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Marty Rosenthal, Chair; Gary Jones, Treasurer; Neil Gordon, Secretary

Brookline PAX Recommendations Special Town Meeting, November 13, 2018

<u>Art. 17,</u> Ban non-disclosure agreements by Town ► ► ► <u>NO ACTION, including Margolis</u> amendment:

PAX is very sympathetic to both transparency in general and the most-welcome MeToo movement. But this proposal, apparently the first such broad law anywhere, is a solution in search for an exaggerated or non-existent problem. Two-thirds of petitioners' reasons (Combined Reports, p. 17-4, "DISCUSSION ...") are especially unsupported and dubious: "more effective deterrence" and "sound fiscal management." The many negative ramifications are summarized in the Select Board's and Advisory Committee's Combined Reports, such as: some re-victimizing of victims by diminishing their compensation; as well as some that would be costly and/or otherwise harmful to the Town, including complications from privacy laws. And, while we appreciate Jonathon Margolis' proposal trying to address the above "re-victimizing" concern, it was too late to be adequately vetted by our invaluable two-month pre-Town Meeting process, and it too still seems problematic, e.g., an unintentionally disingenuous Kabuki Dance: Does "shall not propose or require, ..." mean that Town Counsel cannot offer \$xxx to settle, and write or say, "we refer you to (attached) by-law \$3.1.3"? Should they add, "hint, hint"; or if in person do a wink-wink? And, if they don't, what if a claimant is *pro se* or represented by an un-stellar lawyer? (Yes, they exist, as does gambling in Casablanca.)

It takes two to settle, and if both sides agree, we should presume that both sides benefit. If NDA's are not *per se* bad, then why not -- explicitly & *transparently* -- keep giving claimants the choice? If a (rare) claimant prefers no NDA, & likely less cash, they can always say so; but a fully aware "opt-out" seems the fairer & less disingenuous way to let them really choose. Putting the onus on claimants to bring it up seems both risky (to some of them) and, essentially, game-playing by the Town.

<u>Art. 20, Special rules regarding parking overlay district.</u> ► ► ► ► ► NO <u>ACTION</u>

—75% of TMM's in 2016 voted to reduce required parking minimums for parcels within ½ mile of a Green Line station, in large part to reduce the excessive number of cars in town. PAX supported that vote. For current Art. 20, we find convincing the objections -- Comb/Rpt pp. 20-13 to 20-16 -- of the Planning Board (e.g., "onerous and burdensome on the Building and Planning Departments") and the unanimous Transportation Board (e.g., preferring to "incentivize transit, walking, and biking use"). And, while we agree with the Select Board in dis-favoring referral, and that "density concerns should be addressed through Floor Area Ratio (FAR) reductions," we add TWO WORDS to one of their objections, to "the underlying assumption in this article is that density is <u>PER SE</u> a bad thing." And we'd add, "... especially in the transit-rich Transit Parking Overlay District." To the extent that this area is, yes, very dense and threatened by excessive (even non-40B) development, this article doesn't seem the solution.

<u>Art. 21</u>, Girl Scouts' Resolution: recycling & repurposing of excess inventory ►►<u>FAVORABLE ACTION</u>

Article 21, sponsored by Brookline Girl Scout Troop 62558, encourages local businesses to donate any surplus, unopened, and unused commercial items to charities, instead of tossing them with other commercial waste. The dual purpose is to reduce the solid waste stream and its environmental impact, and to benefit those in need. Local merchants have responded positively to the idea, as does Brookline PAX.

<u>Art. 22,</u> Resolution for restoration of lost federal SALT deduction benefits. ► ► <u>FAVORABLE ACTION</u>

Article 22 urges the state legislature to try to mitigate the impact of the 2017 cap placed on state and local tax (SALT) deductions by the GOP tax law. During the most recent override campaign, voters expressed concern that increases in local taxes might not be deductible, and might, accordingly, influence their votes on future overrides. This article is not about individual tax benefits, but rather the adverse impact that limiting SALT deductions has on our community as a whole, especially our ability to fund the operating and capital needs of our schools, as well as other crucial services.

<u>Art. 23,</u> Resolution to study restoring Olmsted Bridle Path on Beacon St. ► <u>FAVORABLE</u> ACTION

In the 1880s, Frederick Law Olmsted and his son designed a path along the entire length of Beacon Street from Cleveland Circle to St. Mary's Street. Article 23 calls for a study to look at the feasibility of resuscitating Olmsted's vision. As envisioned, there would be no adverse impact on existing sidewalks, auto lanes, or the Green Line, and no (or minimal) reduction in car parking. The restored "bridle-path" would, we hope, have two-way lanes for bicycles, scooters, wheelchairs, adult tricycles, and the like; would replace the existing Beacon Street bike lane; and would offer a healthier, economical, low-impact and more ecologically-responsible means of travel. It could greatly help us reach our climate action goals.

Please print and bring a copy of these recommendations to Town Meeting.