provided the zoning relief, Hancock agreed to certain height and design restrictions for the buildings to be constructed on the site and to preserve the majority of the land as open space.

Hancock also agreed to preserve a strip of land along the border of the property as green space in perpetuity. The land was to serve as a buffer zone separating the townhouses and the associated parking lots to be constructed at Hancock Village from the single-family houses on Beverly and Russett Roads, to be used for passive and active recreational purposes. To accomplish this goal, this land was not rezoned multi-family, but rather retained its preexisting single-family zoning. The Town did not have and still does not have a zoning designation for green space, but since the land comprising the buffer zone is narrow (approximately 100 feet in width), it has generally been acknowledged that it could not accommodate both the building of single-family homes and a street; and so this area of continuous green space, designed by Olmsted Associates and extending for the length of Hancock Village, has continued to serve the functions for which it was intended in the original plan agreed to by the Town and the owner: to provide a landscaped transitional space between the single and multifamily properties and as open space that is used by residents of Hancock Village and others in the neighborhood for recreational uses. It is this strip of land that is the subject of Warrant Article 18.

In 1986, Hancock Village was acquired by Chestnut Hill Realty. The new owner subsequently (2009) announced plans to pursue a major expansion of the number of apartments in Hancock Village, including a high-rise apartment building that would, some argue, fundamentally alter the "garden village" character of the Hancock Village development. Among other things, the Chestnut Hill Realty plan includes development of the land that is the subject of Warrant Article 18, thereby permanently removing it from its present open space status.

DISCUSSION:

The Resolution being proposed in Article 18 calls on the Board of Selectmen to undertake to study the feasibility of taking the Beverly and Russett Roads property by eminent domain. The Petitioner explained that the resolution contemplated that the Board of Selectmen would appoint a study committee whose membership included Town legal, planning, and assessor's department staff, residents with expertise in finance, bonding, eminent domain and real estate valuation, and could potentially also engage outside consultants to assist the committee as required. There are many issues to be examined, including the legal basis for the taking, the potential payment that would be required to compensate the owner, and the means by which the funding of such an undertaking could be accomplished.

Town Counsel Joslin Murphy advised that, to be considered valid for a taking, the action must satisfy two separate criteria: First, the taking must be necessary to satisfy a valid public purpose. Second, the taking must be in good faith, e.g., it cannot be undertaken solely or even primarily for the purpose of blocking development. Town Assessor Gary McCabe explained, at a general level, the basis upon which the land might be valued in the event of a taking. He suggested that the value of the parcels in question would be determined by taking the difference between the aggregate value of the full Hancock Village property as it is present constituted vs. the value of the full property without those two parcels. He declined to offer an opinion as to what that value might be or what it would cost the Town to acquire the property through a taking. Town Counsel advised that the legal status of the 1946 Agreement between Hancock and the Town is currently being litigated by her office, and that Oral Argument on the lawsuit has been scheduled for June of this year. The outcome of the litigation will materially impact the fair market value of the land. However, the outcome of the litigation will not be known in time for the May 2015 Town Meeting.

Petitioner concedes that the immediate impetus for the proposed resolution was the proposed Hancock Village expansion; indeed, she argues that it is because the expansion may take place that the taking of the subject property and preserving it as open space takes on a level of immediacy that had not been apparent in the past. She notes that the land has long served the South Brookline community in supporting various recreational activities, including cross-country skiing in the winter and picnicking and local recreational activities in the spring and summer. The Petitioner emphasized that there is at present no Town-owned parkland (other than the Putterham Golf Course) in South Brookline, and that if the subject land is developed the closest parkland will be in the City of Boston, requiring crossing VFW Parkway and being largely inaccessible to young children. She argues that taking this land for use as a public park and recreational area serves a valid public purpose since, absent the taking, the land would no longer be accessible for this purpose, and further that the need for a taking so as to preserve the open space for public use could not have been known prior to the initiation of CHR's expansion proposals since 2009, all of which have included construction on the buffer zones, in contravention of the zoning restrictions for that land.

Nevertheless, the idea of a taking to foreclose further development at Hancock Village is not without a strong precedent. When CHR purchased Hancock Village, it concurrently acquired the adjoining 46 acre parcel known as Hancock Woods (all of which was in

West Roxbury), which had not yet been developed. In 1988, CHR proposed a large development for Hancock Woods consisting of 1,094 units for seniors in 2 high-rise towers, 3 mid-rise buildings, and several townhouse buildings. The proposal faced intense opposition by neighbors and environmentalists, and local officials and state representatives worked to find ways to preserve the open space. By 1995 the proposed development had been reduced to 256 units, with half of the acreage of Hancock Woods to be set aside by a permanent conservation easement. However, the State Legislature nonetheless determined that the entire 46 acres should be preserved as open space and Governor Weld was supportive. In August 1995, Gov. Weld signed legislation to have the State take the property by eminent domain. (See Acts and Resolves of 1995, Ch. 119.)

The Advisory Committee's Planning and Regulation Subcommittee received more than twenty (20) e-mails from residents of South Brookline in support of pursuing the possibility of the taking of this land.

RECOMMENDATION:
While expressing certain concerns regarding the overall practicality of pursuing a taking of this land, the Advisory Committee nevertheless felt that it deserved further study. Accordingly, by a Vote of 14–1–0, the Advisory Committee recommends FAVORABLE ACTION on Article 18.

XXX

ARTICLE 19

NINETEEN ARTICLE
Submitted by: Lee Biernbaum

To see if the Town will adopt the following resolution:

Whereas: the Town of Brookline, surrounded on three sides and about 85% of its borders by Boston, was never consulted about hosting the 2024 Olympics before Boston2024's private bid was placed, proposing at least two events within our town;

Whereas: the International Olympic Committee's standard contract language requires host governments to provide a financial guarantee for the Games, regardless of overruns; the Olympics have overrun their initial projected costs in every Olympics from 1960 to 2012, and in any event, the now-projected $9.1 billion cost should be invested far more productively in our Commonwealth's pressing needs, e.g. education, healthcare, affordable housing, public safety, transportation, etc.; and, besides, preparations for the Olympics will distract public and political attention away from addressing those needs;

Whereas: civic and business leaders' Olympics generosity so far is commendable; but local charities worry about diversion of donations away from their causes; instead, those contributions should more reasonably go -- on an ongoing basis -- to either charities or state and local governments for sorely tax-underfunded services;

Whereas: multiple academic studies show the Olympics and other mega-events do not lead to long-term economic benefits for host communities;

Whereas: Boston 2024's plan does not include any public transit improvements not already planned for by the Commonwealth and would do nothing to fix a system desperately in need of attention and funding;

Whereas: Olympics security requirements put onerous burdens on local residents, and in prior Olympics included measures like anti-aircraft missiles on roofs of apartment buildings; and

Whereas: the Olympics' proposed marathon route through Brookline wi11likely result in a security cordon cutting residents off from jobs, schools, recreation, etc.; and the overall impact of the Olympics on us would be immeasurable, causing Town Administrator Mel Kleckner to reply when asked by a reporter what would be affected in Brookline if Boston won the bid, *"Everything"*-- such as traffic, public safety, and housing -- [and] *"]t's not possible to envision an Olympics without a regional impact."*

NOW, THEREFORE BE IT RESOLVED:
1. that Brookline's (representative) Town Meeting opposes Boston2024's Olympics bid; and
2. urges our townwide elected officials, state representatives, and state senator to actively do so.

PETITIONER'S ARTICLE DESCRIPTION

Hopefully the "WHEREAS:" clauses are either self-explanatory as reasons, and where necessary can be documented for any requested background data.

SELECTMEN'S RECOMMENDATION

Article 19 asks Town Meeting to resolve to oppose Boston 2024's Olympics bid and urges Town-wide elected officials, state representatives, and state senator to actively do the same.

As the town is bordered on three sides by the City of Boston, many residents are concerned about the negative impacts the Olympic Games could have on the town with respect to traffic congestion, road closures, economic loss, public safety and general disruption of town services. Furthermore, the bid includes potential sites for events located in Brookline; however, Boston 2024 has not yet approached the Town to discuss their plans. Although the Town is able to successfully accommodate large-scale events like the Boston Marathon, the Olympics is a multi-day event and would therefore likely require more logistical coordination and dedication of town resources, the scope of which is unknown at this time.

The Board had hoped that Boston 2024 would be available to weigh in on this resolution, but since they did not attend the public hearing on this warrant article the Board felt that they needed to move forward and support the resolution in the hopes that it will help stimulate further dialog.

By a vote of 5-0 taken on April 28, 2015, the Board recommends FAVORABLE ACTION on the resolution as submitted.

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:

While hosting the Olympics may at first glance seem like an exciting prospect the lack of meaningful public process, significant financial risks, diversion of public energy and

resources away from more pressing local concerns, along with too many unknowns make it difficult if not impossible to support. The Advisory Committee therefore recommends FAVORABLE ACTION on Article 19, which opposes the Boston bid for the 2024 Summer Olympics, by a vote of 16-4-2.

BACKGROUND:
Article 19 is a resolution asking Town Meeting to oppose Boston2024's Olympics bid. It urges Brookline's town-wide elected officials, state representatives, and state senator to actively oppose the bid as well.

The petitioner put this article forward out of concern for the costs, risks, questionable benefits, and a concerning lack of public process associated with the Boston2014 Olympics bid.

Public Policy concerns
Boston2024 is a private group organizing to bring the Olympics to the Boston metropolitan area in 2024. Boston2024 employees are not elected or answerable to the public by any democratic means. They have recently added many celebrated athletes and personalities to help them move their cause forward. Two years into the process, Boston2024 released their bid documents to the public in January of 2015. The documents identified many different communities that may serve as event venues or housing sites without actively engaging with the impacted communities, Brookline included.

Boston2024 has scheduled a series of public meetings and posted a list of frequently asked questions on its website. To date these public forums have not provided an opportunity for rigorous discussions with opponents; their format has been that of a presentation followed by a question and answer session.

Boston2024 does support a state referendum on the November 2016 ballot. While the language on the ballot has yet to be determined, it will likely be an up or down vote regarding hosting the Olympics. Deadlines for submitting candidature filings and taxpayer guarantee letters with the International Olympic Committee (IOC) are only three months later, in January 2017. Presumably much work will have already been done in advance of the referendum.

Regarding Brookline specifically, neither the Town Administrator nor the Selectmen have been included in discussions about the possibility of hosting the Olympics. Yet the Brookline Country Club is under consideration as a golfing venue, and Brookline may host part of a marathon route.

Even if no Olympic event occurs in Brookline, the Town will be affected if Boston is selected as the 2024 host city. We are part of Boston in many ways, surrounded by it on three sides. Local traffic, housing, public safety and surveillance are among a few of the ways the Town will be impacted.

Financial Costs

Budget in December 2015 bid documents

Boston 2024 submitted a $14.3 billion dollar budget to the U.S. Olympic Committee (USOC.) The current rough break down is:

- $4.7 billion Operating budget
- $3.4 billion Facilities costs
- $5.2 billion state infrastructure
- $1 to 2 billion for security and logistics

The estimated $4.7 billion dollar operating budget for the games will be paid for through broadcast revenues, local and international corporate sponsorships, and ticket sales at venues; however, there is always the risk that the ticket sales won't yield projected revenues. There is a risk in calculating the level of corporate sponsorships and broadcast revenues as well.

While there are many existing structures that will be put to use in Boston 2024's plan, hosting the Olympics requires building new facilities. The plan for building new facilities, at an estimated cost of $3.4 billion dollars will ideally be borne by agreements between private developers and landowners, with the developers renting out facility space to Boston 2024 and later leasing or selling it. Whether this will actually come to fruition and whether it will ultimately benefit the community is a complete unknown.

Boston's existing state infrastructure budget, which is publically allocated money, is technically not included in the cost of the games (though it is included in the bid documents). And winning the bid would likely impact how those monies are spent.

The federal government (all taxpayers) will pay for security costs, estimated at $1 to $2 billion dollars. Indirect security costs, such as overtime and planning resources, will likely fall on towns and cities.

Financial Guarantee

The International Olympic Committee (IOC) requires host governments to secure the final bid in the event that private funding falls through. Boston's mayor has already signed a joinder agreement committing to comply with standard IOC procedures which include this commitment to financially guarantee that the games go on as planned—whether or not there are cost overruns. Legally the Boston Mayor cannot bind surrounding towns and cities, but if the state ultimately needs to cover Boston's costs all taxpayers will contribute. For example New York State had to cover costs after the Lake Placid games in 1980.

Insurance

Boston2024 has obtained insurance for itself and Boston during the bidding phase, and has promised to obtain insurance to protect the City of Boston (and itself) for all of its

obligations should Boston become the host city. However there are questions as to whether or not any insurance policy could adequately cover probable cost overruns. If not, taxpayers will ultimately shoulder the bill for those cost overruns.

Social Costs
There is a significant concern that conversation about the Olympics will divert public discourse and private donations away from local charities and pressing, chronic public issues such as affordable housing, homelessness, health and education towards matters related to "winning a bid." Already public energy and discourse is spent on the Olympic bid, this warrant article is itself an example.

It may also change the way the Town allocate resources and make choices we might not have otherwise made but for attempting to accommodate Boston 2024 and win the Olympics bid.

DISCUSSION:
The majority of the Advisory Committee agreed that the prospect of hosting the Olympics locally is exciting, but that lack of public process and expected financial and social impacts were not worth the cost.

The timeline remained a concern for committee members who were trying to determine when possibilities would become firm plans, making it easier to determine what actual costs and outcomes might be. The answer remained elusive; the USOC requires filings in September 2015 and January 2016 and there are additional filings at future dates including the final candidature filings and taxpayer guarantee are due in January 2017. The IOC will make its final decision in 2017.

A minority of the committee was prepared to take a wait-and-see approach and thought the article was too absolute. Their rationale was that the Olympics are nine years in the future, Richard Davey, former Massachusetts Secretary of Transportation, was just named Boston2024 CEO in January 2015, the bid is now public, and Boston2024 has scheduled informational meetings.

The majority, however, agreed with the petitioners that the decision making process seemed undemocratic and opaque, with decisions and commitments being somewhat fluid and unknowable in addition to being out of the public's control. Members recalled the troubles with the MBTA this past winter, the Big Dig overruns and corruption, the logistical impact of the Boston Marathon, re-routing traffic and making it difficult to cross Beacon Street; the impact of that one day event will pale in comparison to preparation for and hosting a three plus week event. Boston is already a popular, top ten North American tourist destination; the greater Boston area does not need to host the Olympics to raise its visibility or improve its image.

The committee asked if any other towns or cities were taking similar action and heard that in February 2015, the Cambridge City Council went on record opposing the Boston2024 bid because of the lack of meaningful public process.

The IOC's financial guarantee requirement was an absolute "deal breaker" for several committee members. The general view was that it was a more concerning financial risk than almost certain cost overruns, and more concerning than the questionable costs and revenues assumed in the Boston2024 bid. When L.A. hosted the summer Olympics in 1984 they rejected the taxpayer guarantee requirement and used only existing facilities, refusing to build an Olympic stadium. They were, however, in an unusually strong bargaining position since the only other potential host city, Tehran, Iran, declined to bid. With many host cities gearing up to compete to host the 2024 games, Boston2024 and the cities and towns in the greater Boston area will be in no such position.

Historical financial overruns were also a consideration. Although some of the U.S hosted Olympics (L.A, Atlanta and Utah), were arguably profitable, the expenditures were tremendous and final profit margins as a percent of the expenditures were slim. Los Angeles was by far most profitable (est. $232.5 million), but for the reasons previously discussed: their refusal to pay for an Olympic Stadium and their refusal to agree to the taxpayer guarantee.

There was a concern that by discouraging a Boston Olympics, Brookline and Greater Boston would lose the opportunity to jump start stalled core priorities, such as improved public transportation, increased housing stock, and improved common spaces. This could be a catalyst for infrastructure improvements. There were doubts among the majority, however, that desired improvements particularly regarding transportation would occur.

In 2014, Boston 2024 had cited the need for an expanded transit system, including a possible new South Coast Rail line from Boston to New Bedford/Fall River, and diesel multiple unit rail service between Newton and the South Boston Waterfront. In February 2015 however, Boston2024 clarified that they were not asking for any new transit infrastructure. According to Boston2024, the games require only additional new cars for the Red and Orange Lines to increase reliability. Those cars have already been ordered and are part of current infrastructure plans. There is the theoretical possibility that MBTA infrastructure plans may change due to the prospect of hosting the Olympics, but would the cost and the choices made be based on what the region needs most, or would they reflect the Olympic footprint?

Since adequate and affordable housing are a need, there was some discussion about the benefits Beijing experienced with increased housing stock built for the games. The counter point was that displacement of residents and businesses in the affected areas was a real issue in Beijing and in other host cities. There was also the question of whether or not any permanent housing would be constructed and located appropriately for the area in the long term, and not just for the games in 2024.

UMass Boston has a long-range master which included adding thousands of beds. After partnering with Boston2024 that number has tripled, illustrating how hosting the Olympics can significantly change long-term planning and spending choices.

The committee also heard that Boston2024 has approximately 1 billion dollars for construction of temporary facilities in their operating budget. The cited temporary facilities include a 60,000-person temporary stadium, a temporary aquatic facility and a temporary tennis stadium. Even if the monies for the construction do not initially come from taxpayer dollars, it seems like a wasteful plan that the taxpayers may pay for in one way or another in the aftermath.

The majority of the Advisory Committee agreed with the petitioner that there are compelling financial risks and public policy concerns with Boston2024's Olympic bid.

RECOMMENDATION:
The Advisory Committee recommends FAVORABLE ACTION on Article 19, by a vote of 16-4-2.

XXX

ARTICLE 20

TWENTYTH ARTICLE___

Reports of Town Officers and Committees

SELECTMEN'S CLIMATE ACTION COMMITTEE
REPORT TO TOWN MEETING SPRING 2015

The Selectmen's Climate Action Committee (CAC) reports annually to Town Meeting on its activities of the past year and its goals and initiatives for the upcoming year. In formulating its plans for future committee activities, the CAC welcomes input from Brookline residents and businesses. Please direct comments and ideas to the CAC's staff support, Lara Curtis Hayes, Senior Planner, Department of Planning & Community Development, at lcurtishayes@brooklinema.gov or 617-730-2618.

I. INTRODUCTION

The Selectmen's Climate Action Committee (CAC) was established in 2008 by the Board of Selectmen, in conjunction with a Resolution passed by Town Meeting that May (Appendix 1). The CAC has fifteen members: twelve representatives of various boards and commissions and three citizens appointed by the Selectmen (Appendix 2). The CAC has been reporting to Town Meeting annually since November 2009. This year's report builds upon the content of previous years' reports, presenting a summary of the committee's activities over the past year and identifying new goals and priorities.

The CAC meets monthly, and organizes itself into working subcommittees on an as-needed basis, in response to evolving goals and projects.

In February 2015, the CAC proposed a revised committee charge to the Board of Selectmen to better reflect the committee's efforts to be proactive and encouraging of actions that reduce greenhouse gas emissions and enable to the Town to adapt to the effects of climate change. The Board of Selectmen approved the new charge, which is as follows:

"The responsibilities of the committee shall include:

- To promote a goal of achieving 80% reduction in greenhouse gas (GHG) emissions by 2050 in alignment with the Massachusetts' Global Warming Solutions Act;
- To promote and implement resiliency measures to better prepare the Brookline community to adapt to climate change;
- To develop a comprehensive strategic plan that includes, but is not limited to, reducing greenhouse gas emissions and promoting sustainable practices for home, school and businesses;
- To advance Brookline as a leader in diverse sustainable practices that contribute to environmental health and positive social impact and economic development;
- To promote greater awareness about sustainability and the need to reduce GHG emissions through citizen choices;
- To recommend and, where appropriate, implement programs that reduce the net production of GHG emissions in Brookline;

- To measure, assess and/or monitor the efforts of the Town to reduce net GHG emissions;
- To serve as liaison between the Town and the public with regard to information and programs related to reducing net production of greenhouse gases;
- To report annually to the Annual Town Meeting and to report from time to time to the Board of Selectmen, the Town of Administrator, and the public; and,
- Such other responsibilities as may be determined from time to time by the Board of Selectmen."

II. ACCOMPLISHMENTS

The town's most recent Climate Action Plan, adopted in 2012, establishes a reduction goal for 2020 of 25 percent below the estimated 1990 greenhouse gas emission levels. This goal is consistent with the state's plan, *Massachusetts Clean Energy and Climate Plan for 2020*, which also mandates an 80 percent reduction by 2050.

The most recent greenhouse gas inventory for Brookline indicates that the town's **total greenhouse gas emissions in 2008 were less than in 2003 and 1995, about 8 percent below 1995 totals**. In comparison, the greenhouse gas emissions for the United States as a whole increased about 10 percent from 1995 through 2007. (See *Appendix #5, Town of Brookline Greenhouse Gas Inventory Overview*.) The CAC sees this as a significant accomplishment, and it provides a solid basis on which to keep building.

Reviewing and Updating the Initiatives Listed in the Climate Action Plan

- The CAC has reviewed each action in the Climate Action Plan (CAP) for continued effectiveness and applicability. During this process, the CAC found several actions that were in the process or had been completed, including LED street light conversions, marketing renewable electricity to Brookline rate payers (Climate Action Brookline's Mass Energy outreach), and supporting bicycle sharing (Hubway). Additionally, the CAC added a *Climate Change Adaptation* category to the CAP to begin encouraging community members to consider ways to adapt to the likely impacts of climate change.

Improving Residential Energy Efficiency through Green Homes Brookline

- *New Initiatives*: Green Homes Brookline is a partnership between the Town of Brookline, CAC, Climate Action Brookline and energy services company Next Step Living, marketing no-cost energy assessments, insulation and air-sealing rebates, and other energy efficiency incentives available under the Mass Save program. When Green Homes Brookline was first established in 2010, it was supported by approximately $150,000 in grant funding from the federal Energy Efficiency and Conservation Block Grant (EECBG) program. Even after federal resources have been spent, Green Homes Brookline continues to market the Mass Save opportunities, and has begun encouraging residents to consider other efficient alternatives for

heating and cooling, such as air source heat pumps. Green Homes Brookline regularly holds information workshops in the Brookline area to educate and encourage residents to consider weatherizing their homes, and partners with Climate Action Brookline on other outreach initiatives to reach as many residents as possible. The CAC is beginning to consider how best to encourage the residents in multi-family buildings to take advantage of the energy efficiency incentives that are also available under the Mass Save program, such as generous lighting incentives (including LEDs), free programmable thermostats, and a selection of water conservation devices.

- *Outreach Success*: As of 3/11/2015, **1,441 energy assessments and 417 weatherizations of Brookline homes** have been completed, surpassing the program's original goal of reaching at least 1,000 homes. This accomplishment can be attributed to the significant commitment to the program by the town, Climate Action Brookline and Next Step Living. Using estimated energy and money savings for an average energy assessment and weatherization (.3638 metric tons of C02e and $94 annually from an energy assessment, and 1.03 metric tons of C02e and $271.50 annually from an average weatherization), the Green Homes Brookline program has reduced greenhouse gas emissions by 953.75 metric tons of C02e, and **saved Brookline residents $248,670 in energy costs** this year alone. This is **equivalent to taking 201 passenger vehicles off the road** for a year (Source: www.epa.gov/cleanenergy/energy-resources/calculator.html).

Exploring Municipal Opportunities for Renewable Energy

- Supported the town's participation in the Metropolitan Area Planning Council's (MAPC) regional procurement for renewable energy management services, and its partnership with Blue Wave Capital and others. The town hopes to have solar PV systems installed on several municipal roofs and properties in 2015.

Engaging Residents through Fifth Annual Climate Week

- The fifth annual Climate Week was held in February 2015. Organized and led by CAB, a number of events were held jointly with different organizations, including the CAC, Brookline Economic Development Division, and Brookline Department of Public Health, among others. Numerous businesses, town departments and local organizations collaborated in creating special events. All events helped to inform and encourage climate-friendly behavior. Mothers Out Front, in collaboration with CAB, launched its campaign *Green Up Your House With a Click of a Mouse,* an effort to have 1,000 Brookline residents and businesses switch to Boston-based renewable energy. A campaign launch party during Climate Week was well attended, despite the snow, and they are actively moving ahead with the campaign.

Completing Green Community Designation Grant

- When the Town attained "Green Community" status in 2011, not only did it affirm the Town's commitment to sustainability, but Brookline was also awarded $215,050 in initial grant funding. At the end of December 2014, a representative from the Green Communities division visited Brookline to view the various energy efficiency projects completed under this grant, including condensing boilers in the Main and Coolidge Corner libraries, and several interior and exterior LED lighting projects. Town staff submitted a final grant report to the Green Communities Division, which was approved, and an application for competitive grant funding was submitted in March. Green Community designation must be maintained by continuing to satisfy the Green Community requirements (Appendix 4), including ensuring the town's fuel efficient vehicle purchasing policy is followed and that progress is made on the adopted Municipal Energy Reduction Plan. Annual reporting on the town's Green Community status to the state is also required.

Strengthening Community Partnerships

- Sustained a close working relationship with nonprofit Climate Action Brookline (CAB). Joint initiatives include Green Homes Brookline and Climate Week.
- Advised the Department of Planning and Community Development and the Board of Selectmen regarding the management of Green Community funds, the Green Homes Brookline program, municipal solar initiatives, bicycle sharing and other related projects.

III. WORK PLAN

The CAC has identified the following tasks for the coming year:

1. Continue to provide support to groups and residents working on activities listed in the Climate Action Plan, including community shared solar (CSS), bicycle sharing and complete streets, and adaptation. As implementation of the plan proceeds, refine greenhouse gas reduction estimates. The actions listed in the plan provide a road map and policy framework for the committee as it moves forward.
2. Assist as needed in the town's efforts to install solar PV facilities on municipal buildings and properties.
3. Lead and assist in developing community shared solar (CSS) opportunities in Brookline.
4. Work with community and municipal partners to identify and implement climate change adaptation strategies. Pool resources with neighboring municipalities to build support for adaptation initiatives and develop best practices.
5. Collaborate with CAB on community education and engagement activities to promote lifestyle changes that lead to greenhouse gas reduction.

6. Monitor and support the Green Homes Brookline Program, as well as work to expand its focus to include large condominium and apartment buildings.
7. Provide support for the town's efforts to implement the Green Communities Act criteria and objectives, including the execution of the municipal energy reduction plan, and encouraging the pursuit of renewable energy generation alternatives.
8. Collect and refine data on town energy use and GHG emissions, by sector and source.

IV. APPENDICES

1. **Town Meeting Resolution** (Article 29, May 27, 2008, Annual Town Meeting)

VOTED: That the Selectmen establish a committee, the purpose of which is to reduce the total emission of greenhouse gases by the Brookline community, including Town government. The name of the committee shall be the Selectmen's Climate Action Committee. The responsibilities of the committee shall include:

1. To recommend programs that reduce the net production of greenhouse gases in Brookline, such as energy efficiency measures, green energy sources, and additional greenspace;
2. To monitor, measure, and assess efforts of the Town to reduce net greenhouse gas emissions;
3. To monitor promising relevant programs in other municipalities;
4. To monitor relevant technological developments;
5. To serve as liaison between the Town and the public with regard to information and programs related to reducing net production of greenhouse gases;
6. To report annually to the Annual Town Meeting and to report from time to time to the Board of Selectmen, the Town Administrator, and the public; and
7. Such other responsibilities as may be determined from time to time by the Board of Selectmen.

The committee shall consist of the following members appointed by the Board of Selectmen:

1. A member of the Board of Selectmen
2. The Chair of the Advisory Committee or her/his nominee
3. The Chair of the School Committee or her/his nominee
4. The Chair of the Transportation Board or her/his nominee
5. The Chair of the Conservation Commission, or her/his nominee
6. The Chair of the Planning Board, or her/his nominee
7. The Chair of the Building Commission, or her/his nominee
8. The Chair of the Advisory Council on Public Health, or her/his nominee
9. A Co-Chair of Climate Action Brookline, or their nominee
10. The President of the Brookline GreenSpace Alliance, or her/his nominee
11. A Co-Chair of the Brookline Neighborhood Alliance, or their nominee
12. The President of the Brookline Chamber of Commerce, or her/his nominee
13. Three members at large with special consideration given to people with the following skills:

    • Relevant scientific and/or academic expertise
    • Relevant engineering expertise

- Knowledge of and/or experience with green businesses
- Relevant public health expertise.

All members shall serve three-year terms, which may be renewed. Initial appointments shall be for terms of one, two, and three years so that terms will expire at staggered intervals. No member shall be disqualified because she or he is not a resident of the Town. The committee shall have two co-chairpersons, one of whom shall be the selectman member and one of whom shall be elected annually by the committee. The staffing of the committee shall be determined by the Selectmen and the Town Administrator. The committee shall be established by November 30, 2008, and shall be evaluated by the Board of Selectmen before December 31, 2011 to determine whether it should be made permanent or dissolved.

2. CAC Membership

Dan Bennett	Building Commission
Michael Berger	at-large
Ben Chang	School Committee
Robert Cook	Planning Board
David Lescohier	at-large
Alan Leviton	Climate Action Brookline
Werner Lohe	Conservation Commission
Patricia Maher	Department of Public Health
Linda Pehlke	Brookline Neighborhood Alliance
Deborah Rivers, Co-chair	Brookline GreenSpace Alliance
Kathleen Scanlon	at-large
Celinda Shannon	Brookline Chamber of Commerce
Ali Tali	Transportation Board
Don Weitzman	Advisory Board
Neil Wishinsky, Co-chair	Board of Selectmen
Lara Curtis Hayes, Staff	Department of Planning and Community Development

3. Municipal Energy Reduction Plan

In June 2011, the Board of Selectmen adopted a Municipal Energy Reduction Plan with the goal of reducing municipal energy use by 20 percent over a 5-year period. Below is an excerpt from the plan's Introduction and Summary, as well as tables showing the town's energy use baseline and the energy efficiency measures that had already been implemented at the time of the plan's adoption. The Municipal Energy Reduction Plan is available on the Climate Action Committee's website.

The Town of Brookline serves a population of approximately 57,107 residents, as measured by the 2000 U.S. Census. It is primarily a well developed suburban residential community, with commercial hubs located along major transportation routes, such as Coolidge Corner, Brookline Village and Washington Square. The town manages 42

municipal buildings, 11 of which are school buildings. The town's municipal fleet includes approximately 276 vehicles. The town's public infrastructure includes approximately 4,085 streetlights (312 of which are ornamental), 354 traffic lights, and 182 park lights. The town's buildings are supplied electricity by NSTAR and heated with natural gas, although a majority of the buildings are powered by dual-fuel boilers, allowing them to be powered by heating oil if ever needed.

Energy efficiency and conservation is a priority of the town, and funding has been dedicated to improving the energy efficiency of the town's buildings and facilities for several years, reflecting this commitment. The town's Capital Improvements Program (CIP) has regularly included funding for energy efficiency measures on an annual basis, spending more than $750,000 on energy conservation measures alone since 2004, with another $1 million proposed as part of the Town's FY12-FY17 CIP. The town regularly partners with and participates in utility programs that subsidize energy efficiency improvements in order to leverage these funds. Therefore, several of the town's buildings and facilities are already extremely energy efficient.

A state audit in 2010 indicated that of the 17 town buildings selected by the Building Department for independent review because of their likelihood to benefit from energy efficiency measures, only three had estimated EPA rankings of 40 or below, and two of those buildings are small and contribute only a fraction to the town's total energy costs. Six buildings had estimated EPA rankings of 75 or higher, qualifying them for EPA Energy Star certification should the Town wish to pursue official recognition. Such results can be credited towards the Building Department's efficient and diligent building management as well as the town's continued financial commitment to improving the energy efficiency of its facilities.

Table 3. Summary of Municipal Energy Use Baseline FY2009

Category	Fiscal Year 2009 MMBtu	% of Total MMBtu Baseline Energy Consumption	MMBtu Savings Already Implemented	Projected Planned MMBtu Savings	Total MMBtu Savings	Savings as % of Total MMBtu Baseline Energy Consumption
Buildings*	135,328	70.2%	10,307	19,580	29,887	15.5%
Vehicles	46,402	24.1%	782	1,377	2,159	1.1%
Street/ Traffic/ Park Lights	10,989	5.7%	0	7,936	7,936	4.1%
TOTAL	192,718	100%	11,089	28,893	39,981	20.7%

Table 5. Energy Efficiency Measures Already Implemented

	Energy Conservation Measure	Estimated Annual Savings (kWh)	Estimated Annual Savings (therms)	Estimated Annual Savings (unleaded gallons)	Estimated Annual Savings (MMBtu)	Source for Estimated Savings
Town Hall	Complete renovation, incl. replacement windows, new HVAC systems, lighting, switch from heating oil to natural gas, etc. (completed FY09)	589,109	12,510	0	3,261	Actual bill savings
	Occupancy sensors for lighting (installed FY10)	6,552			22	AECOM (vendor for project)
Brookline High School	HVAC occupancy sensors (installed FY10)	17,690	10,200		1,080	Building Commissioner Estimate
	Demand management ventilation system for gym (installed FY10)	23,551			80	AECOM (vendor for project)
	Occupancy sensors for lighting (installed FY10)	18,275			62	AECOM (vendor for project)
Baker School	Replace bulbs and ballasts (installed FY10)	34,114			116	AECOM (vendor for project)
	Lighting (installed FY10)	57,268			195	
	HVAC occupancy sensors (installed FY10-11)		5780		578	Building Commissioner Estimate
Driscoll School	Replace bulbs and ballasts (installed FY10)	61,911			211	AECOM (vendor for project)
Heath School	HVAC occupancy sensors (installed FY11)		1,200		120	Building Commissioner Estimate
Lynch Recreation Center	Occupancy sensors for lights (installed FY10)	6,271			21	AECOM (vendor for project)
New Lincoln School	lighting upgrade (installed FY10)	47,806			163	AECOM (vendor for project)
	CO2 sensors/demand ventilation equipment (installed FY10)				0	

	Energy Conservation Measure	Estimated Annual Savings (kWh)	Estimated Annual Savings (therms)	Estimated Annual Savings (unleaded gallons)	Estimated Annual Savings (MMBtu)	Source for Estimated Savings
Old Lincoln	CO2 sensors/demand ventilation equipment (installed FY10)				0	AECOM (vendor for project)
	Pipe Insulation (installed FY10)		6,335		634	
	Install new high efficiency boiler		3,674		367	Building Commissioner Estimate (10% reduction in gas usage)
Devotion School	Occupancy sensors for lights (installed FY10)	97,416			332	AECOM (vendor for project)
Lawrence School	new lighting, fixtures, controls (installed FY10)	52,696.60			180	AECOM (vendor for project)
	Occupancy sensors for HVAC (installed FY11)		7,460		746	Building Commissioner Estimate
UAB/Physical Ed Building	Occupancy sensors for lights (installed FY11)	10,532			36	AECOM (vendor for project)
Soule Gym	new lighting/fixtures (installed FY10)	9,239			32	AECOM (vendor for project)
Senior Center	Install new high efficiency boiler		1,215		122	Building Commissioner Estimate
11 Newton Street DPW	new lighting/fixtures (installed FY10)	26,719			91	AECOM (vendor for project)
Take Home Vehicle Reductions	The number of vehicles driven home by town staff has been sharply reduced. (implemented FY10)			5,448	676	Fuel savings from mileage estimates
Town PCs PowerSave Policy	All town computers have been equipped with a Powersave feature that automatically shuts off computers after a period of idleness. (implemented FY10)	543,899			1,856	7.5% savings assumed (first 3 mos of project have yielded 10% savings)

	Energy Conservation Measure	Estimated Annual Savings (kWh)	Estimated Annual Savings (therms)	Estimated Annual Savings (unleaded gallons)	Estimated Annual Savings (MMBtu)	Source for Estimated Savings
	TOTAL SAVINGS	1,603,048	48,374	5,448	10,983	

4. EECBG Program

The Department of Energy approved the Town's proposal to use Energy Efficiency and Conservation Block Grant (EECBG) monies on the following projects:

- Install energy efficiency improvements in several municipal buildings ($143,000);
- Three LED street light pilot projects, two in residential neighborhoods and one in Brookline Village along Harvard Street ($170,800);
- Establish Green Homes Brookline, a residential energy efficiency program to provide energy assessments and improvements for Brookline homes ($160,600);
- Provide supporting funds to CAB for a public education campaign ($20,000).

This grant ended September 27, 2012, at which point all monies, except for $5,407 leftover as the last LED streetlight project came in under budget, were expended.

5. Green Communities Act

To qualify as a Green Community, a municipality must meet all five of the following criteria:

- Provide for the as-of-right siting of renewable or alternative energy generating facilities, renewable or alternative energy research and development (R&D) facilities, or renewable or alternative energy manufacturing facilities in designated locations.
- Adopt an expedited application and permitting process under which these energy facilities may be sited within the municipality and which shall not exceed 1 year from the date of initial application to the date of final approval.
- Establish an energy use baseline inventory for municipal buildings, vehicles, street and traffic lighting, and put in place a comprehensive program designed to reduce this baseline by 20 percent within 5 years of initial participation in the program.
- Purchase only fuel-efficient vehicles for municipal use whenever such vehicles are commercially available and practicable.

- Require all new residential construction over 3,000 square feet and all new commercial and industrial real estate construction to minimize, to the extent feasible, the life-cycle cost of the facility by utilizing energy efficiency, water conservation and other renewable or alternative energy technologies.

6. Town of Brookline Greenhouse Gas Inventory Overview

History and Purpose

In May 2000, the Town of Brookline elected to participate in the Cities for Climate Protection Campaign, a program of the International Council of Local Environmental Initiatives (ICLEI). The Cities for Climate Protection Campaign follows a 'Five Milestone' process:

- Milestone One: Conduct a Greenhouse Gas Emissions Inventory and Report
- Milestone Two: Set a Greenhouse Gas Emissions Reduction Target
- Milestone Three: Develop a Local Climate Action Plan
- Milestone Four: Implement the Local Climate Action Plan
- Milestone Five: Monitor Emissions Reductions

The Town completed the first three milestones in the ICLEI program, publishing a greenhouse gas inventory in August 2000 and a Greenhouse Gas Emissions Reduction Target and Climate Action Plan in February 2002.

The August 2000 Greenhouse Gas Inventory reported emissions for calendar years 1995 and 1998. The following summary updates those initial findings to include information for calendar years 2003 and 2008. The goal of the Greenhouse Gas Inventory is to guide Brookline's process of writing and implementing a plan to reduce the emissions contributing to climate change. The CAC is currently working on updating the Greenhouse Gas Inventory again, but up-to-date findings were not available in time for this report.

Brookline's Community Greenhouse Gas Emissions Totaled 520,000 Tons CO_2 for CY2008

Brookline's community greenhouse gas emissions (Table 1 and Figure 1) have been steady at roughly 520,000 tons of CO_2 per year for, at least, the five year period from 2003 through 2008. Community emissions comprise the residential, commercial, and government sectors.

Brookline's 2008 community greenhouse gas emissions were about eight percent below the annual emissions rate of 560,000 tons previously reported for 1995 (August 2000 Greenhouse Gas Inventory Report). Adjusting for possible inconsistencies in electricity and natural gas usage and vehicle emissions described below, Brookline's 1995 greenhouse gas emissions may have been as low as 515,000 tons per year. In either

case, Brookline has done better than the United States, as a whole. Greenhouse gas emissions increased about ten percent nationally from 1995 through 2007.

Greenhouse gas emissions from Brookline's government operations (Figure 2) for 2008 are relatively unchanged from those previously reported for 1995 (August 2000 Greenhouse Gas Inventory Report). Government operations are responsible for about three percent of Brookline's total community emissions.

Emissions from MBTA trolleys and buses were not included in this analysis. Emissions from these sources are likely about one percent of the reported total community emissions, based on the August 2000 Greenhouse Gas Inventory Report.

Brookline's Climate Action Plan Base Year Should be Changed from 1995 to 2003

The ICLEI Local Government Protocol (September 2008) states: "It is good practice to compile an emissions inventory for the earliest year for which complete and accurate data can be gathered. The base year for the UNFCCC and subsequent Kyoto Protocol is calendar year 1990. However, required data from 1990 is often prohibitively difficult or impossible to collect. Given that the priority for a greenhouse gas management program should be on practical results, it is more important that the base year be documented with enough detail to provide a good basis for local action planning than it is that all local governments produce an inventory with the same, stipulated base year."

Graphs of electricity usage (Figure 3) and natural gas usage (Figure 4) from 1995 through 2008 indicate anomalies in trends for both utilities. Values for 1995 and 1998 were reported in the August 2000 Greenhouse Gas Inventory report based on information provided by Boston Edison and Boston Gas. Usage information for 2002 through 2008 was obtained from NSTAR and National Grid. The significant drop in usage of gas and electricity from 1998 to 2002 is inconsistent with both population growth in Brookline and national trends in residential energy consumption during that period.

CO_2 emissions from vehicles traveling in Brookline may also have been overstated, based on a November 2009 report from the United States Environmental Protection Agency. Vehicle emission factors generated for 1995 by the ICLEI software (CACP 2009) were based on projections that predated the recent EPA report.

Due to the above inconsistencies, it is recommended that 2003 be used as the base year for Brookline's Greenhouse Gas Reduction Target and Climate Action Plan.

Brookline's Residential Carbon Footprint is Much Lower than the U.S. Average

In 2008, Brookline's average residential carbon footprint was about 31,000 pounds of CO_2 per year. The average US household had a carbon footprint of 46,000 pounds of CO_2 per year, according to data from the US Energy Information Agency's (EIA) 2005 Residential Energy Consumption Survey and a household vehicle use survey for 2009

published by the National Highway Transportation Survey (NHTS). In both cases, CO_2 emissions from personal air travel were not included.

Brookline's average commercial carbon footprint was 162,000 pounds of CO_2 per year in 2008, excluding air travel.

Table 1 **Greenhouse Gas Emissions**
CO_2e, Tons/Year

	1995	2003	2008
Electricity	140,920	130,384	137,125
Natural Gas	120,369	104,223	126,643
Heating Oil	126,267	112,366	103,678
Cars and Trucks	151,315	152,194	128,992
Solid Waste	21,129	21,129	21,264
Total	559,999	520,295	517,702

Table 2 **2008 GHG Emissions By Sector**
CO_2e, Tons/Year

	Residential	Commercial	Municipal	Total
Electricity	75,688	54,106	7,331	137,125
Natural Gas	89,812	34,474	2,357	126,643
Heating Oil	81,070	19,980	2,629	103,679
Cars and Trucks				128,992
Solid Waste	14,176	6,998	90	21,264
Total				517,702

Table 3 **Greenhouse Gas Sources**

		1995	2003	2008
Electricity	kwh	311,702,637	288,397,640	293,386,860
Natural Gas	Therms	20,445,394	17,702,807	21,511,045
Heating Oil	Gallons	11,283,499	10,041,279	9,264,891
Cars and Trucks	Miles	232,094,937	242,992,126	210,333,390
Solid Waste	Tons	21,000	21,000	21,135

Table 4 **Brookline's Residential Carbon Footprint - 2008**

	CO_2e, Tons/Year
Electricity	75,688
Natural Gas	89,812
Heating Oil	81,071
Gasoline/Diesel	139,156
Solid Waste	14,176

Total	399,901
Number of Households	25,573
Pounds CO_2/Household/Year	31,275

Table 5 Brookline's Commercial Carbon Footprint - 2008

	CO_2e, Tons/Year
Electricity	52,536
Natural Gas	34,474
Heating Oil	19,980
Gasoline/Diesel	7,576
Solid Waste	6,998
	121,564
Number of Businesses	1,500
Pounds CO_2/Business/Year	162,086

Table 6 Brookline's Municipal Carbon Footprint - 2008

	CO_2e, Tons/Year
Electricity	8,901
Natural Gas	2,357
Heating Oil	2,629
Gasoline/Diesel	2,305
Solid Waste	90
	16,282

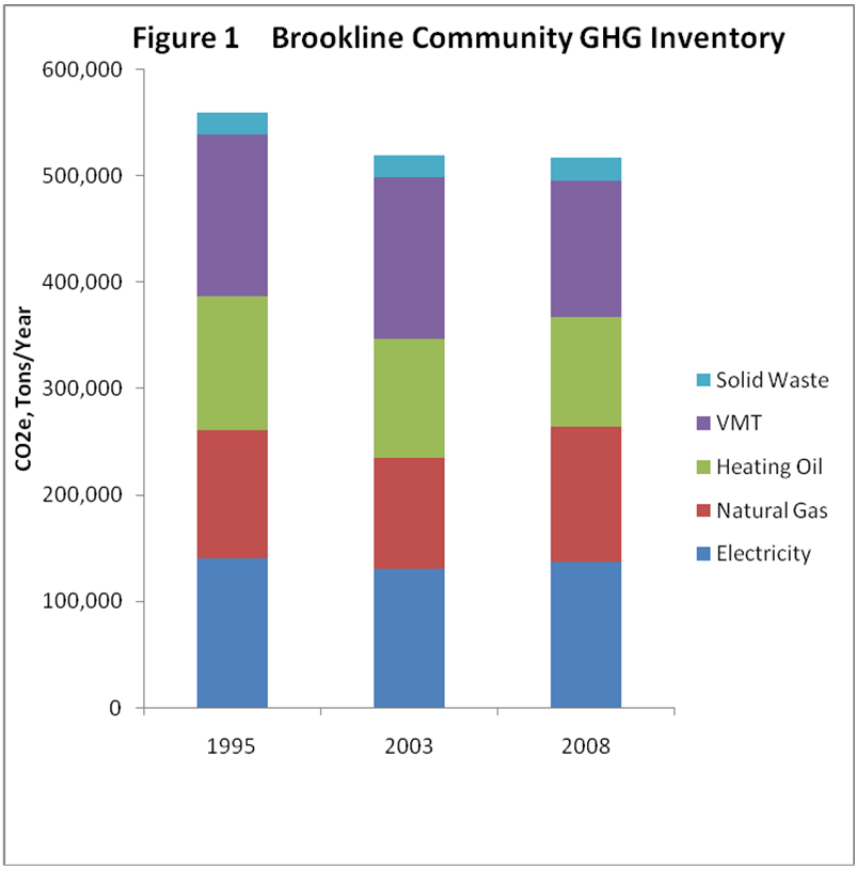


Figure 1 Brookline Community GHG Inventory
600,000
500,000
400,000
300,000
200,000
100,000
0
CO2e, Tons/Year
1995
2003
2008
Solid Waste
VMT
Heating Oil
Natural Gas
Electricity

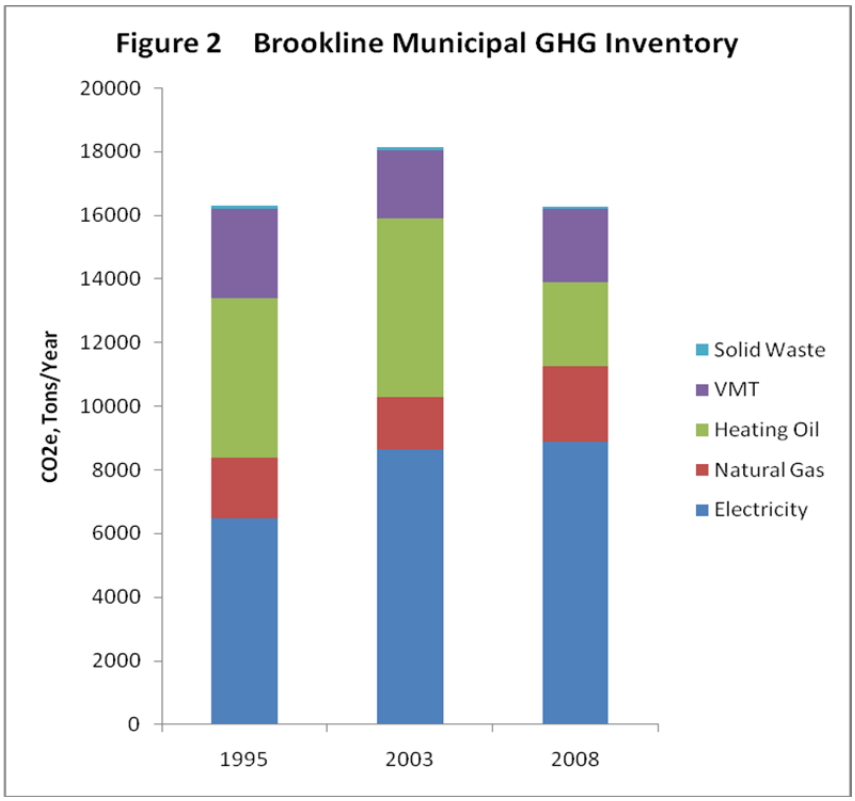


Figure 2 Brookline Municipal GHG Inventory
20000
18000
16000
14000
12000
10000
8000
6000
4000
2000
0
CO2e, Tons/Year
1995
2003
2008
Solid Waste
VMT
Heating Oil
Natural Gas
Electricity

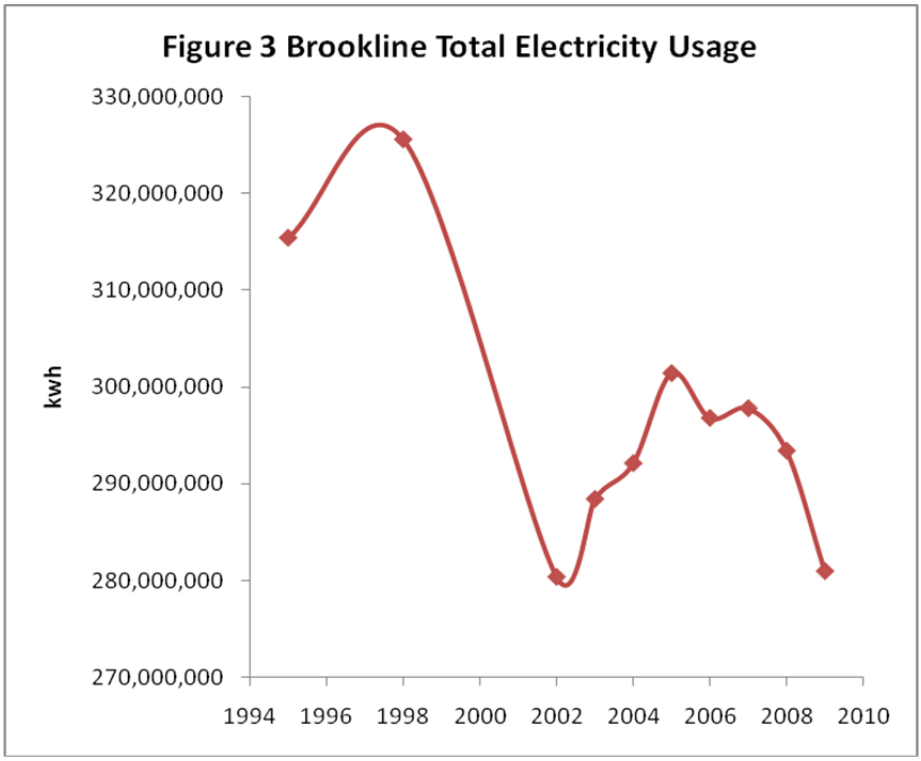


Figure 3 Brookline Total Electricity Usage
kwh
330,000,000
320,000,000
310,000,000
300,000,000
290,000,000
280,000,000
270,000,000
1994
1996
1998
2000
2002
2004
2006
2008
2010

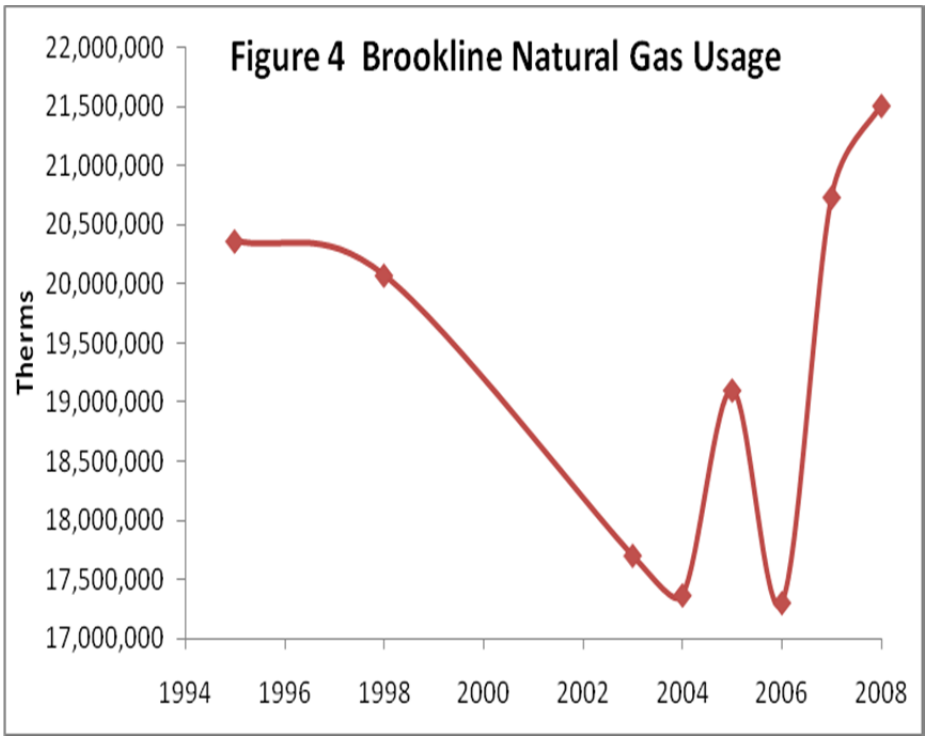


Figure 4 Brookline Natural Gas Usage
Therms
22,000,000
21,500,000
21,000,000
20,500,000
20,000,000
19,500,000
19,000,000
18,500,000
18,000,000
17,500,000
17,000,000
1994
1996
1998
2000
2002
2004
2006
2008

BOARD OF SELECTMEN

Nancy Daly
Neil A. Wishinsky
Benjamin J. Franco
Nancy S. Heller
Bernard W. Greene

ADVISORY COMMITTEE

Sean Lynn Jones, Chairman