



**TOWN OF BROOKLINE
MASSACHUSETTS**

**REPORTS OF SELECT BOARD
AND ADVISORY COMMITTEE**

on the

Articles in the Warrant

for the

FIRST SPECIAL TOWN MEETING

to be held in the High School Auditorium

Tuesday, April 9, 2019

at

7:00 P.M.

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

Town of Brookline

SELECT BOARD

Neil A. Wishinsky, Chair

Benjamin J. Franco

Nancy S. Heller

Bernard W. Greene

Heather Hamilton

Melvin A. Kleckner, Town Administrator

"The Town of Brookline does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services or activities. Persons with disabilities who need auxiliary aids and services for effective communication in programs, services and activities of the Town of Brookline are invited to make their needs and preferences known to Lloyd Gellineau, Town of Brookline, 11 Pierce Street, Brookline, MA 02445, 730-2328 Voice, 730-2327 TDD, or email at lgellineau@brooklinema.gov."

MODERATOR

Edward N. Gadsby, Jr.

ADVISORY COMMITTEE

Sean M. Lynn-Jones, Chair, 53 Monmouth Street.....	738-6228
Carla Benka, Vice-Chair, 26 Circuit Road	277-6102
Benjamin Birnbaum, 15 Feneno Terrace,	276-5944
Clifford M. Brown, 9 Hyslop Road	232-5626
Carol Caro, 1264 Beacon Street, #2.....	739-9228
John Doggett, 8 Penniman Place	566-5474
Dennis Doughty, 57 Perry Street.....	739-7266
Harry Friedman, 27 Clafin Road	BE2-0122
Janet Gelbart 216 St. Paul Street #601.....	566-5616
David-Marc Goldstein, 22 Osborne Road	232-1943
Neil Gordon, 87 Ivy Street.....	(508)265-1362
Susan Granoff, 52 Vernon Street #1	731-0822
Kelly Hardebeck, 18 Littell Road	277-2685
Amy Hummel, 226 Clark Road	731-0549
Alisa G. Jonas, 333 Russett Road	469-3927
Janice Kahn, 63 Craftsland Road.....	739-0606
Steve Kanes, 89 Carlton Street	232-2202
Bobbie M. Knable, 243 Mason Terrace.....	731-2096
David Lescohier, 50 Winchester Street	383-5935
Carol Levin, 61 Blake Road.....	731-0166
Pamela Lodish, 195 Fisher Avenue	566-5533
Mariah Nobrega, 33 Bowker Street	935-4985
Michael Sandman, 115 Sewall Ave., No. 4	232-7125
Lee L. Selwyn, 285 Reservoir Road	277-3388
Kim Smith, 22 Brington Road	277-1606
Stanley Spiegel, 39 Stetson Street	739-0448
Claire Stampfer, 50 Sargent Crswy.	448-4201
Charles Swartz, 69 Centre Street	731-4399
John VanScoyoc, 307 Reservoir Road.....	731-3584
Christine M. Westphal, 31 Hurd Road.....	738-7981
Lisa Portscher, Executive Assistant, Town Hall.....	730-2115

APRIL 9, 2019
FIRST SPECIAL TOWN MEETING
INDEX

ARTICLE NO.

TITLE

1. Approval of Collective Bargaining Agreements. (Human Resources)
2. Authorize the Select Board to acquire real property at the Newbury College campus by purchase or eminent domain, and appropriate funds for such purpose. (Select Board)
3. Resolution regarding Newbury College. (Select Board)

2019 FIRST SPECIAL TOWN MEETING WARRANT REPORT

The Select Board and Advisory Committee respectfully submit the following report on Articles in the Warrant to be acted upon at the 2019 First Special Town Meeting to be held on Tuesday, April, 9, 2019 at 7:00 p.m.

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

ARTICLE 1

FIRST ARTICLE

Submitted by: Human Resources

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

PETITIONER’S ARTICLE DESCRIPTION

This article is inserted in the Warrant for any Town Meeting when there are unsettled labor contracts. Town Meeting must approve the funding for any collective bargaining agreements. Since this article has been filed the Town has reached an agreement with the Police union.

SELECT BOARD’S RECOMMENDATION

The Town’s negotiating team and the Police Union representatives executed a memorandum of Agreement (MOA) on January 11, 2019 for fiscal years 2017-2019. The MOA provides an annual wage increase of 2% in each year of the contract. In addition, effective July 1, 2016 an additional 1.5% is incorporated into the base for Crisis Intervention Training (CIT), which shall be required for each officer. The total cost of the agreement is approximately 7.6 %.

ITEM	FY17	FY18	FY19	TOTAL
7/1/2016 - 1.5 +2 %	417,318	417,318	417,318	1,251,953
7/1/2017 - 2%		247,094	247,094	494,187
7/1/2018 - 2%			252,035	252,035
FTO assignment			8,242	8,242
				0
TOTAL ROLL-OUT COSTS OF 3-YEAR PERIOD	417,318	664,411	924,688	2,006,417
Each 1% =	119,234	121,618	124,051	
New Wages - \$ =	417,318	247,094	260,277	
New Wages - % =	3.5%	2.0%	2.1%	7.6%

These amounts are within our financial plan projections and are consistent with agreements reached with other bargaining units. The agreement also allows for the requirement that all officers wear nametags, allows the payday to shift from Thursday to Friday, and establishes a stipend for the Field Training Officer (FTO) assignment.

The Select Board agrees with the Town's negotiating team and the union that this is a fair and equitable settlement. Therefore, the Board recommends FAVORABLE ACTION, by a vote of 4-0 taken on March 19, 2019, on the following:

VOTED: To approve and fund by an appropriation, provided for in the FY2017, (Item #20), FY2018, (Item #20) and FY2019 (Item #20) budgets, for the cost items in the following collective bargaining agreement that commences on July 1, 2016- and expires on June 30, 2019:

Brookline Police Union

all as set forth in the MOAs, dated January 11, 2019, which are incorporated herein by reference.

ROLL CALL VOTE:

Aye:

Wishinsky

Franco

Greene

Hamilton

Absent:

Heller

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:

The Town of Brookline and the Brookline Police Union entered into a memorandum of agreement on January 11, 2019 covering the period July 1, 2016 through June 30, 2019 for a total cost of \$2,006,417. The agreement was ratified by the union and approved by the Select Board. By a vote of 25-1-1, the Advisory Committee recommends Favorable Action to appropriate the sums of money required to fund the cost items in the agreement between the Town and the Brookline Police Union.

DISCUSSION:

The agreement calls for a 2% annual wage increase effective July 1 in each year of the contract. In addition, effective July 1, 2016, the stipend for completing Crisis Intervention Training shall be 1.5% of the officer's base salary and incorporated into the base salary.

Total cost over the three year period is approximately \$2,006,417 or 7.6% as detailed below.

ITEM	FY17	FY18	FY19	TOTAL
7/1/2016 - 1.5 +2 %	417,318	417,318	417,318	1,251,953
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7/1/2018 - 2%			252,035	252,035
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Each 1% =	119,234	121,618	124,051	
New Wages - \$ =	417,318	247,094	260,277	
New Wages - % =	3.5%	2.0%	2.1%	7.6%

The Union has agreed that members will wear name tags issued by the Department on the exterior of their uniforms, to transition to a Friday payday, and to work with the chief to develop a mandatory seat belt usage policy. Each patrol officer assigned as a field training officer will receive a stipend equivalent to either two hours pay at straight time or two hours of compensatory time per shift.

Chief of Police Lipson explained that the Town acts as a regional training center for Crisis Intervention Training which is mandatory for all Brookline police officers. The training is a 40-hour class on mental health issues, identifying crisis situations, and sharing crisis experiences. Officers can follow up on individual crisis cases. Brookline and other participating communities receive grant funding to support attendance.

A large majority of the Advisory Committee recommends Favorable Action on this motion, but one member expressed concerns that the overall cost of the agreement goes beyond the parameters set for bargaining purposes, apparently because the threat of arbitration and a potential unfavorable decision at the Joint Labor-Management Committee (JLMC) moved the Town to accept the contract's funding levels. That member also expressed concern that the contract would require the Town to pay for training that would take place while the employee receiving such training also was being paid, and then the employee would be able to get a pay increase (going into his or her base compensation) for having completed the training.

April 9, 2019 First Special Town Meeting

1-4

Recommendation

By a vote of 25-1-1, the Advisory Committee recommends FAVORABLE ACTION on the motion to appropriate the sums of money required to fund the cost items in the agreement between the Town and the Brookline Police Union.

XXX

**MEMORANDUM OF AGREEMENT
BETWEEN
THE TOWN OF BROOKLINE
AND
THE BROOKLINE POLICE UNION**

January 11, 2019

The Town of Brookline ("Town") and the Brookline Police Union ("Union") collectively referred to as the "Parties", agree to extend their July 1, 2014-June 30, 2016 collective bargaining agreement through June 30, 2019 with the following changes:

1. Article XLII: Duration

July 1, 2016 – June 30, 2019

2. Article XVI

A. Article XVI: Wages

Increase the wages in the Pay schedule in Article XVI (Wages) as follows:

Effective July 1, 2016	2.0%
Effective July 1, 2017	2.0%
Effective July 1, 2018	2.0%

B. Crisis Intervention Training (CIT) Certification

- (i) Effective July 1, 2016, the CIT stipend shall be 1.5% of the officer's base salary and incorporated into the base salary.
- (ii) Insert the following new section at the end of Article XVI as follows:

Crisis Intervention Training

The parties recognize the importance of providing training and techniques for officers to de-escalate situations, assist individuals with mental illness, assist individuals with substance use disorders, appropriately interact with individuals with autism, assess risk and promote prevention of suicide, identify specific issues among the veterans' population and appropriately interact with veterans, develop cultural competencies, and identify cultural responses to police interactions and to react appropriately. Employees shall complete the program on crisis intervention training. Effective July 1, 2016, the stipend for crisis intervention training shall be rolled into the base.

3. Article XVII: Uniforms

Add the following new section d) to Article XVII as follows:

d) Name Tags

The Union agrees that the Town has satisfied its bargaining obligations with respect to the requirement that police officers wear name tags issued by the Department on the exterior of their uniforms and visible to the public.

4. Pay

Effective no earlier than the first pay period in July 2018, the Town may change payday from Thursday to Friday.

5. Seatbelts

The Union agrees to work with the Chief of Police to develop mandatory seat belt usage in the Department Policy Manual.

6. Field Training Program

The Town has satisfied its bargaining obligations associated with the implementation of a Field Training Officer Program which includes the establishment of a Field Training Officer (FTO) Assignment. Effective with the first Monday after this Agreement becomes effective, each patrol officer assigned as a FTO shall receive the following for each day such patrol officer actually works as a FTO a stipend equivalent to two (2) hours pay at straight time per shift for the FTO or two (2) hours of contractual compensatory (straight) time per shift for the FTO.

7. Housekeeping (lag time language)

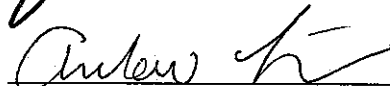
Revise lag time language to address pension issue as discussed between the parties, retro to July 1, 2016.

This Memorandum of Agreement ("MOA") shall remain off the record until the Union has ratified this MOA and the Select Board for the Town of Brookline has voted to approve this MOA. This Memorandum of Agreement is subject to Union ratification, approval by the Select Board, and funding of the cost items at the next regularly scheduled Town Meeting.

Agreed to on this 11th day of January 2019 by the negotiating teams for:

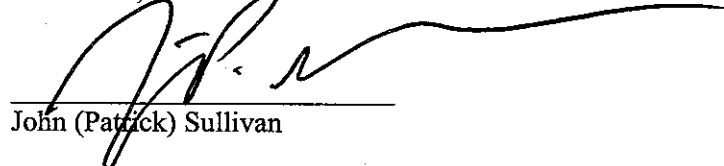
Town of Brookline


Melvin Kleckner, Town Administrator


Chief Andrew Lipson

Brookline Police Union


David Hill, President


John (Patrick) Sullivan

ARTICLE 2

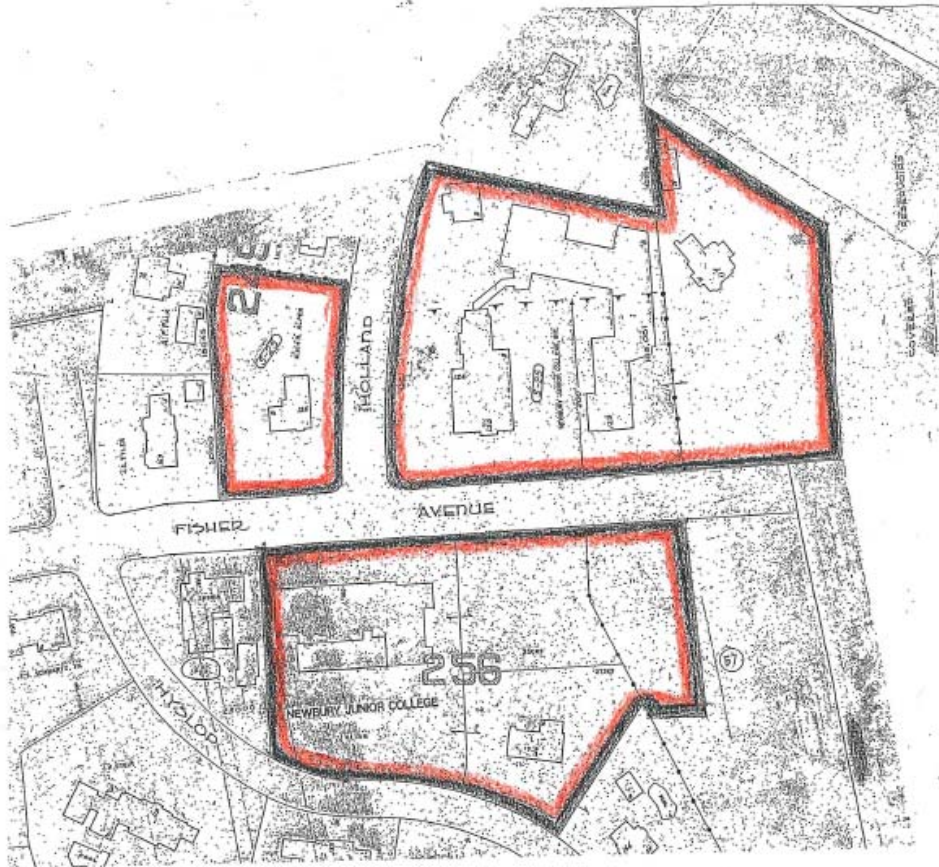
SECOND ARTICLE

Submitted by: Select Board

To see if the Town will vote to authorize the Select Board to acquire on terms and conditions that are in the best interest of the Town, by purchase, gift, eminent domain or otherwise, in fee simple, all or some of the parcels of land comprising the real property of Newbury College located at 110, 117, 124 and 150 Fisher Avenue, 124 and 125 Holland Avenue, and 146 Hyslop Road, Brookline, Massachusetts, as substantially shown on the plan attached hereto entitled "Plan of Newbury College" a copy of which is on file in the Office of the Town Clerk, including all buildings and structures thereon and all privileges and appurtenances thereto belonging, as well as all trees and shrubs thereon, consisting of up to approximately 342,943 square feet, for general municipal and/or educational purposes, and for all purposes and uses accessory thereto, and that to meet such expenditure, appropriate a sum of money to be expended at the direction of the Selectmen to pay the costs of acquiring said property, and for the payment of all costs incidental and related thereto, and to determine whether such amount shall be raised by taxation, transfer from available funds, borrowing or otherwise; and to authorize the Select Board to apply for, accept and expend any grants from any source whatsoever that may be available to pay for any portion of said real property, or to take any other action relative thereto.

Land Description:

Seven parcels of land with the buildings thereon known as and numbered 110, 117, 124 and 150 Fisher Avenue; 124 and 125 Holland Avenue; and 146 Hyslop Road, Brookline, Massachusetts situated in Brookline, Norfolk County, Massachusetts, as substantially shown on the site plan entitled "Plan of Newbury College".



Fisher Avenue	Parcel ID
#110	256-01-01
#117	250-01-02
#124	256-24-00
#150	250-01-02
Holland Road	
#124	250-03-05
#125	249-13-00
Hyslop Road	
#146	256-20-00

Plan of Newbury College

Scale: 1" = 100' Date: January 22, 2019

PETITIONER'S ARTICLE DESCRIPTION

The Select Board filed this article to correct the deficiencies present in the citizen petitioned article filed under the other Special Town Meeting. The Board believes this language meets the intent of the petitioned article while providing proper legal language that allows for broader use, funding, and acquisition of part or all of the Newbury College Campus.

SELECT BOARD'S RECOMMENDATION

Article 2 asks Town Meeting to authorize the Select Board to acquire part or all of the Newbury College Campus. The Board filed this article under the First Special Town Meeting to allow for broader use, funding, and acquisition of the campus should the Town be ready to make this step by April. As noted in the write-up under Article 1 of the Second Special Town Meeting, there is not enough information to move forward on the property at this time. The Board has re-filed this article under the May Annual Town Meeting in case there is more information that would allow for Town Meeting action.

A unanimous Select Board voted NO ACTION under Article 2.

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:

Article 2 of Special Town Meeting One, if approved, would authorize the Select Board to acquire some or all of the seven parcels of land that make up the Newbury College campus. It also would authorize the expenditure of a sum of money to effect that acquisition. The amount of the Town's bid has not yet been determined. Because no specific sum has been identified in the Article, the Advisory Committee recommends NO ACTION on Article 2.

BACKGROUND:

On December 14, 2018, Newbury College announced that it would cease operations in May 2019. Shortly after the announcement, a group of Town Meeting members began to gather signatures for a petition that requested the Select Board to convene a Special Town Meeting to consider the acquisition of the entire Newbury College campus, comprising approximately 7.8 acres of land and eight buildings on Fisher Hill, adjacent to the recently created Fisher Hill Reservoir Park, and currently assessed for approximately \$39.2 million.

Among the buildings are an Academic Center with a number of classrooms, laboratory rooms, a library, and other facilities; a Student Center containing common dining facilities as well as approximately 100 dormitory rooms of between 250 and 300 square feet each; and several large mansion-type houses that the College has been using for both classrooms and offices.

The land is zoned S-15 and S-25. The property could be divided as of right into 13 single-family house lots according to an analysis done by Colliers International, the broker hired by the Newbury trustees to manage the sale of the campus. At least one (and perhaps two) of the existing buildings is nonconforming in terms of size (in the context of existing single-family zoning). The educational use of all of the buildings in this residential neighborhood is nonconforming but is permissible under the Dover Amendment for religious or educational entities.

Newbury College trustees have recently stated that the campus would not be sold piecemeal.

For additional information on the campus and its buildings, please see the map and excerpts from the 2014 Newbury College Master Plan developed by Stantec at the end of this report as well as <http://thecommon.colliers.com>.

Over 300 registered voters signed the citizens' petition, which was subsequently submitted to the Select Board on January 9, 2019, along with requests that the Board "engage in an expedited review of relevant factors for the acquisition of this site" and that the Special Town Meeting be convened on or prior to April 9, 2019, as governed by the statutory 90-day deadline triggered by the submission of the petition on January 9.

Two days before the submission of the petition, the Economic Development Advisory Board (EDAB) had discussed the college's closing at its monthly meeting. Members of the public attending the January 7, 2019, EDAB meeting expressed support for Town acquisition of the entire property, not only to control its future development but also to utilize it for a range of school and municipal needs.

On January 8 the Select Board voted to appoint the Newbury College Acquisition Advisory Committee "to examine, analyze and report on the legal, procedural, and financial issues, as well as provide strategic advice and a preliminary use analysis, for the possible acquisition of some or all of the Newbury College property on Fisher Hill." The ten-member Committee, which was appointed on January 15, includes representatives from the Select Board, School Committee, Building Commission, Advisory Committee, Planning Board, and Fisher Hill neighborhood, as well as individuals with professional expertise in real estate development and finance.

On January 22, the Advisory Committee, by a 21-1-0 vote, approved the Select Board's request for a \$150,000 Reserve Fund Transfer to support the activities of the Newbury College Acquisition Advisory Committee including, in particular, the engagement of qualified professionals to advise the Committee with respect to the potential acquisition. Information stemming from an appraisal, a title search, a Phase One environmental study, architectural planning services, a test fit for a school, and outside legal services were identified as likely being needed by the Acquisition Advisory Committee, and the use of Reserve Fund dollars for these purposes was taken into account by the Advisory Committee when it approved the Reserve Fund Transfer request.

Also on January 22, the Select Board voted to convene two Special Town Meetings for the purpose of pursuing the acquisition of the Newbury College campus.

At the March 7 joint public hearing of the Advisory Committee's Planning and Regulation and Capital Subcommittees, Select Board Chair Neil Wishinsky noted that the Newbury College Acquisition Advisory Committee had held a number of meetings, most of which were in Executive Session because the Committee's discussions focused on the purchase and value of real estate. Having such discussions in public was determined to have a potentially "detrimental effect" on the negotiating position of the Town.

Mr. Wishinsky further noted that one of the Committee's principal tasks was to formulate a bid strategy, and he believed the Town was well positioned to make a credible bid. An offering memo from Colliers International had recently arrived, announcing that copies of the prospectus would be released to qualified bidders who signed a nondisclosure agreement. (The Town is considered a qualified bidder and a nondisclosure agreement has been signed.) He also stated that a call for offers was expected in April (although that date may slip) and that there could be multiple rounds of bidding.

DISCUSSION:

Article 2 of Special Town Meeting One has two components. First, if approved, the Select Board would be authorized to acquire by "purchase, gift, or eminent domain" all or some of the seven parcels of land comprising the College's campus. Eminent domain is specified not only to identify it as a means of acquisition but also to test Town Meeting's commitment to pursue the procurement of the property.

Second, the Article enables Town Meeting to authorize the expenditure of a sum of money to effect the acquisition of the campus. At present no amount of money is stipulated because the amount of the Town's bid has not been determined. The Moderator has determined that any affirmative motion under Article 2 of Special Town Meeting 1 must include a dollar amount and the source of the appropriation. Article 2 reappears as Article 10 in the Warrant for the May 2019 Annual Town Meeting in the event that the bidding process for the property has not concluded by April 9.

At the subcommittees' hearing on March 7, members considered the possibility of including a bid number in Article 2, even if it were just in the context of "up to" or "not to exceed" a set amount of money. That idea was eventually dismissed because it seemed to have a greater chance of encouraging, rather than discouraging, other potential buyers.

RECOMMENDATION:

Because it is not possible to include a dollar amount in Article 2 at this time, by a vote of 27-0-0, the Advisory Committee recommends NO ACTION on the Article.

XXX



NEWBURY COLLEGE - EXISTING BUILDING OBSERVATIONS

ACADEMIC CENTER

- Built in 1957, library addition in 1997
- 30,940 sf
- Functions: Library, Café/Bookstore, General Classrooms, Financial Aid, Registrar, IT Dept., Student Accounts, Human Resources, Interior Design, Graphic Design, APS - Adult & Professional Studies
- Site of the College's future Student Success Center

Observations:

- Exterior does not fit with neighborhood/campus aesthetic
- Exterior envelope and windows are known to leak
- No clear/welcoming entrance
- Building circulation is difficult to navigate: multiple stairs seem redundant, but they may have been necessary during library addition project
- Recently renovated café/bookstore is very popular and similar interventions would be welcomed on campus
- Administrative offices (Registrar, Student Accounts, Financial Aid) are inefficient and unwelcoming, with a lack of private discussion space
- IT Department is spread throughout building and has taken over a library reading room and a science lab
- There is a desire for more studio spaces: including designated clean and dirty studios
- There is a need for a textile lab
- Library is currently undergoing reorganization to insert more active learning spaces
- Study carrels are underutilized; could be transformed into group study rooms
- Lower basement classrooms are dismal; originally intended to be part of library with atrium stair extending down
- Classrooms need furniture/finishes/HVAC upgrades
- Hallway lockers could be repurposed as display spaces

CARRIAGE HOUSE

- Built in 1910
- 3160 sf
- Functions: Hotel Management Building, Classrooms and Offices

Observations:

- Classrooms and offices function relatively well for the school
- Classrooms could use furniture upgrades
- Internal stair is quite steep
- Close proximity to the loading service driveway is problematic

EAST HALL

- Built in 1990, 2011 Renovation
- 3,505 sf
- Functions: Athletic Building

Observations:

- Building is inadequate to house athletic department offices and weight training/fitness rooms
- No areas for private discussions between student athletes and coaches
- Limited offices or desk space for part-time coaches or student work
- Includes small toilet room with no shower or locker facilities
- Building could be better utilized for general academic space
- 1 uni-sex toilet bathroom, 1 uni-sex shower bathroom

EDWARDS HALL

- Built in 1935
- 7,640 sf
- Functions: Student Residences

Observations:

- Students like house-style dormitory
- Inefficient siting and layout of building
- Not accessible
- Outdated mechanical equipment
- Bathroom renovations/ADA





HOLLAND HALL

- Built in 1900
- 7,000 sf
- Functions: Arts and Science Faculty, Academic Affairs

Observations:

- Elevator added in 1995
- Includes shared faculty offices, but needs private meeting rooms for discussions with students
- Facilities Shop in lower level



MITTON HOUSE

- Built in 1892
- 21,000 sf
- Functions: Admissions Offices, Development Office, Operations for Culinary, President's Office, Student Residences, Culinary Kitchen & Restaurant

Observations:

- Gateway building to campus
- Welcoming ground floor for Admissions Office and culinary program restaurant, though restroom off Admissions Foyer is a bit awkward and Foyer could use upgrades to the finish materials
- Grand stair to 2nd Floor President's Office and other Leadership offices
- Stair from 2nd to 3rd floor closed off where it meets residences
- Back stair from residences to Student Center Connector does not appear to meet current codes
- Basement includes support offices and mechanical spaces; would be ideal to move office spaces out of basement
- 3rd floor houses student residences. Ideally this could be better utilized as office space
- Culinary kitchen should be updated to meet current needs as opposed to its current a la carte layout. Dividing wall would ideally come down and hood system would be replaced. Storage and refrigeration is lacking
- Only ground floor is accessible

STUDENT CENTER

- Built in 1964
- 59,440 sf
- Functions: Residence Life, Security, Student Affairs, Classrooms, Student Residences, Student Lounge, Dining Hall (aka Cafeteria), 5 Instructional Kitchens, Main Boiler Room, Auditorium, Athletic Training

Observations:

- Exterior is not fitting with neighborhood aesthetic
- Does not take advantage of bordering courtyard
- Athletic Team Room and Training Room are on the lower level and 1st Floor respectively. Should be located with athletic department
- Upper floor residence spaces includes double rooms with recently renovated baths - previously one gender per floor, now both Male and Female gender baths per each floor. No lounge spaces
- All floors accessible via elevator. Only accessible entrance, however, is a "back door" facing the parking lot
- Auditorium space is needed for various large gathering functions. It is used infrequently and used to have moveable partitions to be used as classrooms. Historically functioned as a chapel and still retains that feel. Storage for chairs/tables is problematic. Not accessible. Does not work as presentation space for drama club, etc.
- Student lounge space is somewhat unwelcoming and underutilized. Functions as waiting area for shuttle
- Dining Hall is crowded and inadequate to serve campus population. Servery layout is inefficient and not secure
- There is no demo kitchen or changing rooms for culinary spaces
- Instructional kitchens require equipment/HVAC/lighting upgrades





WEST HALL

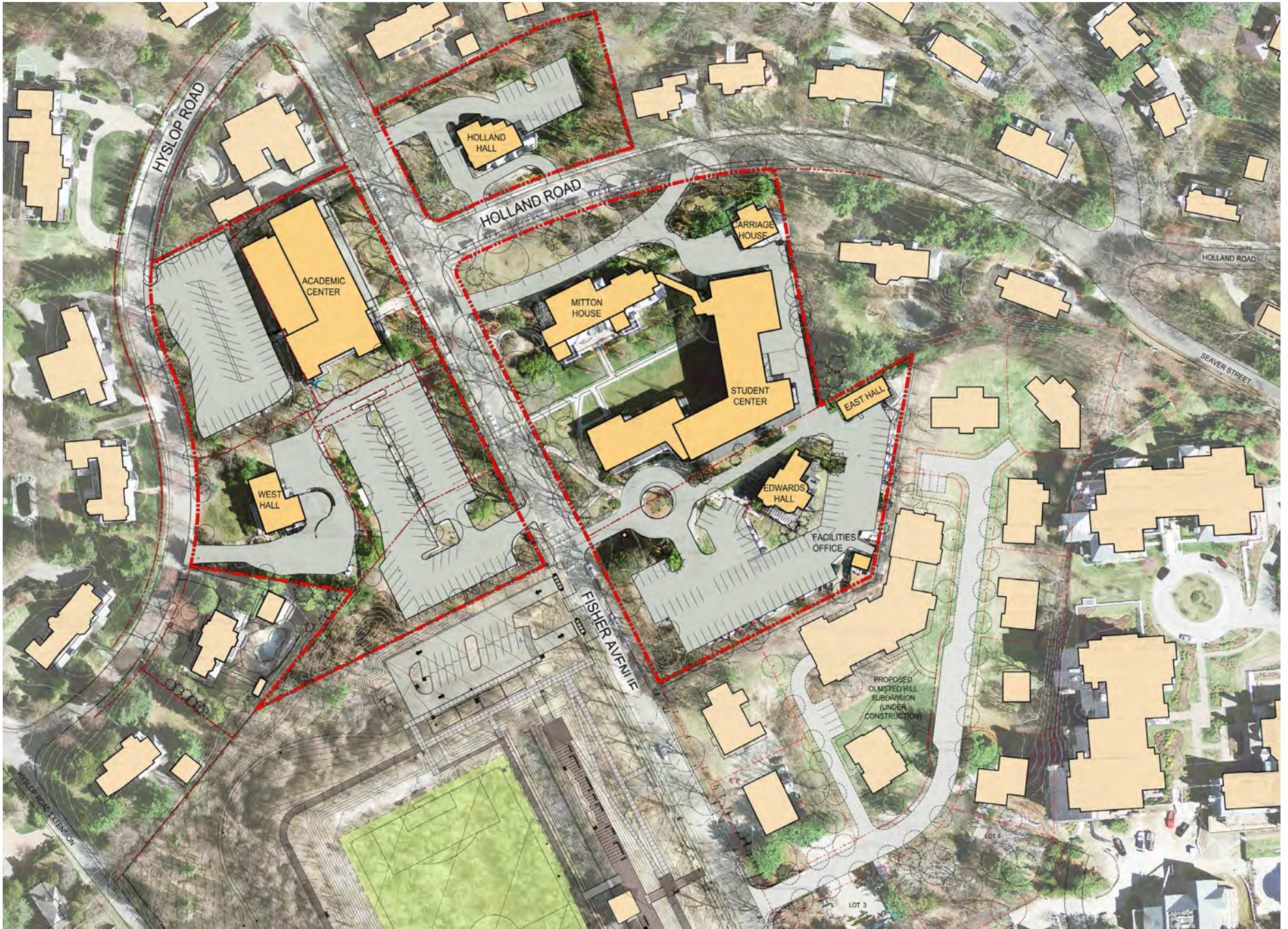
- Built in 1920
- 9,841 sf
- Functions: Career Services, Advising and Tutoring, Business Faculty, Legal Studies Faculty, Communications Dept., Mail Room

Observations:

- Whole building is inaccessible and downhill from rest of campus
- Interior layout is inefficient and offices are packed in (office in former pantry, bathroom, etc.)
- Includes shared faculty offices, but needs private meeting rooms for discussions with students
- No identity for Legal Studies Department

EXISTING CONDITIONS

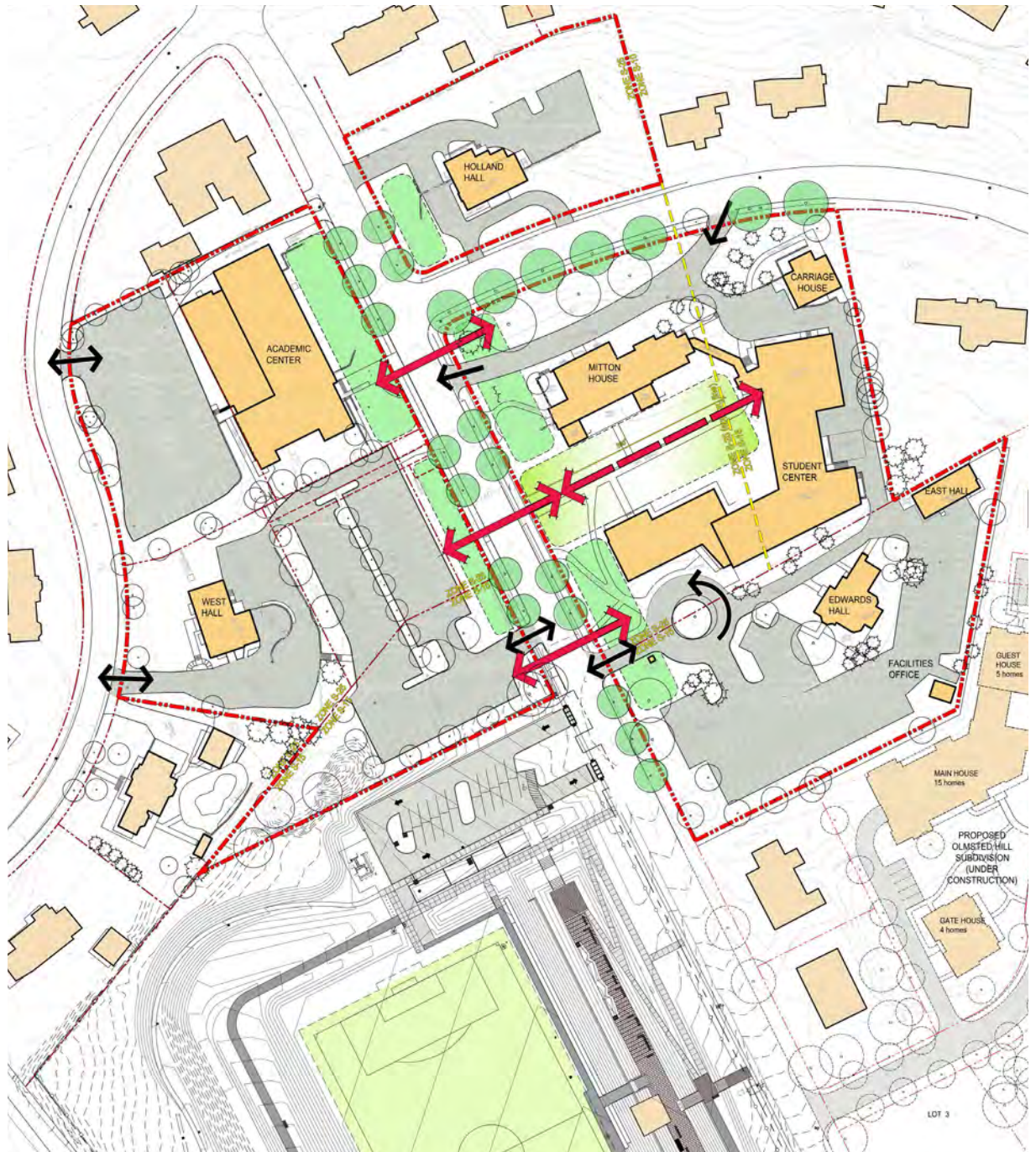
THE CAMPUS TODAY



SITE ANALYSIS

As stated above, the existing campus consists of previous estate homes and institutional buildings. These existing buildings are organized around open spaces and surface parking areas. The campus sits at the crest of Fisher Hill, as such, the topography slopes away in all directions. Important campus character defining and organizational features are as follows:

- **Campus Green** – Lying between the Student Center and Mitton House, this iconic open space is the heart of the campus. A main walk that connects the Student Center to Fisher Avenue is an important visual and physical link from the Student Center and Mitton House across Fisher Avenue to the Academic Center, West Hall and the parking areas to the west
- **Fisher Avenue Streetscape** – The campus frontage along both sides of Fisher Avenue is another important campus open space element. The existing buildings are set back from the street creating 'front yards' along the street frontage. These yards together with large street trees are an important part of the image of the campus and help integrate the campus into the existing neighborhood context. There are also important pedestrian connections across Fisher Avenue



ARTICLE 3

THIRD ARTICLE

Submitted by: Select Board

To see if the Town will adopt the following Resolution:

Resolution Calling for the Town of Brookline to Pursue the Acquisition of the Newbury College Campus for Municipal and Other Purposes, Including the Siting of an Elementary School.

WHEREAS, within hours after the close of the December 13th 2018 Special Town Meeting, Newbury College, situated in the center of the Town, announced it was closing its doors and selling its nearly 10-acre campus; and

WHEREAS, there is broad town-wide interest among residents in the Town for the acquisition of the Newbury College campus; and

WHEREAS, the Town is engaged in a process to develop additional elementary school capacity; and

WHEREAS, the acquisition of the Newbury Campus provides the Town of Brookline with flexibility, including opportunities for many municipal needs; and

THEREFORE, BE IT RESOLVED that Brookline Town Meeting calls on the Select Board to pursue the acquisition of the Newbury College campus with diligence, good faith and with all deliberate speed.

Or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

After the citizen-initiated petition on Newbury College was filed, a group of residents tried to file a companion resolution. It was determined that no additional articles could be submitted in a citizen petitioned Town Meeting. As a result, the Select Board agreed to sponsor the resolution and include it under this Special Town Meeting. The following is the explanation submitted with their resolution:

The Newbury College campus has enormous potential benefits and opportunities for meeting many current municipal and other needs, as well as "future-proofing" the Town of Brookline for generations to come. Located in the geographic center of Brookline, the

Newbury College property is surrounded by safe streets, and has ample existing off-street parking. It is well-situated to address north, south and central school capacity needs.

The news of the Newbury College sale has sparked town-wide interest in acquiring this nearly 10-acre site, adjacent to Brookline's newest park, Fisher Hill Park.

The acquisition of the Newbury College campus is a once-in-a-lifetime opportunity that needs to be pursued by the Town of Brookline as quickly as possible.

MOTION OFFERED BY MARK LEVY, TMM7

Moved that the Town adopt the following resolution:

WHEREAS, Newbury College, situated in the Town of Brookline, announced on December 14, 2018, that it was closing its doors and was looking into selling its nearly 7.8-acre campus;

WHEREAS, the potential sale of the Newbury College provides a unique opportunity for the Town to acquire property that may be used for a variety of municipal needs, including open space, affordable housing and educational facilities, among other uses; and

WHEREAS, the Select Board has been pursuing the possible purchase of property on the Newbury College campus:

THEREFORE, be it resolved that Brookline Town Meeting calls on the Select Board to work with other Town boards and departments to:

1. Assess the cost and possible benefits of acquiring all or part of the Newbury College campus;
2. Prioritize the Town's needs and consider the best ways in which land and buildings from the Newbury College campus might meet those needs; and
3. Continue to pursue the purchase of such parts of the Newbury College campus whose acquisition the Select Board judges to be in the Town's best interest.

Explanation:

At this point, Town Meeting should not prejudge how any buildings and land purchased from Newbury College should be used. Prudence demands that the Town investigate and consider

- a) the costs of acquiring, developing and maintaining this property;
- b) the Town's most pressing needs; and
- c) the relative cost of meeting those needs at the Newbury site or elsewhere in town.

SELECT BOARD'S RECOMMENDATION

Article 3 is a resolution filed by the Board on behalf of a group of residents looking to express support for the acquisition of the Newbury College campus. The Town is in the mist of examining the acquisition of this property under the guidance of the Newbury College Acquisition Advisory Committee (“Newbury Committee”), created by the Select Board. The Newbury Committee is actively doing the due diligence necessary to make a bid and gain Town Meeting’s approval. The Committee has retained a real estate advisor along with architectural and building consultants. The College will be soliciting bids on the property through an open bidding process. As of when this went to print, the Board expects the acceptance of bids to begin sometime in mid-April. This timetable is subject to adjustment. The Town has expressed interest in the property to college officials and has begun to strategize and perform the due diligence to make a bid and gain Town Meeting’s approval. Key will be the development of a realistic funding strategy including the viability of relocating certain school functions for which we are currently renting space. Should the Town be successful in acquiring the property, the Board would then commission an inclusive and comprehensive planning process to determine the future use or uses of the property. The Board is approaching this with full knowledge of the fiscal constraints and discipline necessary to maintain the Town’s credit rating.

The Board sees this resolution as way for Town Meeting to formally express its level of support for acquiring the property, thereby strengthening a potential bid and elevating the Town’s standing in a competitive bidding process. This will be especially helpful given that any potential bid would be contingent on Town Meeting approval. An acquisition warrant article has been placed on the May Annual Town Meeting warrant in case we are ready to seek Town Meeting authorization of an acquisition at that time.

The Select Board agrees with the revised language proposed by a unanimous Advisory Committee, which the Board feels will not only provide direction as the Town develops its bid but will serve to reinforce the viability and strength of any bid the Town submits relative to bids submitted by the private sector.

On March 26, 2019, a unanimous Select Board voted FAVORABLE ACTION on the motion offered by the Advisory Committee.

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:

Passage of the resolution offered under Article 3 of Special Town Meeting One would affirm Town Meeting’s desire to acquire the campus of Newbury College and would urge the Select Board to continue its efforts to that end. By a vote of 27–0–0, the Advisory

Committee recommends FAVORABLE ACTION on a resolution that the Committee will move under Article 3.

BACKGROUND:

Town Meeting Members John Harris and Anita Johnson coauthored Article 3, a “Resolution Calling for the Town of Brookline to Pursue the Acquisition of the Newbury College Campus for Municipal and Other Purposes, Including the Siting of an Elementary School.”

As submitted (i.e., as it appears in the Warrant), the resolution reads as follows:

WHEREAS, within hours after the close of the December 13th 2018 Special Town Meeting, Newbury College, situated in the center of the Town, announced it was closing its doors and selling its nearly 10-acre campus; and

WHEREAS, there is broad town-wide interest among residents in the Town for the acquisition of the Newbury College campus; and

WHEREAS, the Town is engaged in a process to develop additional elementary school capacity; and

WHEREAS, the acquisition of the Newbury Campus provides the Town of Brookline with flexibility, including opportunities for many municipal needs; and

THEREFORE, BE IT RESOLVED that Brookline Town Meeting calls on the Select Board to pursue the acquisition of the Newbury College campus with diligence, good faith and with all deliberate speed.

Or act on anything relative thereto.

For additional information on the Newbury College campus and the steps that the Town has taken toward acquiring it, please see the Background section of the Advisory Committee’s report on Warrant Article 2 of Special Town Meeting One.

DISCUSSION:

The resolution as submitted is a strong statement favoring the acquisition by the Town of Brookline of the Newbury College campus. It reflects the position that the almost eight (not ten, as stated in the resolution as it appears in the Warrant) acres of land has the potential to be used for any number of current municipal and educational purposes. In their presentation, proponents of Article 3 noted that such uses could include, but not be limited to, affordable housing, open space, recreation facilities, Town offices, and education facilities. Further, the campus has the potential for addressing future needs, thereby “future-proofing” the Town for generations to come. Such an occasion is rare and could even be considered a “once-in-a-lifetime” opportunity.

Advisory Committee members raised three major questions:

- 1) What happens if the Town's bid is successful?
- 2) How will the Town pay for the property?
- 3) Can the Town sell portions of the property if it is determined that they are not suitable for municipal or educational purposes?

What happens if the Town's bid is successful?

In response to the first question, Select Board Chair Neil Wishinsky stated that the most immediate step would be for Town Meeting to affirm the bid and authorize the purchase of the property. Determining its future use would require a process that would likely take a considerable amount of time and involve community input and professional expertise. Regardless of whether the Town or a private buyer becomes the new owner of the campus, it is likely to take a number of years before the entire campus is redeveloped.

Members commented that some of the buildings looked to be in good condition, were currently being used for offices, and could possibly be used for offices in the future. Others queried whether any of the academic buildings could be used "as is" for school purposes. It was noted that although classes would be over in May, Newbury staff would be on campus through the end of August. Thus even if the Town acquired the property in the next few months, no work on any of the buildings could start before September at the earliest.

School Committee Chair David Pollak stated that the School Committee as a body had not addressed the question of whether the Public Schools of Brookline could make use of the property. In a March 15 email, however, Mr. Pollak and Superintendent Andrew Bott wrote that the School Committee was pleased "that the Newbury College Acquisition Advisory Committee is exploring whether property on the Newbury College site could, if acquired, serve as a town-wide BEEP [Brookline Early Education Program] center."

Mr. Pollack also stated that he had joined Superintendent Bott and BEEP principal Vicki Milstein on a tour of the campus, including the building on the west side of Fisher Avenue, adjacent to the parking lot for the park, and that they recognized its potential as a location for the offices of METCO, school facilities department, and BEEP, now in leased space on Webster Place, as well as the early childhood classrooms that are currently in leased space in Temple Ohabei Shalom and Temple Emeth. Although there might be sufficient space to locate a school building on the west side of Fisher Avenue, it was stated that the existing building(s) would not be part of any plans for such a school.

How will the Town pay for the property?

In response to the funding question, Mr. Wishinsky noted that a strategy for financing the purchase is still being developed. One possibility is a debt exclusion override, although

that approach would require adding a contingency in the Town's offer. A source of partial funding is the approximately \$750,000 that is paid annually for renting private space for School offices and for BEEP. Approximately \$10 million in debt could be serviced with these savings. The sale of existing Town property also has been mentioned as a possible funding source.

As to whether the Town could sell off portions of the property if necessary or desired, the answer is dependent on how the property is acquired.

The substitute motion (a revised resolution) presented to the Advisory Committee by its Capital and Planning and Regulation Subcommittees includes some major revisions to the resolution as it appears in the Warrant, including the addition of eminent domain as a possible means of acquisition and the identification of possible future municipal uses. The substitute motion also specifies the steps that have already been undertaken by the Select Board and will continue via the Newbury College Acquisition Advisory Committee. The Advisory Committee resolution adopts much of its language from an amendment offered by Town Meeting Member Mark Levy.

The Advisory Committee expressed its support for the substitute motion because it: 1) specifies the purchase of the entire campus; 2) identifies the due diligence and the efforts that have been made and will continue to be made to acquire the property; 3) notes the possibility of using the Town's eminent domain authority; and 4) allows for a wide range of future uses for the property.

RECOMMENDATION

By a vote of 27-0-0, the Advisory Committee recommends FAVORABLE ACTION on the following substitute motion under Article 3:

RESOLUTION CALLING FOR THE ACQUISITION OF THE NEWBURY COLLEGE CAMPUS BY THE TOWN OF BROOKLINE

WHEREAS, Newbury College, situated in the Town of Brookline, announced on December 14, 2018, that it was closing its doors and was looking into selling its approximate 7.8-acre campus; and

WHEREAS, the potential sale of the Newbury College campus provides a unique opportunity for the Town to acquire property that may be used to help meet a variety of current and future municipal and school needs, including open space, affordable housing and educational facilities, among other uses; and

WHEREAS, the Select Board has been pursuing the possible purchase of the Newbury College campus and has been assessing the cost and benefits of such acquisition;

NOW, THEREFORE, BE IT RESOLVED, that Brookline Town Meeting believes it to be in the best interest of the Town that the Town acquire the Newbury College campus; and

BE IT FURTHER RESOLVED, that Brookline Town Meeting calls on the Select Board to work as quickly as is prudent and practicable with other Town boards and departments to:

1. Continue to pursue the purchase of the Newbury College campus, including consideration of the use of eminent domain authority; and
2. Consider appropriate financing strategies to effect the acquisition.

XXX

SELECT BOARD

Neil A. Wishinsky, Chair
Benjamin J. Franco
Nancy S. Heller
Bernard W. Greene
Heather Hamilton

ADVISORY COMMITTEE

Sean Lynn-Jones, Chairman