

BROOKLINE COMMUNITY AGING NETWORK  
Livable Community Advocacy Committee  
MARCH 6, 2023

Attending: Susan Granoff (Chair), John VanScoyoc (Guest Presenter), Joslin Murphy (Guest Presenter), Janet Gelbart (Notetaker), Carol Caro, Susan Cohen, Marion Freedman-Gursan, John Harris, Jayleigh Lewis, Carol Macbain, Peggy Maguire, M. Mayotte, Fran Perler, Yolanda Rodriguez, Stuart Rubinow, John Seay, David Trevvett

**I. A conversation with Select Board Candidate John VanScoyoc**

Guest Participant: John VanScoyoc (Select Board Member, former Town Meeting and Advisory Committee Member)

Mr. VanScoyoc introduced himself as a former journalist who moved to Brookline as an editor of Citizen Group Publications, a family-owned weekly newspaper chain. He went on to work as managing editor of Christopher Lydon's 10 O'Clock News on WGBH, and spent the last 23 years of his career as a producer of New England Cable News/ NBC10 Boston. Journalism led him to politics and he became a Town Meeting Member, and was elected to the Select Board in 2020 after participating in the successful effort to defeat siting a ninth school in Chestnut Hill. His term coincided with the Covid-19 pandemic and the killing of George Floyd in 2020. He is seeking re-election to build on everything he has learned from serving during that turbulent time. (Additional details about his personal and professional background appear in the materials circulated to the attendees and attached at the end of these minutes.)

Q&A

1. What is your position on the override?

I have not yet taken a position as the exact composition of the override is still under discussion. We need to cover the costs of the current needs of both the town and the Public Schools of Brookline and close the sustainability gap inherent in Proposition 2-1/2. Expenses consistently increase by more than the allowable limit on property tax revenues. We need to cover the capital needs of the Town such as road repairs and building maintenance which should not be chronically short of necessary funding. We should use the remaining ARPA funding for any one-time costs.

2. Is the Town doing enough for rodent control? What will happen over the long term if the override fails?

We are not doing enough as long as rats are visible on a daily basis. We've already done a fair amount, including the installation of new devices to trap and kill rodents, but there has not been enough time to monitor the results to see if what we've done is effective. I'm not sure what long-term means. Are we saying that this problem will continue at the current level

forever? I'm not sure but I need more data.

3. How do we get around the structural deficit?  
We may need to propose an override every three or four years. New growth in Brookline is insufficient to keep up with rising costs, and some kinds of growth bring a corresponding increase in the demand for services. If expenses rise by 3-4% annually, we need to increase revenue by the same amount.
4. How do you fix the imbalance between Town and School in the way resources are allocated?  
The school budget is driven by enrollment which can change faster than cost drivers on the Town side. You can hold school costs down by increasing class size, but classes with over 20 kids affect the quality of their education.
5. How do you control the cost of government?  
Personnel expenses account for over 80% of the budget, and have to be negotiated with the unions, and teachers, police and fire are the largest ones. The Town is currently in arbitration with the police and firefighters because they have asked for more than the Town feels it can afford. When the School Committee pushed back hard on the teachers union, there was a one-day strike.
6. Would you agree to put rodent control devices on private property as Somerville does and not just in parks and other Town-owned property?  
That's a good idea we should learn more about to see if it is applicable to Brookline.
7. As a journalist, you understand the value of an informed public, but the shift in Town climate change goals from net zero to zero emission received little public debate and no discussion at the Select Board. Please comment.  
I believe that climate change is an existential crisis and we needed to dial up the urgency to match Brookline's stated goals as approved by Town Meeting. Unfortunately, it did not get the public discussion it should have gotten because the Select Board was concerned about the burden on itself and staff to keep up with the proliferation of warrant articles. The former Chair pushed hard to limit Select Board involvement and leave the public process to the Advisory Committee among others. I disagreed with that decision but I am only one of five votes.
8. There are many small businesses on Harvard Street that may not survive the current Planning Department zoning proposal that would permit by right the construction of 4-story buildings providing multi-family housing along the length of Harvard Street in place of current low-rise buildings with street-level stores. Please comment.  
There is a mandate from the State Department of Housing and

Community Development (DCHD) for communities with MBTA service to allow developers to build multi-family housing by right without any local zoning restrictions. The guidelines require Brookline to develop a plan by year end to accommodate 6,000 new housing units. The proposal from the Planning Department is to zone the length of Harvard St. for 4-story development with form-based design codes. I am not in favor of the plan as currently proposed and the Select Board is currently split 2-2. There is concern that Town Meeting will not approve the current proposal which would put the Town at risk of penalties which reduce funding for existing Brookline Housing Authority properties. We are in conversation with the State for relief from some of the guidelines so that we can get Town Meeting approval. At the same time, we need to proceed toward compliance.

9. Almost all Town departments which have appeared before the Advisory Committee have noted their difficulties in hiring and keeping staff because our salaries are not competitive with our peers in surrounding communities. At the same time, Superintendent Guillory has reported that Brookline teachers' compensation is in the top five statewide. How do you fix this?

We need to be sure of our data. there are areas where we need to revise our pay scales upward, and HR is in the process of addressing this. The Town Administrator's override proposal includes funds to address this.

10. Is the Harvard St. Corridor proposal a done deal or can some other area, like Boylston St., be considered for a plan to comply with the MBTA Communities Act? What is the difference between guidelines and the law?

This is not a done deal. There are continuing conversations among Town officials, Town staff, and State Department of Housing and Community Development (DCHD). The MBTA Communities Act is a one-page law which directs DCHD to create guidelines for fostering development of multi-family housing in communities which are served by the MBTA. Ignoring the guidelines is a violation of State law and subjects the Town to penalties included in the Act, which would result in a decrease of state funding to the Brookline Housing Authority.

11. You voted against the home rule petition, based on a Sudbury statute and subsequently approved overwhelmingly by Town Meeting and the State Legislature, which would create a new partial tax exemption for those Brookline low-income senior home owners who cannot qualify for the Town's property tax deferral loan program because they currently have a conventional mortgage on their home. Very few Brookline seniors (currently 8) can qualify for the other state tax exemption program for seniors (41C) because it sets the qualifying income and asset caps at such low ceilings (e.g., under \$26,000 in income and \$52,000 in total assets other than one's home if you are a senior who is not married). Why did you vote against this new program? What kind of program would you offer instead?

Both Nancy Heller and I voted against the proposal because there is no provision for payback upon transfer of the property as required in the Town's other programs. It doesn't feel right to me to give anyone a free ride since the difference in revenue must be made up by the town's other residents, and we cannot favor some groups over others. We should definitely look at the Sudbury requirement when we set the limits for the law here in Brookline.

12. Seniors as a group have been supportive of the schools and a high proportion of them vote in Town elections. But recent overrides have largely favored the schools over seniors. So why can't tax relief favor seniors who make fewer demands on town services than a family?

Seniors are not the only residents in financial need so how do we offer relief to them and not others? We need to find a balance between the schools, public safety, and other Town services.

13. There has been a lot of recent discussion about Newton's local transportation program [NewMo] which provides free or reduced service to all residents anywhere in Newton. Is Brookline considering something similar?

Newton funded a small pilot which was so successful, it was expanded to cover all residents and now costs about \$1 million to maintain. If Newton can do it, so can Brookline, but we would need to find the funding, perhaps through an override. The greatest benefit would be to South Brookline which is underserved by public transit.

### Final Statement

When I ran for Select Board in 2020 I was painfully aware that I was older than my opponents and felt I had to justify why I was running at my age. I believe seniors bring a lot of experience and wisdom to the table and I have gained a deep knowledge of the issues during my first term. I am a quick learner and also try to educate others, which is why I started my weekly newsletter [All Politics is Local] which some of you receive and you can find at Good Government [for Brookline]. I think I still have a lot to offer and if you value experience, please vote for me. You can find more information on my website, [johnvanscoyoc.com](http://johnvanscoyoc.com).

## **II. The Role of Town Counsel in Brookline's Government**

Guest Participant: Joslin Murphy (former Brookline Town Counsel, current Town Meeting and Advisory Committee Member)

Ms. Murphy has been a Brookline resident for most of her life, and was a police officer for almost ten years before becoming a Middlesex Assistant District Attorney and then Assistant Attorney General before joining the Office of Town Counsel (OTC). She worked in the OTC for 30 years, completing eight years as Town Counsel when she retired in June, 2021. She has remained active in Town government and is currently a Town Meeting Member and a member of the Advisory Committee, giving her the unique perspective of Town government as both staff and volunteer.

The OTC consists of five attorneys and three support staff. Most municipalities rely on outside counsel for their legal work, but Brookline has saved considerable money by retaining the function in-house. The OTC is responsible for all of the Town's legal work except for certain niche functions including environmental law, certain complex civil rights claims, and cable law. During Ms. Murphy's tenure, the Town added a dedicated staff position for collective bargaining and achieved considerable savings over outsourcing the function.

Town Counsel's broad responsibilities include:

- Conducts legal research, drafts opinions and advises on legal and policy issues for the Select Board, Town Administrator, and all Town Departments, boards and commissions.
- Supervises and/or reviews the legal work of the attorneys and other support staff.
- Conducts and/or supervises litigation to conclusion before state and Federal courts and administrative agencies.
- Reviews and signs off on Town contracts for goods and services.
- In-house labor counsel advises on the negotiation of labor contracts and resolution of grievances with labor unions.
- Manages the resolution of claims against the Town and seeks collection on claims on behalf of the Town.
- Drafts legislation, Home Rule Petitions and Town Bylaws, rules and regulations.
- Advises and helps petitioners of warrant articles, if asked, with the drafting of warrant articles and participates in Town Meeting by responding to legal questions.
- Works with Town department heads on planning and managing Town projects involving legal issues.
- Prepares and oversees development and administration of the department's annual operating budget.

Town Counsel cannot provide legal advice to Town residents, but instead often refers any inquiries to an appropriate resource.

### Q&A

1. Who is the client?

The Town itself is the client which may result in conflicts if the Select Board and Town Meeting do not agree.

2. Who decides if the Town should comply with the MBTA Communities Act? Would the State actually withhold money from the Brookline Housing Authority if the Town did not comply?

Town Counsel's responsibility is to advise the Town and apprise decision-makers of any consequences of their actions. The penalties written into the language of the statute require withholding certain funds from the local housing authority if a municipality does not comply. In Brookline this is

estimated to be about \$225,000. The Lawyers' Committee [for Civil Rights] has written letters to several towns threatening to file civil rights actions to enforce compliance, but it isn't clear that they have standing to do so.

3. Should minor points of conflict with the bylaws be brought to Town Counsel's attention even if there are no penalties for noncompliance? Has anyone ever looked for inconsistencies within the bylaws to correct them?

Yes to the first question. Any issues of concerns should be brought to OTC no matter how minor. No retrospective review has been done, but OTC recommends corrections if inconsistencies are found. The Town Clerk has not updated the bylaws on line since 2016 and is working with an outside organization to update and correct the bylaws so that Town Meeting has access to the most accurate version when considering changes.

4. What is the role of the Committee on Town Organization and Structure (CTO&S)? Do they work closely with OTC?

CTO&S is entirely separate but thank heavens for that group. They do tremendous work. CTOS members do, from time-to-time, consult with the OTC.

5. The Advisory Committee encourages petitioners to submit warrant articles to OTC for review, especially since the ability to make amendments may be limited by language that defines the scope. Does OTC explain these issues?

OTC and the Moderator encourage petitioners to do that and do it early so that there is sufficient time to respond. Some warrant articles are filed that are not legally tenable but could be corrected if OTC were involved ahead of time. Petitioners should also be encouraged to reach out to department heads who may be able to address their concerns without changing the bylaws.

6. What changes would you have like to have seen that you were unable to accomplish during your tenure?

Two come to mind: cross-pollinating subject areas between attorneys to keep staff interested and more efficient; and getting people to involve OTC before an issue becomes a problem so OTC can be more proactive and not just fix things after the fact. Patty Correia had drafted a roadmap on how to improve OTC engagement with the community but left the department before the plan could be implemented. Implementation might be pursued now as part of community outreach efforts.

### **III. Other Business**

#### Council on Aging

The next meeting of the Council on Aging will take place at 1:00 p.m. on Wednesday, March 8 at the Senior Center and via Zoom. Maria Morelli from the

Planning Department will present the Harvard St. Corridor proposal. Proposed new micromobility device regulations will also be discussed.

*Update on Proposed Micromobility Device Regulations*

The Pedestrian Advisory Committee will finalize its recommendations at its April meeting. The Bicycle Advisory Committee has already submitted something to the Transportation Board but is still discussing changes. The issue is also under review by the Shared Mobility Advisory Committee. It would be helpful if these groups posted their public hearings through the Brookline Neighborhood Alliance to allow for broader input from the community.

*Future LCAC agendas*

The third Select Board candidate, Arden Roemer, will meet with the LCAC at its April meeting. Once the warrant for the Spring town Meeting is available, discussions with some of the petitioners will be scheduled.

**IV. Date of Next Meeting: April 3**

## **Background on John VanScoyoc (From my campaign website johnvanscoyoc.com .)**

In 2018, I retired after 23 years as a producer of nightly news/talk programs for New England Cable News/ NBC10 Boston. I was honored to work with some notable Boston TV names: most recently, Sue O'Connell ("The Take" host). Prior to Sue there was Jim Braude ("Broadside"); Chet Curtis ("NewsNight"); and R.D. Sahl ("NewsNight").

Prior to NECN/NBC10 Boston I worked for 10 years as managing editor of Christopher Lydon's 10 O'Clock News on WGBH.

And prior to that, for the first 10 years of my career in journalism, I was editor of Citizen Group Publications -- a family-owned weekly newspaper chain for Brookline, Allston-Brighton, and Back Bay/Beacon Hill/Fenway in Boston.

Journalism was my dream job from my days as editor of the high school newspaper (Staples in Westport, CT). I will never take for granted how fortunate I have been to realize my dream.

My wife Barbara and I have lived in Brookline since we were married in 1975. Our first house was on Heath Street across from Holyhood Cemetery. That house is where our children Robert and Ellen were born. We later raised them and put them through the Brookline Schools, K-12, from our current home on Reservoir Road, not far from the Waterworks Museum and the D Line.

Today, thanks to Robert and Ellen and their spouses Jennifer and Caleb, we enjoy three grandchildren -- Aziza, Lyla, and William.

And then there is this wonderful town we call Brookline. I can't get enough of it. I've served as president and treasurer of the Brookline Historical Society; Town Meeting Member from Precinct 13; board member (recently retired) at Brookline Center for Community Mental Health; board of Brookline Adult and Community Education; volunteer for the New England Region of Met Opera Auditions.

I was first elected to the Select Board in the Covid-postponed election of 2020. I am seeking re-election to a 2nd term.

### **Highlights From My 3 Years on the Select Board**

Serving on the Select Board is not a solo act. The list is a representative sample of actions, large and small, that I was proud to have a hand in during my first term.

We backed up Brookline's commitment to climate change goals by adding ground source heat pump technology to the Driscoll School project.



As part of Covid relief efforts we appropriated funds for the Brookline Safety Net and Brookline Food Pantry as well as the BHA.

Under the guidance of Select Board Chair Heather Hamilton and Town Clerk Ben Kaufman, the Redistricting Committee completed the work on a new 17-precinct map for Brookline, based on 2020 census data.

Town Administrator Chas Carey was hired in August after a nationwide search, assisted by a volunteer screening committee, and a public listening session with three excellent finalists.

We joined the public works and health departments in launching the Rodent Control Action Plan, or RCAP. The town reallocated \$200,000 in federal COVID testing funding to pay for the first six months of the plan.

We completed Round 1 of the ARPA process and launched Round 2. Notable grants: Steps to Success, Women Thriving, Black 'n Brown Club, Food Pantry, Teen Center. Chamber of Commerce.

We backed the successful debt exclusion ballot question for repair of fire stations.