



**WARRANT ARTICLE EXPLANATIONS
FILED BY PETITIONERS FOR THE
MAY 26, 2026 ANNUAL TOWN MEETING**

ARTICLE 1

Submitted by: Select Board

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 Select Board to appoint two Measurers of Wood and Bark.

ARTICLE 2

Submitted by: Human Resources

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.

ARTICLE 3

Submitted by: Treasurer/Collector

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.

ARTICLE 4

Submitted by: Select Board

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.

ARTICLE 5

Submitted by: Select Board

The purpose of this article is to make any year-end adjustments to the current year (FY26) budget. This article may also be used for the Golf Enterprise Fund in order to access retained earnings as a contingency for the construction project at the course.

ARTICLE 6

Submitted by: Select Board

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.

ARTICLE 7

Submitted by: Select Board

Subsequent to a recommendation from the Expenditures & Revenues Study Committee, the Select Board will make a decision on whether to place a Proposition 2½ operating override on the May 2026 ballot. As currently envisioned, the entire proposed override amount would be raised in Fiscal Year 2027, with amounts not needed in that fiscal year, but necessary for operations in ensuing fiscal years, to be appropriated to the Operating Override Stabilization Fund so they are available for future appropriation by Town Meeting. Passage of this article is needed to establish this funding mechanism.

ARTICLE 8

Submitted by: Advisory Committee

This is the annual appropriations article for FY2027. 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 15th. The proposed budget has since been reviewed by numerous sub-committees of the Advisory Committee, the full Advisory Committee, and the Select Board. The vote ultimately recommended to Town Meeting is offered by the Advisory Committee.

ARTICLE 9

Submitted by: Community Preservation Act Committee

INTRODUCTION

The Community Preservation Act Committee (CPAC) will be recommending eight projects for Town Meeting action and appropriation at its annual meeting in May 2026.

Brookline adopted the Community Preservation Act (CPA) in May 2021. Revenue is generated through a 1 percent local property tax, a variable match from the State Community Preservation Trust Fund and any accumulated interest. Funding for individual projects is conditioned on

recommendation from the Community Preservation Act Committee and appropriation at Town Meeting.

Prior to Town Meeting action, proposed CPA projects must meet several eligibility requirements and other constraints. These include but are not limited to:

1. Any proposal concerning real property will be subject to a deed restriction or other property protection.
2. Studies funded by CPA are expected to lead to a CPA eligible project.
3. CPA funds cannot be used to employ municipal/ or other organization's staff.
4. CPA funds cannot be used for ordinary repair and maintenance and must be used for capital improvements.
5. CPA funds must supplement, not replace already appropriated municipal operational funds.
6. Within each funding category, there are other restrictions which will apply.

CPA relies upon the CPA statute, guidance from Department of Revenue (DOR), court rulings concerning CPA, and the Brookline CPA Plan developed by the CPAC in conjunction with the Brookline community. Here is a link to [the plan](#).

The CPAC met many times over the last several months to review applications, ask questions, compare the project requests with CPA Plan goals, and discuss logistics. Review of the applications was broken down by category. Working groups for each category consisted of a small number of the at-large members and appointees from the boards and committees associated with the categories, as well as CPA staff. The working groups analyzed each project in detail, requested more information when needed, and reported back to the full CPAC for further discussion, review and action.

For the 2027 Annual Town Meeting, the CPAC is recommending an appropriation of \$4,072,345. Twelve projects had been submitted this grant cycle. The application process included an Eligibility Application where letters of intent were submitted. The CPAC then determined whether they were eligible uses for CPA funds. Eleven eligible projects were invited to submit formal applications for review.

Community Preservation Act funds are restricted and projects must be tailored to meet the eligible activities outlined in the Act for Open Space, Recreation, Historic Preservation and Community Housing.

Town meeting has three choices: It can, by majority vote, 1) appropriate from CPA resources the CPA recommended projects, 2) deny CPAC recommended appropriations or 3) appropriate CPAC recommendations at a reduced level. Town Meeting cannot increase the CPAC recommended amount for any project, nor can Town Meeting initiate any new recommendations.

ALLOWABLE USES CHART

	Open Space	Historic	Recreation	Housing
Acquire	Yes	Yes	Yes	Yes
Create	Yes	No	Yes	Yes
Preserve	Yes	Yes	Yes	Yes
Support	No	No	No	Yes
Rehabilitate and/or Restore	No (unless acquired or created with CPA \$\$)	Yes	Yes	No (unless acquired or created with CPA \$\$)

1. Community Housing

Brookline’s location close to Boston and its high-quality public resources, like its public schools, services, open spaces, walkability, and transit access, make it a well-loved community and one of the country’s most expensive places to live. According to the Brookline’s CPA Plan, key needs include:

- The creation of affordable rental housing, especially for very low-income households.
- Increasing homeownership opportunities for low and moderate-income households.
- Producing more affordable housing in strategic locations and increasing housing density.
- Preserve existing affordable housing units.
- Supporting housing for very low to extremely low-income people with special needs, especially those at risk of homelessness, older adults, and people with disabilities.

MGL 44B, Section 2 defines “Community Housing” as: Low- and moderate-income housing for individuals and families, including low (80 percent of Area Medium Income (AMI)) or moderate-income (100 percent of AMI) family and senior housing.

Allowable uses for community housing are acquisition, creation, preservation, and support. Every property acquired, created, or preserved with CPA funds must be permanently secured by a deed restriction for affordability. For housing that was not acquired or created with CPA funds, CPA may only fund projects that preserve or protect the property from injury, harm, or destruction. Renovations and rehabilitation are only allowed for housing that was created or acquired with CPA funds. Rental Assistance programs are an eligible use under the “support category” in the allowable uses chart.

2. Open Space & Recreation

Open space has many well-documented benefits. It captures rainfall and reduces stormwater management costs, increases urban cooling, buffers noise pollution, provides wildlife habitat, protects water quality, promotes active and passive recreation, and benefits mental health.

Protection of open space is essential to sustainable community development and quality of life. Brookline has protected nearly 49 percent of its total open space land area, which contains environmentally essential landscapes and wildlife, using methods such as establishing a Storm Water Management By-Law to address the removal of trees on private property and the renovation of the Fisher Hill Reservoir, a Town-acquired property, into a public park. Water resources – including vernal pools and ponds– must continue to be protected, especially as climate change impacts communities like Brookline. The Town needs to maintain protections for water resources and those areas prone to flooding and invest further into open space and passive recreation spaces with a limited environmental impact.

Brookline residents heavily utilize the trails, parks, playgrounds, and athletic fields. Most CPA plan survey respondents (53 percent) indicated they use these amenities more than once a week. As Brookline’s population grows, there is a need to create more recreational opportunities, especially athletic playing fields, an outdoor pool, and parks (including a dog park). This may necessitate acquiring additional land for active and passive recreation purposes. Simultaneously, the rehabilitation of existing parks and outdoor recreational facilities remains important. Finally, creating walking paths or hiking trails is a top priority for outdoor passive recreation.

a. Open Space

CPA funding can acquire, create and preserve open space. MGL 44B, Section 2 of The Community Preservation Act requires that “Open space”, shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.

b. Recreational Assets

CPA funding can acquire, create, preserve, and rehabilitate or restore recreation. (Sidewalks alongside roads are not recreational assets and therefore cannot be funded through CPA.¹)

The Community Preservation Act under MGL 44B, Section 2, defines “Recreational use” to include, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. “Recreational use” shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure. (This has been interpreted to be used only for outdoor, land-based recreation, not indoor facilities).

¹ “For all intents and purposes, the Pathwalk is a sidewalk and part of the highway; the fact that it connects to the existing Pathway is insufficient to transform its character and endow it with a true recreational purpose consistent with the legislative intent underlying the CPA.” Judge Yessayan, *Mauch v. Town of Norwell* PLCV2015-00517

3. Historic Preservation

Brookline's historic resources provide community social, economic, and environmental value. However, these resources can be at risk of disinvestment, re-development, demolition or lack of resources to sustain them. Therefore, they need to be protected.

The Community Preservation Act, under MGL 44B, Section 2, defines a historic resource as "a building, structure, vessel, real property, document, or artifact that is listed on the State Register of Historic Places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture, or culture of a city or town." CPA funds can be used for the "acquisition, preservation, rehabilitation, and restoration of historic resources."

CPAC APPROPRIATION RECOMMENDATIONS

COMMUNITY HOUSING RECOMMENDATIONS

Trustman Apartments Roof Preservation- Brookline Housing Authority - \$1,178,630

This project will preserve existing affordable housing units that are at risk of future water damage. The Trustman Apartments have three buildings with 86 units, with each building having three stories for low-income household families. Replacing the roofs is essential to protect these buildings from future injury, harm or destruction. The roofs have reached the end of their service life.

This year's CPA award will cover all of their replacement, with matching from Massachusetts High Leverage Asset Preservation Program (HILAPP) funds. This project meets CPA Community Housing Goal 2: Create, preserve, and support housing for very low to extremely low-income people with special needs, especially those at risk of homelessness, older adults, and people with disabilities.

High Street Veterans (HSV) Apartments Window Preservation- Brookline Housing Authority - \$398,317

This project will preserve existing affordable housing units that are at risk of unsafe/unsanitary conditions. The High Street Veterans Apartments have seven buildings with 177 units, with each building having three stories for low-income Brookline residents. Replacing the windows is essential to protect these buildings from future injury, harm or destruction. The windows have reached the end of their service life. A window replacement project will assure a warmer, healthy, and energy efficient home, plus a reduction in energy costs for the Brookline Housing Authority and the Executive Office of Housing and Livable Communities and preserve the structural integrity of the building.

This year's CPA award will cover a portion of their replacement, with matching from State HILAPP funds. This project meets CPA Community Housing Goal 2: Create, preserve, and support housing for very low to extremely low-income people with special needs, especially those at risk of homelessness, older adults, and people with disabilities.

CPA Funding for the Brookline Affordable Housing Trust- Housing Advisory Board - \$400,000

This funding will be able to be used for the purpose of community housing creation, preservation, and support at the direction of the Housing Advisory Board. The Housing Trust is able to be more flexible in its ability to meet urgent housing needs as may occur outside of the Town Meeting cycle..

This project meets CPA Community Housing Goal 2: Create, preserve, and support housing for very low to extremely low-income people with special needs, especially those at risk of homelessness, older adults, and people with disabilities.

Total funding for Community Housing - \$1,976,947

HISTORIC PRESERVATION RECOMMENDATIONS

United Parish in Brookline- Restoration of Steeple Tower- \$800,000

CPA funds in the historic preservation category will be used to restore the steeple tower. This project will preserve the structure and character as well as its access, for generations to come. The tower was constructed in 1873 and rebuilt in 1927. The stone is exfoliating, cracking, and spalling creating dangerous conditions under and around the tower, forcing closure of the sanctuary entrance below the tower and other portions of the grounds, and discontinue use of the carillon bells.

The long-term stability and safety of the tower is crucial for the building to serve both the congregation and the approximately 1,500 individuals, as well as many community organizations, such as the Brookline Food Pantry, which use the building every week.

The project supports the CPA Historic Preservation Goal 1: Restore landscapes and structures, especially when project offers environmental benefits or honors the history of marginalized populations.

Old Burial Grounds Tombs Restoration – Parks & Open Space - \$865,398

The Old Burying Ground, located on Walnut Street, is Brookline's first cemetery. Although the cemetery dates back to 1717, its appearance today reflects the ideals of the 19th-century rural cemetery movement. The cemetery is listed as part of the Town Green National Register Historic District. The Town restored half of the tombs in 2014. This proposal is for the restoration work for the remaining Central Ave tombs in the cemetery. The goal of this project is to complete the comprehensive restoration of the remaining tombs and walls within the cemetery to preserve these historic structures for future generations. This restoration effort will ensure the long-term structural stability of the tombs, enhance public safety for visitors, and help deter vandalism through improved condition and stewardship.

The project directly supports CPA Historic Preservation Goal 5: Preserve the Town’s historic artifacts or documents, especially when documenting historically marginalized voices.

Total Funding for Historic Preservation - \$1,665,398

OPEN SPACE & RECREATION RECOMMENDATIONS

D. Blakely Hoar Invasive Species Management- Sustainability & Natural Resources Division - \$20,000

Blakely Hoar Sanctuary is a 25-acre wetland that supports diverse wildlife and serves as an important educational and community resource. Invasive species such as phragmites and glossy buckthorn have expanded significantly in recent years, threatening the sanctuary’s native wetland ecosystem and overall biodiversity.

This request seeks CPA funding to continue contracted removal and control of invasive vegetation, focusing on priority areas along the main boardwalk. Building on a previous CPA-funded phase, this ongoing, phased approach, supported by the Parks & Open Space and Sustainability & Natural Resources Division, will help preserve ecological health and advance the Town’s Open Space Goal 3: protecting natural areas from invasive species through removal, restoration, and native plant reestablishment.

Tree Inventory- Parks & Recreation- \$35,000

Current projections indicate that, over the coming decades, climate change will bring warming temperatures, a decrease in air quality, changing precipitation patterns, more frequent extreme weather, and an increase in threats from pests and diseases. These significant environmental impacts will put Brookline’s urban forest at risk. To combat climate-related challenges, the Town must act now to ensure the urban forest is resilient, robust, and equitably distributed. This project aims to do just that by implementation of a forestry master plan for the removal of dead or hazardous trees and successional planting at the following parks: Waldstein Playground, Warran Playground, New Lincoln, Soule and Harry Downes Playground. The project includes an inventory of trees at Amory Playground, Billy Ward Playground, Clark Playground, Coolidge Playground, Corey Hill Playground, Cypress Street Playground, and Lawton Playground. The arborist will provide a map and/or detailed description of tree locations, and attributes for each tree. Each inventory will also provide recommendations for tree care, maintenance, and health.

An inventory of the tree canopy at these locations aligns with Open Space Goal 1: Promote climate resilience by acquiring, creating, and preserving open space in areas prone to urban heat island impacts or flooding, including protecting and expanding the tree canopy on open space sites.

Larz Anderson Park Green Infrastructure Study - Parks and Open Space Division - \$375,000

More work needs to be done to ensure resiliency of Larz Anderson Park as the Town prepares for even greater impacts of climate change. This project seeks a consultant team to conduct a stormwater analysis with the goal of enhancing stormwater resiliency with green infrastructure, preserving the ecological value of existing wet meadows, creating new wet meadows through plantings, and creating new opportunities for passive recreation through integrating boardwalks and pathways with the proposed green infrastructure areas. The ultimate deliverable for the project will be a complete set of construction documents for bidding, permitting assessment, and cost estimates for recommended improvements. The key areas of focus will be the hillside from the Auto Museum down to the lagoon and surrounding environs, and the area near the junction of Avon Street and Goddard Avenue.

Total Funding for Open Space and Recreation - \$ 430,000

Total Appropriation for all Categories - \$4,072,345

FISCAL YEAR 2027 COMMUNITY PRESERVATION ACT BUDGET

As explained above, Town meeting appropriates CPA expenditures from the Community Preservation Fund. The Community Preservation Fund’s revenue is comprised from the 1 percent local surcharge, match from the State Community Preservation Trust Fund and accrued interest. By statute, 10 percent of the estimated annual revenue is to be appropriated to a reserve account for each category.

We are recommending eight projects that total \$4,072,345. This includes funds being carried over from prior fiscal years.

FISCAL YEAR 2027 COMMUNITY PRESERVATION ACT APPROPRIATIONS

The CPAC currently estimates that revenue in FY27 will be \$3,934,000 with \$393,400 funding each of the funding category reserve accounts, \$196,700 set aside for administrative purposes and \$2,557,100 funding of the unallocated budgeted reserve for CPA purposes. The CPAC generally does not recommend any appropriation from the FY 27 estimated revenue in this grant cycle. Our intention is to fund projects from the revenue that we have in hand, rather than base funding decisions on estimates of revenue which will be collected in the coming future fiscal year. Next year’s grant cycle will be our opportunity to utilize FY 27 funds.

CPA EXPENDITURES

All projects receiving Town Meeting approval will be required to enter into a Grant Agreement or a Memorandum of Agreement. Some projects will require deed restrictions. CPA funds will be dispersed according to a schedule that will require invoices and documentation of actual expenses and periodic progress reports. Staff will ensure that the invoiced expenses are allowable under MGL 44B.

The Community Preservation Act allows for administrative expenses up to 5 percent of the revenue. These funds are used for support staff and for administering the CPA program, legal consultation, consultants, environmental and land survey, appraisals, and other necessary administrative expense that arise out of administering the program. Each fiscal year, the unspent balance is returned to the CPA unallocated budget reserve.

The Community Preservation Act (CPA) revenue shown in the chart below is updated annually using actual figures from the Town’s MUNIS financial system once they become available.

ANNUAL REVENUE & APPROPRIATIONS IN FY 22, 23, 24, 25, 26 & 27

Fiscal Year	Revenue	10 percent Open Space Reserve	10 percent Community Housing Reserve	10 percent Historic Preservation Reserve	Administrative	Budgeted Reserve
FY 2022	\$2,677,119	\$260,000	\$260,000	\$260,000	\$0	\$1,897,119
FY 2023	\$3,931,522	\$270,000	\$270,000	\$270,000	\$179,350	\$2,942,172
FY 2024	\$4,006,243	\$465,000	\$465,000	\$465,000	\$177,500	\$2,433,753
FY 2025	\$4,072,345	\$405,000	\$405,000	\$405,000	\$177,500	\$2,679,845
FY 2026	\$3,934,193*	\$405,000	\$405,000	\$405,000	\$187,500	\$2,531,963
FY 2027	\$3,934,000*	\$393,400	\$393,400	\$393,400	\$195,7000	\$2,557,100

Sources: Revenue figures: Town of Brookline MUNIS financial system (Comptroller's Office). Reserve and administrative appropriations: Town Meeting-voted warrant articles for each fiscal year.

*For FY26, the chart reflects actual surcharge revenue and the state trust fund match. Interest earnings are shown as a conservative estimate; final interest revenue will not be known until the close of FY26. For FY27, all three revenue components-the surcharge, interest earnings, and the state match-are presented as conservative estimates based on projected tax receipts and anticipated state distributions.

ARTICLE 10

Submitted by: Committee on Town Organization & Structure

After further study of the subject matter referred to the Committee on Town Organization and Structure (CTOS) by the November 2025 Town Meeting, CTOS recommends revising Section 2.2.1 to prohibit elected Town officials other than Town Meeting members or constables from also serving on the Advisory Committee but allowing members of all other Town boards and committees to serve on the Advisory Committee.

This petitioner's description serves as both CTOS's explanation of the warrant article it submits and its report on the subject matter of Articles 11 and 12 of the November 2025 Town Meeting, which was referred to CTOS.

Background

Section 2.2.1 of the General By-Laws prohibits members of the Advisory Committee from also serving as "a member of any standing Board or Committee having charge of the expenditure of money..." Last year, Town Counsel expressed an interpretation of Section 2.2.1 that, if applied, would mean that Brookline residents concurrently serving both on the Advisory Committee and on certain other Town boards or committees would no longer be able to do so. Town Counsel's interpretation focused on two phrases in Section 2.2.1. First, the phrase "standing Board or Committee" was interpreted to mean any town board or committee that is expected to exist for longer than one year. Second, the phrase "having charge of the expenditure of money" was interpreted to encompass any board or committee that has voting responsibility for the allocation of Town funds (regardless of whether others also have voting responsibility for the same funds) or that has any functional role in the distribution of Town funds.

Prompted by the fact that the proffered interpretation of Section 2.2.1 would have disqualified at least two Advisory Committee members who were also serving on other Town boards or committees, two warrant articles were presented to the November 2025 Town Meeting to alleviate the restriction on dual service. Article 11, submitted by the Select Board, proposed an exception to the restriction for committees "related to the construction or reconstruction of specific Town buildings or properties." Article 12, submitted by a Town Meeting member, proposed defining a "standing Board or Committee" as a "permanent Board of Committee that meets regularly," and proposed defining "having charge of the expenditure of money" as "having control of or responsibility for the expenditure of money." Town Meeting considered Articles 11

and 12 together and voted, 209-13-15, to refer the subject matter of both Articles to CTOS for study and report.

CTOS considered the subject matter of Articles 11 and 12 in several public meetings and held a public hearing on potential revisions to Section 2.2.1 regarding the eligibility of Advisory Committee members to serve if they also serve on other boards or committees.

CTOS's Analysis

The Advisory Committee is the Town's finance committee, authorized under a state law that requires towns of a certain size to have an "advisory or finance committee" with "duties of appropriation." G.L. ch. 39, sec. 16. Its responsibilities include "consider[ing] any and all ... appropriation requests," "submit[ing] a budget at the Annual Town Meeting," receiving "requests for appropriations" from the School Department and Town Administrator, and authority to "examine the books and records" of the Town. By-Laws Sec. 2.2.5. These responsibilities involve both decision-making for the allocation of Town funds and fiscal oversight.

The existing restriction on Advisory Committee membership prohibits any member of the Advisory Committee from serving simultaneously as a member of "any standing Board or Committee having charge of the expenditure of money." As discussed in CTOS's report to the November 2025 Town Meeting, this language is ambiguous in two significant respects. First, neither "standing Board or Committee" nor "special committee" is defined in the By-Laws or in state law. Second, the phrase "having charge of the expenditure of money" is undefined and susceptible to multiple reasonable interpretations. Depending on how broadly those phrases are construed, the restriction could apply to a wide range of Town boards and committees whose members routinely consider costs, review budgets, participate in advisory financial discussions, or exercise any form of financial oversight.

The debate on Warrant Articles 11 and 12 during the November 2025 Town Meeting revealed that it is difficult to craft a clarifying amendment that meaningfully preserves the purpose of the restriction that also provides clear, objective standards that can be consistently applied. Attempts to define "standing" as "permanent," or to substitute phrases such as "having control of or responsibility for" the expenditure of money, did not eliminate ambiguity. These possible revisions risked either sweeping too broadly—disqualifying service on numerous boards that only tangentially relate to financial matters—or too narrowly—undermining the segregation-of-duties concerns that likely motivated the original provision.

In considering potential revisions to Section 2.2.1, CTOS was guided by three principles, each of which is discussed below: (1) preserving a separation of the Town's legislative and executive branches of Town government, (2) maintaining a separation of financial functions; and (3) eliminating ambiguity to the extent possible.

First, at least one purpose of the original restriction appears to be grounded in the sound governance principle of preserving checks and balances between the legislative and executive branches of Town government. The Advisory Committee functions as part of the Town's legislative branch. It reviews appropriation requests, submits a budget to Town Meeting, and is permitted to examine the books and records of the Town to help inform Town Meeting's legislative decisions on spending. By contrast, the Select Board—and its boards and

committees—form the Town’s executive branch, responsible for implementing Town Meeting’s appropriations and administering municipal functions. Historical records indicate that concerns existed for several years leading up to 1947, when the original restriction was adopted, about the propriety of Select Board members also serving on the Advisory Committee. A restriction on dual service between the Advisory Committee and boards “having charge of the expenditure of money” can thus be understood as an effort to ensure institutional independence between those who recommend and review appropriations in support of Town Meeting’s legislative function and those who carry out and administer spending decisions on behalf of the executive branch. Institutional independence is common and well-understood at the state and federal government levels. For example, it is routine for legislators to resign when they take a cabinet or other role in the executive branch so that they are not dually serving in the legislative and executive branches of government. More broadly, separation of these powers promotes independence, avoids real or perceived conflicts of interest, and strengthens public confidence in the integrity of financial decision-making.

Second, the existing restriction advances the sound governance principle of separation of financial oversight from financial administration. The Advisory Committee serves as the Town’s finance committee, with responsibility for reviewing appropriation requests, submitting a budget to Town Meeting, and examining the books and records of the Town. Other Town boards and committees may have roles in recommending, advising upon, or in some cases authorizing expenditures within their respective subject areas. The concept of separating these functions is common in public and private finance. For example, restrictions frequently exist so that a person requesting an appropriation is not the one who approves it; a person who approves an appropriation is not the one who purchases the goods or services; a person who purchases goods or services is not the one who reconciles financial reports; and so on.

That said, Town government has evolved significantly since Section 2.2.1 was adopted in 1947. Today, the Town’s financial controls are distributed across multiple offices and processes, including professional financial staff, statutory oversight requirements, public reporting obligations, and layered review by the Select Board, Town Administrator, School Committee, and Town Meeting, along with many other individuals and committees. In practice, few (if any) boards exercise unilateral authority over the ultimate expenditure of Town funds, and most act in advisory or recommendatory capacities within a broader framework of fiscal oversight.

Third, CTOS sought to eliminate ambiguity in Section 2.2.1 so that a revised provision would be, to the extent possible, clear and not subject to conflicting interpretations that could give rise to ambiguity about any person’s eligibility to serve on the Advisory Committee.

In addition to considering the three factors discussed above, CTOS reviewed similar restrictions on Advisory Committee (or equivalent) membership in other Massachusetts towns with a representative town meeting form of government. Our review revealed a range of approaches. Several towns have more restrictive provisions than the existing Section 2.2.1, essentially prohibiting Advisory Committee (or equivalent) members from serving on any other town board or committee, with narrow exceptions. Others limit the restriction to elected office holders, similar to what CTOS proposes now. And a few towns have no restrictions at all.

CTOS also considered the practical impact of the existing prohibition. The current language may unnecessarily limit the pool of residents willing and eligible to serve on the

Advisory Committee or on other boards and committees, particularly those with subject-matter expertise gained through service on those boards or committees. In a community that relies heavily on volunteer service, overly broad eligibility restrictions may unintentionally discourage civic participation without yielding commensurate governance benefits.

CTOS's Recommendation

CTOS recommends that Section 2.2.1 be revised to eliminate the prohibition on dual service with “any standing Board or Committee having charge of the expenditure of money,” while retaining the prohibition on Town employees and holders of elective Town office (other than Town Meeting member or constable).

CTOS believes that the proposed approach strikes the right balance between remaining faithful to sound principles of institutional independence of legislative and executive functions and segregation of financial duties while not overly restricting Advisory Committee membership. The existing Section 2.2.1 addresses legitimate risks relating to concentration of powers and potential conflicts of interest arising from dual service. With the proposed revision to Section 2.2.1, CTOS believes these risks will continue to be mitigated and addressed through existing conflict-of-interest laws, disclosure requirements, recusal practices, and the norms of transparent deliberation in open public meetings. These tools provide a flexible and fact-specific mechanism to address situations of dual service, rather than imposing a categorical disqualification based on ambiguous criteria.

CTOS concluded that holders of elective Town office should remain ineligible to serve on the Advisory Committee because election by the Town confers a direct and independent policy-making mandate. If an elected official simultaneously serves on the Advisory Committee, the appearance may arise that the official is put in the incompatible positions of both advancing executive branch policy or budgetary priorities in their role as an elected official and reviewing those policies or priorities in their role as an Advisory Committee member. Retaining the prohibition for elected officials preserves the clear institutional boundary while allowing appointed board and committee members—who serve in more limited or advisory capacities—to continue contributing their expertise.

The proposed revision uses the phrase “elective office of Town government” specifically for two aims. First, the phrase is intended to include both office holders who are elected by the Town today, such as the Select Board, School Committee and Library Trustees, and those who may be elected in the future if a future Town Meeting chooses to convert a currently appointed committee into an elected one. Second, it is intended to exclude elected office holders who are not a part of the Town government, such as political party town committee members, who are selected in a town-wide election but are not governmental officials, and members of the Brookline Housing Authority, which is not a body of Town government.

CTOS believes that the proposed amendment does not alter the Advisory Committee’s statutory role nor does it alter meaningful governance safeguards that already exist. Rather, it replaces ambiguous language with a clearer and more targeted eligibility standard that reflects the Town’s current governmental structure.

For these reasons, CTOS concludes that a revision of the dual-service prohibition is a reasonable and measured response to the concerns raised in November 2025. The proposed

amendment promotes clarity in the By-Laws, preserves essential safeguards of sound governance principles, and supports broad participation in Town governance in light of the modern structure of the Town's financial administration and governance.

Submitted by: Committee on Town Organization & Structure

Jean Berg, Chair
Richard Benka
Harry Bohrs
Betsy Dewitt
Sean M. Lynn-Jones
Kate Poverman
Ian Roffman

ARTICLE 11

Submitted by: Rebecca Stone, TMM 3; Kelly Hardebeck, TMM 7; Alec Lebovitz, TMM 8; Kim Smith, TMM 6; and Marissa Vogt, TMM 4

Questions about Brookline's government structure arise regularly. Residents ask who makes decisions and how their voices can be heard. Those who engage with the Town often see gaps, redundancies, or inefficiencies in how departments, boards, and committees are organized and how decisions flow. Fiscal reviews frequently raise the prospect of consolidations to reduce costs, while concerns persist about overburdened staff and boards, both appointed and elected.

Considered in isolation, the relative importance of any of these issues or the likely impact of a proposed solution is hard to gauge. Comprehensive reviews of government structure and organization provide that essential context. That is why it is a standard practice, even considered a best practice, of modern municipalities to take on this kind of review every five or ten years.

With a public process to surface pressing issues and then craft recommendations, these reviews are typically carried out by a committee specifically charged with assessing whether the existing organization and structure continues to meet current municipal needs such as operational and decision-making efficiency, fiscal growth and sustainability, and civic engagement. Such reviews help identify, in a transparent and systematic way, opportunities for improvement that can be addressed within the existing governance framework. They can also help improve public understanding of local government. *But we don't do it.*

This article seeks to make such a regular, systematic review a standard practice in Brookline.

To do this requires a straightforward update to the by-law establishing the Committee on Town Organization and Structure (CTO&S). While CTO&S was created in 1958 as a result of a comprehensive review of government, in part to enshrine this practice in Brookline, its enabling by-law merely allows for—rather than requires—this kind of review.

Indeed, CTO&S has not undertaken such a task since 1968²—nearly 60 years ago. In the decades that followed, the committee has primarily responded to proposals affecting governmental structure, rather than undertaking broad evaluations of Town operations or administrative efficiency. Its most significant ongoing structural discussions have concerned the allocation of executive authority between the Select Board and the Town Administrator defined in the Town Administrator’s Act of 1985, which itself stemmed from recommendations made by the League of Women Voters rather than from CTO&S.

This warrant article would replace the “may do” language in the original CTO&S by-law with “shall do” language to require a comprehensive review of structure and operations. The first study would begin in FY2028, with a follow-up five years later. Thereafter, as in most other municipalities with this kind of practice, it would occur as a decennial review (every 10 years).

To support this expanded charge, the article also expressly allows CTO&S to contract for consulting help specifically for the comprehensive reviews, help that has been provided for similar efforts to scores of other communities to date by the Collins Center at the University of Massachusetts.³ The requirement to conduct the first of these studies in FY28 allows for any consultant cost to be built into the next fiscal year’s budget, avoiding the need for a budget amendment in FY27.

In addition, the article initiates a new appointment authority for CTO&S, shifting authority from entirely on the Moderator’s shoulders to a shared model across the Moderator and the Select Board. The change in appointing authority borrows from Plymouth, whose shared appointment for their decennial Charter Review Committee inspired this aspect of the article.

Why make the change? When CTO&S was created as a Moderator’s Committee in 1958, Brookline had far fewer departments and boards and did not even have a professional Town Administrator (the position was Executive Secretary). Today’s structure is much larger, with decision-making more diffuse, scores of boards and commissions, and a large professional staff across many departments. Simply put, the legislative and executive branches have a broadly shared interest today in looking at how to improve structure and operations. Their respective leadership (Moderator and Select Board) should both have a say in appointing the committee charged with that review.

When fully appointed under this new shared process, CTO&S will comprise four (4) members appointed by the Moderator, and three (3) by the Select Board. This new appointment authority would be phased in over the next three years following the current schedule of staggered 3-year term appointments.

Summing Up: Purpose of the Article

² To view a summary of the 1968 CTO&S report, see here:

<https://archive.org/details/annualreportofto1968broo/page/194/mode/2up>

³ <https://www.umb.edu/cpm/> According to the Collins Center, consulting services for a government review of this kind typically fall in the \$30K - \$45K range. Note that this is not an annual cost to the Town, but would need to be budgeted for in FY28, again in FY33, and then every ten years following.

This good-government measure seeks to re-commit CTO&S to its original purpose and to the committee’s own insight, expressed in its 1967–68 review, that periodic and comprehensive evaluation of Town government is valuable. It gives the Town a more predictable and intentional way to consider what improvements to governmental structure or organization may be advisable, and to do so in a way that looks at the impacts of any individual change in the context of the whole. The proposed changes would also bring CTO&S into closer alignment with best practice in multiple other municipalities.

ARTICLE 12

Submitted by: Mike Toffel (TMM-8) and Alec Lebovitz (TMM-8)

The public has a right to know what Public Records are being requested of the Town, and how quickly, forthrightly, and comprehensively the Town is responding to those requests. The Town of Brookline has chosen not to make *neither* Public Records requests nor responses publicly available, despite the software’s capability of doing so. This bylaw would require that both be made publicly available on a timely basis, and have Brookline join other municipalities including Newton and Framingham (which uses the same software provider as Brookline) that have already enacted these transparency measures, as shown below.

1. Brookline prevents the public from viewing Public Records requests and responses

The Brookline Town Clerk operates a Public Records Request website at <https://www.brooklinema.gov/1950/Public-Records-Request> Clicking on “Make a Request” brings one to the following website operated by FOIADirect for the Town: <https://townforms.com/FOIADirect-BrooklineMACitizens/Public/Request/PublicRequest.aspx?> Clicking on “Search All Requests” from 1/1/2025 through 12/31/2025 yields a list of 480 Public Records request, all of whose details are hidden “[This request has been marked 'Private' by the town]” as depicted in Figure 1 below:

Figure 1. Results of searching of Brookline Public Record Requests

The screenshot shows the FOIADirect search interface. At the top, there are navigation links: Home, Make a Request, Search Requests, Search Documents, and Citizen's Login. Below this is a search bar and filters. The search parameters are: Search for keywords (empty), Department (All), Request Status (All), and Request Date From (01/01/2025) To (12/31/2025). There are Search and Clear Search buttons. Below the filters, it says "Total Records : 480" and has an "Export To Excel" button. The results are displayed in a table with columns: Req. No., Requester, Request Date, Response Date, Department, Status, and Request Details. The first six rows of results are visible, each with a redacted "Request Details" column containing the text "[This request has been marked 'Private' by the town]".

Req. No.	Requester	Request Date	Response Date	Department	Status	Request Details
2025-0480						[This request has been marked 'Private' by the town]
2025-0479						[This request has been marked 'Private' by the town]
2025-0478						[This request has been marked 'Private' by the town]
2025-0477						[This request has been marked 'Private' by the town]
2025-0476						[This request has been marked 'Private' by the town]
2025-0475						[This request has been marked 'Private' by the town]
2025-0474						[This request has been marked 'Private' by the town]

2. Newton enables the public to view Public Records requests and responses

Searching Newton’s Public Records requests at <https://newtonma.nextrequest.com/requests?closed=true> reports details of 1183 public record request and their responses, as indicated in Figures 2a and 2b.

Figure 2a. Tabular results of searching of Newton Public Record Requests

City of Newton
NextRequest

Make request All requests Documents

Explore 1183 requests

If you need City of Newton records that may have been previously released, please search past requests. You may find what you need!

Filters [Reset filters](#) 1183 Requests filtered by Closed

Request	Status	Request description	Departments
26-26	<input checked="" type="checkbox"/>	Hello: We are doing a property line and topographic survey on...	Engineering
26-24	<input checked="" type="checkbox"/>	Samiotes Consultants, Inc. is doing a topographic survey of Pa...	Engineering
26-22	<input checked="" type="checkbox"/>	Good Morning, We are in the process of conducting an existin...	Engineering
26-21	<input checked="" type="checkbox"/>	Hi, I am a civil engineer working on site plans for a new con...	Engineering
26-17	<input checked="" type="checkbox"/>	Hello, Can you please provide me with the utility records (H...	Engineering
26-12	<input checked="" type="checkbox"/>	I am conducting a survey in the general vicinity of 135 Algonq...	Engineering
26-8	<input checked="" type="checkbox"/>	Street Layout Plan for 331 Elliot St.	Engineering

Figure 2b. A Newton Public Record Request Response that Includes the Requested Files

City of Newton
NextRequest

Make request All requests Documents

Request 26-26

Closed

1 of 1183 with filters active

Dates

Received
January 07, 2026 via web

Staff assigned

Departments
Engineering

Point of contact
Greta McConnell

Request

Hello:
We are doing a property line and topographic survey on Bernard Lane, and I would like to request street line information (layout plans, field notes, etc.) for Bernard Lane and the surrounding streets. Including, Collins Road and Chestnut Street.
I have attached a map showing the location.

Thank you,
Dan Clifford
DGT Associates

Timeline Documents

Request published Anyone with access to this request

January 13, 2026, 12:51pm by Staff

January 13, 2026, 12:51pm by Staff

Request closed Anyone with access to this request

The City has finalized its review of your request for public records. A search of all public records in the custody and control of the City reveals that the attached documents are responsive to your request. There is no charge associated with this request. This completes the City's response.

In accordance with the state regulations pertaining to public records, you have the right to appeal the response to your request for records to the Supervisor of Public Records pursuant to 950 CMR 32.08.

January 13, 2026, 12:51pm by Staff

Document(s) released Anyone with access to this request

B12_22469-22471.pdf

January 13, 2026, 12:51pm by Staff

Document(s) released Anyone with access to this request

N60_22553.pdf

January 13, 2026, 12:49pm by Staff

Document(s) released Anyone with access to this request

D5_BK155 22849.pdf

January 13, 2026, 12:43pm by Staff

Document(s) released Anyone with access to this request

D11_21788-21790.pdf

2. Framingham enables the public to view Public Records requests and responses

Framingham uses the same software provider as Brookline, but does not hide requests and responses as Brookline currently does. Searching Framingham's Public Record requests at <https://www.townforms.com/FOIADirect-FraminghamMACitizens/Public/Request/PublicRequest.aspx?> via "Search All Requests" from 1/1/2025 to 12/31/2025 yields a total of 4418 requests, only 5 of which marked "private" – that's a mere 0.1% (=5/4418).

Figure 2a. Tabular results of searching of Framingham Public Record Requests

The screenshot shows the FOIA Direct search interface. At the top, there is a navigation bar with links for Home, Make a Request, Search Requests, Search Documents, and Citizen's Login. Below the navigation bar is a search form with the following parameters:

- Search for keywords: [Empty text box]
- Department: All (dropdown menu)
- Request Status: Open, Closed, All (radio buttons, All is selected)
- Request Date From: 01/01/2025 To 12/31/2025 (date pickers)
- Request Access: Public, Private, All (radio buttons, All is selected)

Buttons for Search and Clear Search are located at the bottom right of the search form. Below the search form, the total number of records is displayed as 4418. There are buttons for Export To Excel, First Page, Previous Page, Next Page, and Last Page. The search results are displayed in a table with the following columns: Req. No., Requester, Request Date, Response Date, Department, Status, and Request Details.

Req. No.	Requester	Request Date	Response Date	Department	Status	Request Details
2026-0053	Stephanie Schreiner	12/30/2025		Schools	On-Hold	Stephanie.Schreiner@openthebooks.comTue, Dec 30, 2025, 3:217PM (6 days ago)to mePursuant to the Publ ...
2025-4417	Drumond Auto Body	12/31/2025	01/02/2026	Police	Response Sent	Dayane De Souza Soares 2015 Toyota Sienna PLATE #6BCV99 VIN#5TDJK3DC8FS120266 DATE OF ACCI ...
2025-4416	Jonathan Merrigan	12/31/2025		Police	On-Hold	Dear Records Officer:This is a request under Massachusetts Public Records Law (M.G.L. Chapter 66, Se ...
2025-4415	Audrey Von-Maszewski	12/31/2025	01/12/2026	Clerk	Response Sent	I am requesting all documents associated with case number 2549CV000552EF. It is a civil suit against ...

Figure 2b. A Framingham Public Record Request Response that Includes the Requested File

The screenshot shows the 'foiairect' website interface for Framingham, Massachusetts. The page title is 'Request Number 2025-4417'. It is divided into two main sections: 'Request Details' and 'Response Details'. The 'Request Details' section includes: Request Submitted (12/31/2025 3:58:12 PM), Requester Name (Drumond Auto Body), Requested Department (Police), Request Content (Dayane De Souza Soares, 2015 Toyota Sienna, PLATE #6BCV99, VIN#5TDJK3DC8FS120266, DATE OF ACCIDENT 12/19/2025 14:55, POLICE REPORT #25-067829), and Request Document Attachment (No document submitted by requester). The 'Response Details' section includes: Response Date (1/2/2026 2:01:29 PM), Response Department (Police), Response Content (Please see attached report.), and Response Document Attachment (FR_Crash25-007829_RedactedFOIA.pdf).

Request Details	
Request Submitted	12/31/2025 3:58:12 PM
Requester Name	Drumond Auto Body
Requested Department	Police
Request Content	Dayane De Souza Soares 2015 Toyota Sienna PLATE #6BCV99 VIN#5TDJK3DC8FS120266 DATE OF ACCIDENT 12/19/2025 14:55 POLICE REPORT #25-067829
Request Document Attachment	No document submitted by requester.

Response Details	
Response Date	1/2/2026 2:01:29 PM
Response Department	Police
Response Content	Please see attached report.
Response Document Attachment	FR_Crash25-007829_RedactedFOIA.pdf

ARTICLE 13

Submitted by: Regina Frawley, TMM16

The Town’s web says, under the Town Clerk:

“The Office of the Town Clerk is managed by the Town Clerk. The Town Clerk is elected to a 3-year term by the voters of the Town of Brookline and holds the rank of Department Head. The Town Clerk’s responsibilities, which are mandated by federal and state statutes and town by-laws, include:

- Administration of fair and accurate elections
- Maintenance of public records
- Preservation of the actions and directives of the town’s legislative branch, the town meeting
- Registration of voters
- Justice of the Peace”

Clearly these are mainstay functions of Good Government.

Brookline residents consist largely of working families and individuals. Historically, Brookline accommodated residents who are unable conveniently or at all to access the Clerk's office during day hours, by providing (usually) three evening hours, usually on a Thursday night. Residents could register to vote, obtain licenses for their pets, check meeting records in handy folders in order to choose which meetings to attend. Etc.

Covid changed that, and no evening hours have been offered in Brookline since then. However, several communities do have the evening hours: Framingham, Needham, Norwood, Newton, Waltham, Belmont, Lexington, and Concord, to name a few.

The Town Clerk, due to a recent vote by the Select Board, recently added one full time employee position to the Clerk's office. The Clerk testified that the current "part time" position was difficult to fill, or retain, since most workers wished to have a full time job. So, there is no additional staff costs anticipated. A well-trained worker may come in late, and work the extra hours.

It will be vital that whoever works the evening hours, could enroll voters, change registrations, grant pet licenses, and otherwise instruct and provide applications for the Open Meeting Law, Public Records requests, and fulfill all the ordinary duties of the Clerk's Office.

The Petitioner asked for Anecdotal evidence that there is indeed a need for after-work access. Most said they thought it was a good and even vital service. One respondent indicated she was relieved to hear there might be night hours, since she has recently retired as she could access not only the Clerk's office services, but she anticipates helping at the polls, as the Poll training is in the evening, which she felt unable to attend when she worked.

Below is the Town Clerk By-Law and introduction:

"To Whom It May Concern:

I, Ben Kaufman, Town Clerk of the Town of Brookline, duly qualified and acting as such and having custody of the records, hereby certify that the following is a True Attested Copy of SECTIONS 3.4A and 3.4B of the General By-laws of the Town of Brookline, as amended by the actions taken under Article #15 at the Annual Town Meeting called for Tuesday, May 28, 2024 at 7:00 P.M., adjourned to Wednesday, May 29, 2024, adjourned to Thursday, May 30, 2024, and dissolved on Friday, May 31, 2024 at 5:00 P.M.

ARTICLE 3.4A TOWN CLERK

SECTION 3.4A.2 GENERAL AUTHORITY

The Town Clerk shall have the care, custody and control of the records of all Town Meetings, of all births, marriages and deaths and of all registered voters in the Town. The Town Clerk shall perform and discharge all of the statutory duties assigned to that office.

SECTION 3.4A.3 TOWN SEAL

The Town Clerk shall have the custody of the town seal. All conveyances under seal, which may hereafter be executed by the town, pursuant to a vote of the town or otherwise, shall be sealed with such seal and subscribed by a majority of the Select Board.

SECTION 3.4A.4 DEEDS AND CONVEYANCES

The Town Clerk shall keep a true copy (in a book to be kept for such purpose alone) of all deeds or

conveyances executed by the Select Board. It shall be the duty of the Town Clerk to see that every conveyance to the town of an interest in land is properly recorded in the Registry of Deeds.

SECTION 3.4A.5 TOWN REPORTS

The Town Clerk shall cause one copy of the Annual Town Report for each year to be delivered or mailed not later than the fifteenth day prior to the commencement of the Annual Town Meeting, to the residence of every elected and appointed Town Meeting Member, and member of the Advisory Committee, and to the residence of every resident, real estate owner and town employee who requests a copy in writing. Copies of each Annual Town Report shall be kept permanently in the office of the Town Clerk and for at least five years in the Public Library and every Branch thereof, available for inspection by all interested persons. In lieu of the mailing requirement in paragraph 1 above, the Select Board may, at the request of any person listed above send the report electronically.

SECTION 3.4A.6 TOWN MEETING RESOLUTION NOTICES

If a resolution adopted at a Town Meeting calls for notice to be sent to any person or entity whether public or private, then, unless otherwise specified in the resolution, the Town Clerk shall prepare and send such notice by U.S. mail, with a copy to the principal petitioner(s) by electronic mail, within 30 days after the dissolution of such Town Meeting.”

Or act on anything relative thereto.

ARTICLE 14

Submitted by: Jonathan Klein, Kelly Hardebeck, Alex Krieger, Tommy Renkes

This Warrant Article proposes to amend sections of the existing Zoning By-law relating to Accessory Uses and Accessory Dwelling Units (51B of Section 4.07 and 4.05.3) to comply with the Massachusetts Affordable Homes Act (House Bill H.4977) and EOHLIC’s Protected Use Accessory Dwelling Unit regulation (760 CMR 71.00).

Background

In the fall of 2019, Town Meeting voted to amend the Zoning By-law to authorize the creation of Accessory Dwelling Units (ADUs) in all single-family residential districts in Brookline. In Spring 2024, Town Meeting passed a Warrant Article that amended the ADU by-law to eliminate and relax restrictive provisions to incentivize the production of ADUs, including increasing the maximum square footage.

In August 2024, the Affordable Homes Act was signed by Governor Healy, which legalizes Accessory Dwelling Units to be "by-right" in zoning districts that allow single-family homes across Massachusetts and protected ADUs under the Dover Amendment (G.L. c. 40A, § 3). According to the Affordable Homes Act, these by-right ADUs must have a separate entrance and be no larger than ½ the gross floor area of the Principal Dwelling or 900 square feet in size, whichever is smaller. In February 2025, the Executive Office of Housing and Livable Communities (EOHLC) finalized ADU regulations and introduced the term “Protected Use ADU” (760 CMR 71.00) to refer to the by-right ADUs introduced in the Affordable Homes Act.

During the 2024 Fall Town Meeting, a Warrant Article was approved that amended the Use 51B of Section 4.07 and Section 4.05.3 of the Town’s Zoning By-law, attempting to comply with the state requirements under the Affordable Homes Act. However, this was adopted before the EOHLIC regulations were finalized, and based on the statute and those regulations, the Attorney General’s Office only partially approved the Warrant Article from Fall 2024, disapproving provisions that conflicted with state law.

Proposed Warrant Article

Because some provisions of the by-law were disapproved by the Massachusetts Attorney General's Office, Brookline does not have a state-compliant ADU bylaw. As of February 2, 2025, any zoning provisions that are inconsistent with Protected Use ADU Law and Regulations are unenforceable. This Warrant Article proposes to amend the sections of the existing Zoning Bylaw relating to Accessory Uses and Accessory Dwelling Units (Sections 51B and 4.05.3) to comply with state law and regulations.

Key take-aways from the state's guidance are that Protected Use ADUs:

1. Must be by-right and not have more restrictive regulations for Protected Use ADUs than for Principal Dwelling Units in zoning districts that allow Single-Family Residential Dwellings.
2. Must not have more restrictive dimensional standards (such as lot coverage, open space, bulk and height, and number of stories) than what is required for the "more permissive regulation" applicable to Principal Dwellings, Single-Family Residential Dwellings, and Accessory Structures.
3. Must not conflict with the rights granted under the Dover Amendment.

To bring Brookline into compliance, the Housing Advisory Board (HAB) appointed an ADU Subcommittee of Jonathan Klein (HAB), Alex Krieger (HAB), Kelly Hardebeck (Advisory Committee), and Tommy Renkes (Planning Board) to work with Planning Department staff on revising Brookline's by-law. The Subcommittee held over a half-dozen open, posted public meetings, with extensive participation by one very interested and helpful member of the public (Richard Benka). The Subcommittee provided update reports to the HAB, Advisory Committee, and Planning Board in January and unanimously (with one absence due to vacation) approved this draft at its final meeting on February 18, 2026.

Changes to the bylaw in the Warrant Article include:

- Added pertinent definitions from the Protected Use ADU regulations;
- Removed language that applies more restrictive regulations to Protected Use ADUs than to Principal Dwelling Units or other Accessory Structures;
- Removed requirements for a Special Permit to comply with the mandate that a Protected Use ADUs must be by-right in districts that allow Single-Family Residential Dwellings
- Lowered maximum size to 900 sq ft to comply with the state's Protected Use ADU size limit;
- Changed the height and setback requirements to the "most permissive regulation" for the principal or accessory structures in Brookline's zoning code; however, a provision was added that
 - If the ADU is over 22 feet in height, the owner must submit evidence as to why additional height is necessary to the Building Commissioner;

- Added language to assure the Protected Use ADU will be used as such:
 - Before building the Protected Use ADU, the owner must self-certify that the Protected Use ADU will maintain permanent and separate sleeping, eating, cooking, and sanitary facilities;
 - When the owner of a Protected Use ADU discontinues its use, resulting in a structure that does not comply with the Zoning By-law, the addition, alteration, or construction shall be subject to enforcement action for non-compliance.
- Removed parking requirements for Protected Use ADUs

ARTICLE 15

Submitted by: Alec Leibovitz, TMM P8, 401-793-6279; Deborah Brown; David Lescohier P11

In 2020 the inclusionary zoning bylaw was amended for two purposes: (1) to reduce further—from six to four units--the lower threshold of project unit count that would trigger the I.Z. 15 percent affordable housing obligation; and (2) to increase the upper limit of the unit count range in which the developer could opt for a cash payment in lieu of onsite affordable units—from 15 to 19 units, thereby increasing the potential cash income to the Housing Trust. The Housing Trust had developed a record creating many more affordable units by partnering with its non-profit sponsors—including the Brookline Housing Authority—than it could via the onsite housing alternative.

In May 2023 Section 4.0.8, unfortunately, was further amended reducing the potential Housing Trust income from cash payments. Clearly, as explained 2023 warrant article explanation, the intent of amending section 4.0.8 of the Brookline Zoning Bylaw in this manner was to decrease potential Inclusionary Zoning revenue even though this revenue leverages substantial state and federal subsidies resulting in the creation of many more affordable units than would be created by requiring onsite units:

“This 2023 Inclusionary Zoning Bylaw Amendment would reduce from 19 to 10 the maximum number of units in a proposed project whereby a developer can choose to make a prescribed lump sum payment to the Town's Affordable Housing Trust in lieu of contributing 15% onsite affordable housing units.

“Brookline's Affordable Housing Trust over recent years has made possible otherwise financially infeasible affordable housing projects. Sponsors of these projects—including the Brookline Housing Authority and private non-profit affordable housing developers--have brought with them to Brookline substantial state and federal subsidies to bring these affordable housing developments to fruition.

“This 'leveraging' of the Trust Fund's limited resources from Inclusionary Zoning has resulted in the creation of many more affordable units in Brookline than would have been produced by requiring onsite affordable units.” (WA 14 Explanation, 2023 ATM)

It is surprising that at a time when funding to meet the need for more affordable housing is so great, that in 2023, in the words of the 2023 warrant article explanation, the Town says it was actually reversing itself to reduce a working, creditable source of potential affordable housing dedicated revenue.

In 2023, the rationale was that Community Preservation Act would be available as a replacement.

“Brookline's recent adoption of the Community Preservation Act (CPA) will soon be generating a substantial and continuing new source of affordable housing funds. Leveraged funding from smaller projects subject to Inclusionary Zoning will continue to meet a critical need. However, the advent of CPA funds will help to diversity the Trust Fund's sources of revenue, while also furthering geographic diversification in newly created affordable housing units.” (WA 14 Explanation, 2023 ATM)

The current 2026 proposed warrant article amendment will to restore the upper limit to 19 as Town Meeting had voted at the 2020 Annual Town Meeting, because cash in lieu of onsite units will continue to create many more affordable units from Housing Trust Fund leveraging of cash payments to create many more affordable units than would be provided with onsite.

While any Community Preservation Act appropriation for affordable housing is to be welcomed, it seems counterproductive to justify a reduction in Inclusionary Zoning revenue because of the Community Preservation Act.

It should not be a choice:

Community Preservation Act or Inclusionary Zoning?

The correct answer is both.

Of note, for nine Housing Trust supported projects from 2008 to 2026, the \$20 million Housing Trust contribution produced 543 affordable units with a total project cost of \$306 million,. The AHTF multiplied its investment by attracting 15 additional project dollars for every Housing Trust dollar, a 15 to one ratio.

Brookline’s Housing Trust should receive more, not less, resources.

Rental Project Inclusionary Zoning Trust Payment Calculation Examples

These examples are estimates drawn from published Planning Department Affordable Housing Standards and Guidelines information, September 2024. They illustrate how the Planning Department could implement Brookline's inclusionary bylaw.

1. 19-unit New Construction Project (new construction without retaining any Pre-Existing residential units)

- Number of units counted towards the Contribution Factor: 19
- Contribution Factor for 19 units: 17%
- Estimated Project Value (excluding any Pre-Existing Dwelling Units or Dwelling Unit Lots) determined by the Assessor's Office: \$14 million

Trust Payment: Project Value x Contribution Factor = \$14,000,000 x 0.08 (est.) = \$1,120,000 (est.)

2. 10-unit New Construction Project (new construction without retaining any Pre-Existing residential units)

- Number of units counted towards the Contribution Factor: 10
- Contribution Factor for 10 units: 8%
- Estimated Project Value (excluding any Pre-Existing Dwelling Units or Dwelling Unit Lots) determined by the Assessor's Office: \$8 million

Trust Payment: Project Value x Contribution Factor = \$8,000,000 x 0.08 = \$640,000

3. Interior Reconfiguration of Residential Units: A 5-unit building that reconfigures 2 of its units into 4 units, resulting in a 7-unit building. Therefore, 3 units are Pre-Existing and not counted as part of the Project for these purposes.

- Number of units counted towards the Contribution Factor: 4
- Contribution Factor for 4 units: 2%
- Estimated Project Value (excluding any Pre-Existing Dwelling Units or Dwelling Unit Lots) determined by the Assessor's Office: \$3 million

Trust Payment: $\$3,000,000 \times .02 = \$60,000$

4. Building addition: 6 units are added to an existing 6-unit building (either by building units outside the building footprint or building units by converting non-residential habitable space), resulting in a 12-unit building. No residential units are being reconfigured. 6 units are considered Pre-Existing.

- Number of units counted towards the Contribution Factor: 6
- Contribution Factor for 6 units: 4%
- Estimated Project Value (excluding any Pre-Existing Dwelling Units or Dwelling Unit Lots) determined by the Assessor's Office: \$4 million

Trust Payment: $\$4,000,000 \times .04 = \$160,000$

5. Building addition: 1 unit is added to an existing 3-unit building by adding a basement unit. Three units are considered Pre-Existing.

- Number of units counted towards the Contribution Factor: 1
- Contribution Factor for 1 unit: .5%
- Estimated Project Value (excluding any Pre-Existing Dwelling Units or Dwelling Unit Lots) determined by the Assessor's Office: \$2 million

Trust Payment: $\$2,000,000 \times .005 = \$10,000$

ARTICLE 16

Submitted by: Jeffrey P. Allen

This Article proposes to create a new Pleasant Street Multifamily Overlay District encompassing 26 Pleasant Street, a severely underutilized property currently zoned M-1.0, in order to allow the development of well-designed multifamily housing subject to Planning Board Special Permit and Site Plan Review. The overlay would permit multifamily residential development of up to seven (7) stories and a maximum floor area ratio (FAR) of 4.0, with reduced parking requirements consistent with transit-oriented development principles.

The proposed zoning amendment would enable the creation of approximately 103 new residential units, including required affordable housing, in close proximity to transit services. By concentrating housing growth in an appropriate, transit-accessible location, the Article advances the Town's Housing Production Plan, supports compliance with the MBTA Communities Act, and aligns with the scale and intent of nearby overlay districts, including the MBTA-CA Multifamily Overlay District and the Waldo-Durgin Overlay District.

Importantly, the Article replaces a low-intensity, underperforming use with housing that responds to demonstrated community need, while maintaining strong Planning Board and Zoning Board of Appeals oversight to ensure high-quality design, neighborhood compatibility, and environmental

sustainability. The redevelopment of 26 Pleasant Street is expected to significantly increase the Town's property tax base, contribute to long-term fiscal stability, and promote more efficient use of land and infrastructure, all while reinforcing Brookline's commitment to smart growth and housing opportunity.

ARTICLE 17

Submitted by: Chi Chi Wu, Town Meeting Member Pct.7; C. Scott Ananian, Town Meeting Member Pct. 10; Alec Lebovitz, Town Meeting Member Pct 8; Amy Newell, Town Meeting Member Pct. 7; Marissa Vogt, Town Meeting Member Pct. 6; Jessica Chicco, Chair, Immigrant Advancement Committee of the Commission on Diversity, Equity, Inclusion, and Community Relations

Brookline is proudly a town of immigrants. According to data from the Brookline Community Foundation's [Understanding Brookline report](#), almost one-third of our population is foreign-born, the second largest percentage in Massachusetts behind Everett (43%), or approximately 20,000 residents. Brookline's immigrants contribute enormously to our Town's economy and civic life as community members, workers, caregivers, business owners, taxpayers and more.

Since early 2025, the federal Immigration and Customs Enforcement (ICE) and other federal immigration officers have wreaked havoc and terror in immigrant communities, including Chicago, Minneapolis and St. Paul, Minnesota, and Portland and Lewiston, Maine. ICE agents have fomented chaos, violated residents' constitutional rights, and perpetrated egregious acts of violence, including the fatal shootings of Renee Nicole Good and Alex Pretti.

ICE and other federal immigration officers have also targeted Latino and immigrant communities in Massachusetts, with most of those detained having no criminal records. This includes the kidnapping of Rümeyza Öztürk, a PhD student at Tufts University for exercising her First Amendment rights; illegally kidnapping an 18-year old with no warrant and detaining him for a week with no access to showers or sufficient food in Worcester County; illegally kidnapping and assaulting a lawful permanent resident in Essex County, stealing his belongings, and threatening his legal status; assaulting a resident of Middlesex County, smashing his car's windows and dragging him from it; detaining a first-year college student at Boston Logan Airport and forcing her out of the country in defiance of a court order; and repeatedly using unlawfully excessive force in encounters with Massachusetts residents.

On January 29, 2026, the Governor of Massachusetts issued Executive Order No. 650 ("E.O. 650") which, among other things, bars federal immigration officers from using state facilities to "facilitate civil immigration enforcement efforts" or conducting enforcement activity in nonpublic spaces of public buildings. Several other Massachusetts communities, including Boston, Newton, Cambridge, Somerville, Chelsea, and Lynn, have issued or are intending to issue executive orders clarifying policies surrounding civil immigration enforcement and adopting relevant provisions of E.O. 650 locally.

On February 10, 2026, the Brookline Select Board adopted a [Proclamation](#) declaring, among other measures, that:

1. Town facilities, including but not limited to parking lots, parks, and public school grounds, shall not be used as a staging area, processing location, operations base, or other supporting location for civil immigration enforcement by any law enforcement agency in the absence of a valid judicial warrant or court order authorizing such uses. Prohibited uses include but are not limited to assembling, mobilizing, or deploying vehicles, equipment, materials, or personnel for the purpose of carrying out federal civil immigration enforcement operations or disrupting the lawful exercise of rights granted by the Massachusetts and United States Constitutions

2. Nonpublic spaces of public buildings remain off-limits to civil immigration enforcement officials in the absence of a valid judicial warrant or court order authorizing their presence therein. Access to public buildings remains solely to provide specific services to members of the public, or to conduct Town operations, and access to such buildings is for those purposes only.

The Article that follows is intended to codify the two provisions above into Part Six of the Town By-Laws. This would give these two provisions the force of legislation action and make them binding regulation.

ARTICLE 18

Submitted by: Andrew Fischer

The acquisition and use of Surveillance Technology pose a threat to the privacy and other rights of those who live here, work here, or are just passing through.

This Warrant Article proposes a by-law prohibiting any person or entity from gathering Surveillance Data on streets, ways, sidewalks, in public buildings or at any other place open to the general public without first obtaining Select Board approval following, *inter alia*, public notice and public hearings.

ARTICLE 19

Submitted by: Andrew Fischer

The acquisition and use of Surveillance Technology pose a threat to the privacy and other rights of those who live here, work here, or are just passing through.

This Warrant Article proposes a by-law establishing a process requiring, *inter alia*, public notice, public hearings, and Select Board approval before the Town, including any Town department or agency, acquires or uses Surveillance Technology.

ARTICLE 20

Submitted by: Elizabeth Childs (TMM-04), Ariel Gruzman (TMM-05), Jarred Alexandrov, and Nancy O'Connor

This article proposes the establishment of an official annual Town-wide September 11 Remembrance Ceremony and a permanent physical memorial to honor the victims of September 11, 2001, recognizing especially those victims with Brookline ties. This article proposes that the Select Board accomplish these worthy initiatives by appointing a committee structured to reflect a balance of public representation, historical and Town expertise, and Select Board oversight. Its nine members would include five members of the public, a Select Board member, the Police and Fire Chiefs or their designees, and a representative of the Brookline Historical Society.

The article requests that the Select Board appoint the 9/11 Memorial Advisory Committee as above and charge the Committee with addressing two Town needs regarding 9/11 Remembrance:

First, despite being a community with one of the largest losses of life on 9/11 outside of New York City and Boston, the Town does not have a physical memorial to publicly and permanently commemorate those individuals with Brookline ties who died on September 11, 2001, including some known to have acted with valor. Research to date indicates that there are at least eight known victims of the September 11 attacks with direct ties to Brookline, including individuals who lived in Brookline, attended Brookline schools, or had other significant connections to the Town.

In addition to the civilian victims of the attacks, September 11 holds particular significance for first responders, many of whom lost their lives in the line of duty or experienced lasting impacts because of their work that day. Brookline's Police and Fire Departments play a central role in the Town's annual remembrance ceremony, and their inclusion in the committee's work reflects the importance of honoring both the victims of the attacks and the sacrifices of first responders as part of the Town's collective memory. A physical memorial establishes a lasting recognition of the critical role firefighters and police officers have in our civic life, is an acknowledgement of the responsibility they hold for the peace and safety in our community and is an appreciation of the selflessness of their actions to save and protect others every day.

Many young people who were not alive on September 11, 2001, and who may not learn about it in school have no memory of why this day is one of the most important days in American history. A physical memorial is a starting point for learning about this day and a manifestation of the significant cultural, historical, structural, and personal changes that happened that day, ensuring that future generations in Brookline understand the sacrifices made and the lasting impact on our community and nation. As the deadliest terrorist attack in world history and the single greatest loss of life on American soil by a foreign adversary (2,997 killed on that day), it changed the United States dramatically, including the creation of the Department of Homeland Security; the bringing down of the Twin Towers, the international symbol of United States economic power; the invasion of Afghanistan on October 7, 2001; the realization that America was hated and despised and that our freedoms, rights, culture and history were under attack by foreign entities which glorified violence; an awareness that America was vulnerable. Personally, there are members of our community in their 30's who still remember that traumatic day as children, frightened for their own safety or for the safety of their parents, or young adults who witnessed the attacks in New York City and Washington DC firsthand and continue to suffer from the trauma.

As the 25th anniversary of the attacks approaches in 2026, the article establishes a structured and inclusive process for evaluating whether and how a permanent memorial should be created. The committee's role with respect to the physical memorial is advisory and temporary. It would study potential locations, design concepts, historical framing, criteria for inclusion, community

engagement, and possible funding strategies, and would submit a final report with recommendations to the Select Board. The memorial advisory role would conclude upon submission of that report, unless extended by the Select Board.

The article does not authorize the construction of a memorial, the selection of a site or design, or appropriation of funds. Any funding, site and design approval related to a physical memorial would require separate action through the normal Town approval and budget processes.

Many neighboring communities have established permanent September 11 memorials through similar committee-based processes. For example, Newton maintains a permanent memorial at City Hall, Needham has a dedicated September 11 memorial site developed with public safety involvement, and Cambridge has installed a permanent memorial near City Hall that incorporates historical and educational elements. Boston has both a memorial in the Public Garden and one at Logan Airport. Natick and Wellesley have physical markers as well. Brookline is among a small number of neighboring municipalities that do not currently have a permanent physical memorial.

Second, the article formalizes Brookline's annual September 11 remembrance ceremony as an official Town-sponsored event and assigns the committee an ongoing coordinating role in putting on the ceremony. While the ceremony has been held for several years, it has not previously been designated as an official Town observance. This designation is intended to ensure continuity, institutional support, and coordination with relevant Town departments, independent of individual organizers. The article authorizes the committee, through the Select Board, to recommend a small amount of funding for limited logistical needs of the annual ceremony, including filming and broadcast coverage by Brookline Interactive Group, in order to ensure public access and an archival record of the Town's official observance, somewhere in the order of \$750/year, which would need to be approved separately through the Town budget processes.

ARTICLE 21

Submitted by: Frances Labaree

None submitted

ARTICLE 22

Submitted by: Rob Schoen TMM P1 and Bradford Kimball TMM P1

This resolution asks Town Meeting to express support for the modernization of Proposition 2½, the state law that caps annual growth of municipal revenue at 2.5%, with allowances for new growth.

Municipalities across Massachusetts, including Brookline, are under significant fiscal pressure. Since COVID, the cost of municipal services has increased by more than 2.5% each year, while revenue growth remains constrained due to Prop 2½. This resolution calls on the Governor and General Court to enact legislation that addresses the structural limitations of the current fixed nominal cap while preserving the taxpayer protections central to the law's purpose.

The Massachusetts Municipal Association (MMA) has recommended ideas for reform that deserve discussion and debate. One example is replacing the fixed nominal cap with an adjustable levy cap indexed to inflation, which would provide municipalities with more flexibility during periods of sustained higher inflation. An adjustable levy cap does not necessarily mean higher taxes. In a disinflationary environment with inflation below 2.5%, an adjustable cap would result in lower property taxes for communities. Another example is permitting multi-year operating overrides, which would give local governments a predictable multi-year revenue roadmap while protecting citizens from sudden tax shocks.

This resolution urges the state to consider all available options to modernize Prop 2½ but does not endorse a specific solution. The goals in bringing this resolution to Town Meeting are to initiate a discussion about Prop 2½ reform and position Brookline as a leader in an important statewide debate.

ARTICLE 23

Submitted by: Marissa Vogt TMM P6, Jonathan Golden TMM P11, Tal Kenet

Brookline's town government includes dozens of volunteer-led boards and commissions. Our community benefits from the many individuals who generously donate their time and professional expertise in areas including education, transportation, finance, public health, environmental science, law, architecture, urban planning, and more.

While Brookline's strong spirit of volunteerism is laudable, it is important to remember that the act of volunteering itself is a privilege that can be inaccessible to individuals experiencing financial instability. The lack of compensation for board and commission members, Town Meeting Members, and other town volunteers, can serve as a major barrier to participation.

Brookline's Select Board and School Committee are arguably the two most impactful boards in our town government and also require the largest average time commitment. Many current and former members of both boards refer to serving on these boards as a second full time job. Despite this required level of commitment, Select Board members are compensated with an annual stipend of just \$3,500 (\$4,500 for the chair).

These resolutions establish stipends for School Committee members for the first time and provide a substantial increase for Select Board members, with a goal of professionalizing both boards, compensating for increased expectations, and removing a major barrier to participation in these boards. The total cost of the proposed stipends (\$35k/\$40k for Select Board members/chair, \$20k/\$25k for School Committee members/chair, total \$365k) represents just .08% of the FY2026 combined Town and School budget. The total amount of the School Committee stipends (\$185k) represents just 0.13% of the FY2026 PSB budget. Though representing a relatively insignificant part of the Town's overall expenses, these stipend amounts are substantial enough to pay for child care for members with small children or allow professionals to dedicate one day a week entirely to Town business while minimizing the overall impact effect on their income.

The resolution calls for the full stipend amount to be implemented no later than the fiscal year beginning July 1, 2029 but asks for a meaningful increase in Select Board stipends and the

introduction of School Committee stipends by next fiscal year (FY28). While we would like to see the full stipends paid next year we recognize that Brookline, like many municipalities, is facing financial challenges. It is likely that adding the full \$365k stipend amount to next year’s budget would require painful cuts in other town and school services, but we believe that a target date of July 1, 2029 provides a reasonable timeline to identify revenue sources or expenditure offsets. We therefore suggest phasing in the stipends, and have provided an *example* schedule in Table 1; to provide flexibility, the resolution does not specify amounts for FY28 or FY29..

Table 1. Example stipend phase-in schedule

FY starts	Select Board members	Select Board chair	Select Board Total	School Comm. members	School Comm. chair	School Comm. total	Total cost (Select Board + School Committee)
July 1, 2027	\$12,000	\$15,000	\$63k	\$7,000	\$9,000	\$65k	\$128,000
July 1, 2028	\$24,000	\$28,000	\$124k	\$14,000	\$17,000	\$129k	\$253,000
July 1, 2029	\$35,000	\$40,000	\$180k	\$20,000	\$25,000	\$185k	\$365,000

We note that the text of the resolution refers to “total cost of compensation” to set a firm and predictable cost to the town; the take-home pay of an individual Select Board or School Committee member could be less than the stipends listed depending on whether or not they may choose to opt into Town health care or pension programs.

These articles are not the first time Select Board or School Committee stipends have come before Town Meeting. Similar resolutions⁴ were filed as WA 6 in fall 2019⁵ and WAs 36 & 37 in fall 2020⁶. The 2019 WA 6 failed extremely narrowly (100-103-12), while in 2020 WA 36 (Select Board stipends) failed 100-113-16 while Article 37 (School Committee stipends) failed 93-121-15. In 2020, stipends for both the Select Board and School Committee were supported by the Brookline Commission for Women and the Commission on Diversity, Inclusion, and Community Relations, and the Select Board supported stipends for the School Committee (abstaining on the resolution for Select Board stipends due to a conflict of interest).

⁴ Our resolution text and explanations have been heavily based on those previous articles, with some phrases and tables copied verbatim, and we gratefully acknowledge the work of the previous petitioners

⁵ Article explanation and reports begin on page 47 here:
<https://www.brooklinema.gov/DocumentCenter/View/20751/Combined-ReportsNovember-2019-Brookline-Special-Town-Meeting-with-Supplements>

⁶ Articles begin on page 433 here:
<https://www.brooklinema.gov/DocumentCenter/View/22965/Combined-Reports-November-17-2020-Special-Town-Meeting-with-supplements>

Despite the failure of those previous efforts, there are several reasons why we believe it is important to reattempt this now. First, it currently appears unlikely that a city charter question will appear on a ballot this year or in the near future⁷, so we believe it is currently worth revisiting past efforts to improve our governmental structure. Second, we believe that our suggested phase-in approach at least partially addresses the financial concerns that some Town Meeting Members have expressed. Finally, the 5-person Select Board has been comprised entirely of cisgendered men since 2024 and we believe it is important to support efforts like this one that aim to reduce barriers to participation for women and other groups who are most likely to have caregiving responsibilities.

Finally, why are the stipend amounts set to \$35k for Select Board members and \$20k for School Committee members? These amounts were selected after considering a myriad of factors, including: the typical board workload, the potential costs incurred by board members due to lost income or caregiving responsibilities, stipend amounts in neighboring communities, and historical Brookline stipend amounts. These stipend amounts lead to roughly equal expenses on both the “town side” (\$180k) and “school side” (\$185k).

We calculate reasonable stipends of \$20k-\$35k using the following assumptions and calculations (see Table 2):

- Workload (5-20 hours/week): in addition to time spent in full board meetings, attending subcommittee meetings or other public body meetings as a liaison or representative, members often perform other work like preparing for meetings and responding to resident emails.
- Hourly wage (\$25-\$50/hour): many board members have professional experience or advanced degrees. The hourly rate should reasonably compensate board members for potential lost income taking into account their professional experience and on the local prevailing wage. Brookline median per capita income is \$96,682⁸ (~\$46/hour for full-time work); a living wage in Norfolk county⁹ is at least \$33/hour for a single adult living alone and ~\$45/hour for a family of 4 with two adults working full-time. Babysitters typically cost \$25-\$30/hour.

⁷ See <https://brookline.news/city-charter-campaign-falls-short-but-is-challenging-signature-certification-process/>

⁸ <https://www.census.gov/quickfacts/fact/table/brooklinecdpmassachusetts/PST045224>

⁹ <https://livingwage.mit.edu/counties/25021>

Table 2. Example stipend amounts calculated from assumed work loads and hourly rates

Hourly rate	Work hours per week	Total stipend*
\$25	5	\$6,000
\$35	5	\$8,400
\$50	5	\$12,000
\$25	10	\$12,000
\$35	10	\$16,800
\$50	10	\$24,000
\$25	15	\$18,000
\$35	15	\$25,200
\$50	15	\$36,000

* Total stipend assumes 48 working weeks per year

The following tables, copied directly or modified slightly from the 2020 stipend warrant articles, place the proposed stipend amounts in context with historical Brookline Select Board stipends and with municipal executive and School Committee stipends in neighboring communities.

Table 3. Historical Brookline Select Board stipend levels, with “current value” referring to 2020 dollars (Copied from the 2020 Articles 36 & 37 Combined Reports)

Year	Chair Stipend (\$)	Current Value (\$)²	Member Stipend (\$)	Current Value (\$)
1895	1,200	36,592	400	12,197
1901	1,350	40,750	750	22,639
1902-1915	1,500	44,676	1,000	29,784
1916-1947	2,500	58,748	1,500	35,249
1948-2010	3,500	37,199	2,500	26,570
2011-	4,500		3,500	

Table 4. Municipal executive stipends in neighboring communities (values as of 2020; this table is modified from the 2020 Articles 36 & 37 Combined Reports)

	Structure	Pop.	Select Board		Mayor/City Council		# members	Exec \$/person
			Members	Chair	Council	Mayor		
Brookline (FY21)	Town	59,000	\$3,500	\$4,500			5	\$0.31
Brookline FY30	Town	63,000	\$35,000	\$40,000			5	\$2.86
Boston	City	694,600			\$103,500	\$207,000	13	\$2.24
Cambridge	City	119,000			\$83,600	\$118,000	9	\$7.31
Quincy	City	94,600			\$29,700	\$150,000	9	\$4.41
Newton	City	89,000			\$9,750	\$125,000	24	\$4.03
Somerville	City	75,800			\$25,000	\$145,000	11	\$5.54
Malden	City	61,000			\$17,500	\$105,000	11	\$4.88
Medford	City	57,888			\$0	\$142,000	7	\$2.45
Lexington	Town	31,400	\$0	\$0			5	\$0.00
Easton	Town	23,100	\$1,800	\$1,800			5	\$0.39
Grafton	Town	17,800	\$1,000	\$1,000			5	\$0.28
Raynham	Town	13,400	\$6,200	\$6,200			3	\$1.39

Table 5. School Committee stipends in neighboring communities (values as of 2020; this table is modified slightly from the 2020 Articles 36 & 37 Combined Reports)

	Structure	Pop.	School Enroll.	School Committee		# members
				Members	Chair	
Millbury	Town	13,261	1,700	\$1,948	\$2,435	5
Seekonk	Town	14,371	2,080	\$1,000	\$1,400	5
Bellingham	Town	16,332	2,138	\$1,000	\$1,000	5
East Longmeadow	City	15,720	2,588	\$1,250	\$1,750	5
Agawam	City	28,613	3,670	\$5,000	Mayor	6
Woburn	City	38,120	4,451	\$6,500	\$8,199	7
Beverly	City	42,936	4,700	\$5,867	\$6,167	6
Marlborough	City	38,499	4,757	\$3,500	Mayor	7
Waltham	City	60,636	5,738	\$11,101	Mayor	6
Peabody	City	51,251	5,994	\$5,100	Mayor	6
Methuen	City	47,255	6,851	\$2,500	Mayor	7
Cambridge	City	105,162	7,091	\$38,000	\$38,000	6
Brookline (FY21)	Town	58,732	7,777	\$0	\$0	9
Brookline						
Newton	City	85,146	12,779	\$4,875	Mayor	8
Brockton	City	95,708	16,024	\$5,000	Mayor	7
Springfield	City	153,606	25,007	\$12,000	Mayor	7
Worcester	City	181,045	25,044	\$14,900	Mayor	6
Boston	City	692,600	50,480	\$7,500	\$7,500	7

ARTICLE 24

Submitted by: Mike Toffel (TMM-8) and Alec Lebovitz (TMM-8)

None submitted.

ARTICLE 25

Submitted by: Alec Lebovitz, Town Meeting Member Pct. 8; Chi Chi Wu, Town Meeting Member Pct.7; C. Scott Ananian, Town Meeting Member Pct. 10; Amy Newell, Town Meeting Member Pct. 7; Marissa Vogt, Town Meeting Member Pct. 6; Jessica Chicco, Chair, Immigrant Advancement Committee of the Commission on Diversity, Equity, Inclusion, and Community Relations

Brookline Town Meeting is at a pivotal moment to advocate for the dignity and rights of all residents, particularly our immigrant communities. According to data from the Brookline

Community Foundation's [Understanding Brookline report](#), almost one-third of our population is foreign-born are immigrants, the second largest percentage in Massachusetts behind Everett (43%). Our approximately 20,000 immigrant residents contribute significantly to our cultural and economic fabric. This resolution affirms our commitment to treating all individuals with respect and dignity.

This resolution urges several different parties to take specific actions:

1. It urges Governor Maura Healey and Lieutenant Governor Kim Driscoll to withdraw from the 287(g) agreement between the Massachusetts Department of Corrections and ICE, which undermines our values and jeopardizes public safety. The 287(g) program has proven to be a conduit for civil rights abuses, diverting essential resources from community safety to immigration enforcement. Other Massachusetts law enforcement agencies have terminated their 287(g) agreements. By taking a stand against this program, Brookline can lead by example, prioritizing justice over compliance with unjust federal policies. This resolution is not merely a local concern; it is a call to action for our state leaders to uphold the rights of all residents.
2. It urges the Massachusetts Legislature to pass, and Governor Healey to sign, legislation similar to the Policy on Federal Immigration Enforcement adopted by the Select Board on April 25, 2017, which is now General Order 43.0 of the Brookline Police Department, preventing any cooperation between state and local law enforcement and federal civil immigration authorities. Other municipalities have adopted similar policies or ordinances, including Boston with its Trust Act and the City of Cambridge.
3. It urges the Select Board and Brookline Police Department to withdraw from the Boston Regional Intelligence Center (BRIC), which targets Black, Latino and immigrant Muslim communities with [97.7% of people in its database being people of color](#) and which [shares information](#) with the Department of Homeland Security. [In one case](#), a high school student was falsely accused of being a gang member, which resulted in the detention and deportation of this student.
4. It urges the BPD to stop sharing fingerprints with the FBI when an individual is arrested or taken into custody for misdemeanors or when the individual is a minor. Currently the BPD shares the fingerprints of any individuals arrested or booked into custody with the FBI to see if those individuals have a criminal record and outstanding warrants. Such fingerprints are made available to ICE under the Secure Communities program, which has resulted in immigrants being detained by ICE after such sharing.
5. It urges the BPD to apply the protocols in General Order 51 to preserve the peace when there are peaceful demonstrations and legal observers to ICE actions and to investigate allegations of excessive use of force and criminal conduct, including by federal officials,

pursuant to General Order 50. The Mayor of Boston issued similar directives in her Executive Order of February 2026, and Brookline should do the same.

6. It urges the Select Board and town officials to cease applying for grants under the Urban Areas Security Initiative (UASI) program because such grants now require that 10% of the funds be dedicated to supporting collaboration between local law enforcement and ICE. We understand that the Town is intending not to apply again for such a UASI grant.

ARTICLE 26

Any reports from Town Officers and Committees are included under this article in the Combined Reports. Town Meeting action is not required on any of the reports.