1. Agenda
   1.I. 7:30 PM  Town Council
       Documents:

       19 JAN 22 AGENDA.PDF

2. Documents
   2.I. 7:30 PM  Town Council
       Documents:

       19 JAN 22 COUNCIL MTG.PDF
Office of the Town Council

– Agenda –

Tuesday, January 22, 2019 • Horace T. Cahill Auditorium, Town Hall • Starting Time: 7:30 PM

Pledge of Allegiance/Moment of Silence

Announcements

Approval of Minutes
• January 8, 2019

Old Business
• 18 048 Council President: Reclassification Town Clerk and Clerk of the Council or take up any action relative thereto
• 18 062 REZONE: Braintree Property Associates LP or take up any action relative thereto (Public Hearing)
• 18 063 Mayor: Request to Approve the Fiscal Year 2019 Capital Plan or take up any action relative thereto (Public Hearing)

New Business
• None

Topics the Chair does not reasonably anticipate will be discussed

Upcoming Meetings:
Next Council Meeting will be held on: Tuesday, February 5, 2019@ 7:30pm

Adjournment
PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

ANNOUNCEMENTS

APPROVAL OF MINUTES
• January 8, 2019

OLD BUSINESS
• 18 048 Council President: Reclassification Town Clerk and Clerk of the Council or take up any action relative thereto
• 18 062 REZONE: Braintree Property Associates LP or take up any action relative thereto (Public Hearing)
• 18 063 Mayor: Request to Approve the Fiscal Year 2019 Capital Plan or take up any action relative thereto (Public Hearing)

NEW BUSINESS
• None

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:
Next Council Meeting will be held on: TUESDAY, February 5, 2019@ 7:30pm

ADJOURNMENT
A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Tuesday, January 5, 2019 beginning at 7:30p.m.

Council President Ryan was in the chair.

Clerk of the Council, Susan Cimino conducted the roll call.

**Present:**
- Charles B. Ryan, President
- Charles C. Kokoros, Vice President
- Timothy P. Carey
- Thomas M. Bowes
- Shannon L. Hume
- Stephen C. O’Brien
- Sean E. Powers
- David M. Ringius, Jr.
- Thomas W. Whalen

**Also Present:**
- William Bottiggi, General Manager BELD
- Thomas J. Reynolds, BELD Commissioner

### APPROVAL OF MINUTES

- Minutes of December 4, 2018
  
  **Motion:** by Councilor Kokoros to Approve Minutes of December 4, 2018  
  **Second:** by Councilor Powers  
  **Vote:** For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringius, Ryan, Whalen), Against (0), Absent (0), Abstain (0)

### COMMUNICATIONS

- 001 19 Bill Bottiggi: BELD Update or take up any action relative thereto
  
  Bill Bottiggi, BELD General Manager attended the Town Council meeting to give an update on BELD. The discussion included Broadband statistics and the future of streaming video. Bill stated the replacement of Station 4 115KV to 13.8 KV transformer replacement was completed in November 2018. This was 35 years old and it was breaking down so they replaced it. The installation of 2 MW / 4 MWHR energy storage unit was completed in June 2018. Mr. Bottiggi explained the Electric Vehicle Program including rates and
rebates. Renewable Energy was discussed which included Hydro, Solar, Wind and Nuclear. Bill discussed a floating solar photovoltaic plant which is a renewable energy source that could be placed on water locations that are not used for recreation. Mr. Bottiggi discussed the 2019 Budget including expenses, generation and electric delivery costs. Mr. Bottiggi explained the future of Potter II. It is 40 years old. If Potter II is requested to go online by ISO New England to help with power we can be fined because it does not start up right away. Replacing Potter II is still a discussion.

OLD BUSINESS

• 18 048 Council President: Reclassification Town Clerk and Clerk of the Council or take up any action relative thereto

Motion by Councilor Kokoros to TABLE Order 18 048 to January 22, 2019

Motion: by Councilor Kokoros
Second: by Councilor Powers
Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringius, Ryan, Whalen), Against (0), Absent (0), Abstain (0)

NEW BUSINESS

• None

Refer to the Committee on Ordinance & Rules

• 19 001 Town Clerk: Request to Amend General Ordinance Chapter 5.580 Taxicabs or take up any action relative thereto

Motion: by Councilor Kokoros to refer 19 001 to the Committee on Ordinance & Rules
Second: by Councilor Powers
Vote: For (9 – Bowes, Carey, Hume, Kokoros, O’Brien, Powers, Ringius, Ryan, Whalen), Against (0), Absent (0), Abstain (0)

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 8:48 p.m.

Respectfully submitted,

Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

• Minutes December 4, 2018
• 18 048 Council President: Reclassification Town Clerk and Clerk of the Council
• 19 001 Town Clerk: Request to Amend General Ordinance Chapter 5.580 Taxicabs
We have been asked to review and comment on the salary grade reclassifications for the Town Clerk’s Office and Town Council’s Office. It is important to note that these opinions are based on the title of the positions being reviewed and not the individual currently in each position.

During the second half of fiscal year 2018 the Licensing Coordinator was out of work for a few months, who then retired shortly after returning to work for a brief period. The Licensing Coordinator split her time between licensing and law. This split was anywhere from a 50/50 split to a 70/30 favoring licensing. This position was a 35 hour per week job, a grade M-8E and earned approximately $68,000, not including benefits.

During the time the Licensing Coordinator was out and upon her retirement the Town Clerk’s Office assumed her responsibilities, which included reviewing license applications, processing license applications, collecting licensing fees and maintaining the licensing records. It was estimated that these responsibilities added an additional 25 hours on average per week to the Town Clerk’s Office as a whole, including the Clerk of the Council. It was determined that these offices had the capacity to take on these additional responsibilities.

**Union positions:**

It is our understanding that the three union positions have already been negotiated by the Human Resources Director and approved by the unions. These positions, two Town Clerk staff members and the Assistant Town Clerk/Licensing Coordinator will be performing the vast majority of the licensing work and will receive anywhere from approximately a 8.5% to a 9.6% increase in pay during the time period of 7/1/18 through 1/1/19 when compared to their current salary level, amounting to approximately a $14,000 budgetary increase. Please see the table on page 3 detailing proposed salary grade reclassifications by the Town Clerk’s Office.

**Clerk of the Council:**

The Town Clerk is recommending that the Clerk of the Council move from a M8-E to a M12-C/D. We feel the added responsibilities to the Clerk of the Council related to licensing warrants a grade reclassification for the Clerk of the Council to a M10-D/E.

**Town Clerk:**

The Town Clerk, as the department head of the office, has taken on the additional responsibilities of overseeing the previous Licensing Coordinator’s responsibilities that are ultimately being done by his staff. In addition, the Town Clerk also now serves as the Chief Records Access Officer for the Town. These additional responsibilities and tasks we believe warrants a grade reclassification, but not to the extent of the requested M-23 level.

We believe a fair and reasonable grade level of a M-21 would be more in line to other Town department heads and more than fair in comparison to other Towns/Cities who responded to a benchmark survey obtained by the Human Resources Director for the same job title. This increase has a value of
approximately 5% or approximately $5K, during the time period of 7/1/18 through 1/1/19 when compared to the Town Clerk’s current salary level. Please see the table on page 4 detailing the average maximum salary of other like communities in terms of population in Massachusetts for the Town Clerk position.

**Recommendation:**

We believe the revised proposed grades as shown on the table on page 3 are fair and reasonable based on the additional work and responsibilities of the Licensing assumed by the Town Clerk’s Office and the Clerk of the Council.
## Town of Braintree
### Salary Grade Reclassifications

**Proposed**

<table>
<thead>
<tr>
<th>Office</th>
<th>Staff Member First</th>
<th>Staff Member Last</th>
<th>Union Position?</th>
<th>Grade Current</th>
<th>Grade Proposed (1)</th>
<th>Current Salary to 1/1/19</th>
<th>Proposed Salary Level Effective 7/1/18</th>
<th>Proposed Salary Level Effective 10/1/18</th>
<th>Proposed Salary Level Effective 1/1/19</th>
<th>Current Level to 1/1/19</th>
<th>Current Level to 1/1/19</th>
<th>% Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerk's</td>
<td>Eric Cocca</td>
<td>Yes</td>
<td>S7-D</td>
<td>S14-C/D</td>
<td>43,316</td>
<td>48,976</td>
<td>50,523</td>
<td>50,523</td>
<td>7,207</td>
<td>16.6%</td>
<td>16.6%</td>
<td></td>
</tr>
<tr>
<td>Clerk's</td>
<td>Jane D'Auria</td>
<td>Yes</td>
<td>S7-E</td>
<td>S14-C/D</td>
<td>44,590</td>
<td>48,976</td>
<td>50,523</td>
<td>50,523</td>
<td>5,933</td>
<td>13.3%</td>
<td>13.3%</td>
<td></td>
</tr>
<tr>
<td>Clerk's</td>
<td>Deb Starr</td>
<td>Yes</td>
<td>M8-E</td>
<td>M13-C/D</td>
<td>67,508</td>
<td>76,122</td>
<td>80,985</td>
<td>80,985</td>
<td>13,477</td>
<td>20.0%</td>
<td>20.0%</td>
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</tr>
<tr>
<td>Clerk's</td>
<td>Jim Casey</td>
<td>No</td>
<td>M18-E</td>
<td>M23-C/D</td>
<td>97,825</td>
<td>106,963</td>
<td>111,072</td>
<td>111,072</td>
<td>13,247</td>
<td>13.5%</td>
<td>13.5%</td>
<td></td>
</tr>
<tr>
<td>Council's</td>
<td>Sue Cimino</td>
<td>No</td>
<td>M8-E</td>
<td>M13-C/D</td>
<td>67,508</td>
<td>73,268</td>
<td>76,145</td>
<td>76,145</td>
<td>8,637</td>
<td>12.8%</td>
<td>12.8%</td>
<td></td>
</tr>
</tbody>
</table>

**Totals:** 320,747 354,305 365,139 369,248 48,501 15.1%

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**REVISED PROPOSAL**

<table>
<thead>
<tr>
<th>Office</th>
<th>Staff Member First</th>
<th>Staff Member Last</th>
<th>Union Position?</th>
<th>Grade Current</th>
<th>Grade Proposed (1)</th>
<th>Current Salary to 1/1/19</th>
<th>Proposed Salary Level Effective 7/1/18</th>
<th>Proposed Salary Level Effective 10/1/18</th>
<th>Proposed Salary Level Effective 1/1/19</th>
<th>Current Level to 1/1/19</th>
<th>Current Level to 1/1/1/19</th>
<th>% Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerk's</td>
<td>Eric Cocca</td>
<td>Yes</td>
<td>S7-D</td>
<td>S12-B/C</td>
<td>43,316</td>
<td>46,082</td>
<td>47,429</td>
<td>47,429</td>
<td>4,113</td>
<td>9.5%</td>
<td>9.5%</td>
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</tr>
<tr>
<td>Clerk's</td>
<td>Jane D'Auria</td>
<td>Yes</td>
<td>S7-E</td>
<td>S12-C/D</td>
<td>44,590</td>
<td>47,429</td>
<td>48,885</td>
<td>48,885</td>
<td>4,295</td>
<td>9.6%</td>
<td>9.6%</td>
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</tr>
<tr>
<td>Clerk's</td>
<td>Deb Starr</td>
<td>Yes</td>
<td>M8-E</td>
<td>M12-C/D</td>
<td>67,508</td>
<td>70,785</td>
<td>73,246</td>
<td>73,246</td>
<td>5,738</td>
<td>8.5%</td>
<td>8.5%</td>
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</tr>
<tr>
<td>Clerk's</td>
<td>Jim Casey</td>
<td>No</td>
<td>M18-E</td>
<td>M21-C/D</td>
<td>97,825</td>
<td>99,157</td>
<td>102,856</td>
<td>102,856</td>
<td>5,031</td>
<td>5.1%</td>
<td>5.1%</td>
<td></td>
</tr>
<tr>
<td>Council's</td>
<td>Sue Cimino</td>
<td>No</td>
<td>M8-E</td>
<td>M10-D/E</td>
<td>67,508</td>
<td>68,342</td>
<td>72,566</td>
<td>72,566</td>
<td>5,058</td>
<td>7.5%</td>
<td>7.5%</td>
<td></td>
</tr>
</tbody>
</table>

**Totals:** 320,747 331,796 337,060 344,982 24,235 7.6%

* Union grade reclassification negotiated by Human Resources Director and approved by the unions.

1. The second step shown on an individual's proposed grade level would increase on 10/1 (3 months) for Eric Cocca, Jane D'Auria and Deb Starr; however Jim Casey and Sue Cimino's increase would occur on 1/1 (6 months).

2. Current annual salary level, regardless of when this level was reached during the fiscal year (i.e., entire FY19 or portion of FY19).
Town Clerk Salaries for Towns/Cities with populations 25K - 45K

<table>
<thead>
<tr>
<th>city_or_town</th>
<th>survey</th>
<th>FY</th>
<th>job_title</th>
<th>local_title</th>
<th>hours_per_week</th>
<th>maximum_salary</th>
<th>updated_at</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belmont</td>
<td>FY19 Benchmark Salary Survey</td>
<td>2019</td>
<td>City / Town Clerk</td>
<td>CITY/TOWN CLERK</td>
<td>40</td>
<td>99,053.00</td>
<td>8/6/2018</td>
</tr>
<tr>
<td>Norwood</td>
<td>FY19 Benchmark Salary Survey</td>
<td>2019</td>
<td>City / Town Clerk</td>
<td></td>
<td>40</td>
<td>98,297.00</td>
<td>7/5/2018</td>
</tr>
<tr>
<td>Braintree</td>
<td>FY19 Benchmark Salary Survey</td>
<td>2019</td>
<td>City / Town Clerk</td>
<td>Town Clerk</td>
<td>35</td>
<td>97,825.00</td>
<td>8/14/2018</td>
</tr>
<tr>
<td>Arlington</td>
<td>FY19 Benchmark Salary Survey</td>
<td>2019</td>
<td>City / Town Clerk</td>
<td>TOWN CLERK</td>
<td>35</td>
<td>94,662.00</td>
<td>8/14/2018</td>
</tr>
<tr>
<td>Falmouth</td>
<td>FY19 Benchmark Salary Survey</td>
<td>2019</td>
<td>City / Town Clerk</td>
<td>TOWN CLERK</td>
<td>40</td>
<td>92,227.00</td>
<td>10/12/2018</td>
</tr>
<tr>
<td>Westfield</td>
<td>FY19 Benchmark Salary Survey</td>
<td>2019</td>
<td>City / Town Clerk</td>
<td>City Clerk</td>
<td>35</td>
<td>88,541.00</td>
<td>8/6/2018</td>
</tr>
<tr>
<td>Amherst</td>
<td>FY19 Benchmark Salary Survey</td>
<td>2019</td>
<td>City / Town Clerk</td>
<td>CITY/TOWN CLERK</td>
<td>37</td>
<td>86,212.00</td>
<td>8/6/2018</td>
</tr>
<tr>
<td>West Springfield</td>
<td>FY19 Benchmark Salary Survey</td>
<td>2019</td>
<td>City / Town Clerk</td>
<td>CITY/TOWN CLERK</td>
<td>37</td>
<td>83,239.00</td>
<td>9/18/2018</td>
</tr>
<tr>
<td>Beverly</td>
<td>FY19 Benchmark Salary Survey</td>
<td>2019</td>
<td>City / Town Clerk</td>
<td>CITY CLERK</td>
<td>35</td>
<td>80,554.00</td>
<td>9/21/2018</td>
</tr>
</tbody>
</table>

91,178.89 Average
ADMINISTRATIVE CLERKS – TOWN CLERK’S OFFICE

NATURE OF WORK:
Clerical and administrative support in assisting the department head to discharge the duties of the office, and in managing the daily clerical functions of the Town Clerk’s Department, and Municipal Licensing Board; all other related work as required. Errors made could result in delay and confusion, have legal and/or financial repercussions and cause adverse public relations.

SUPERVISION:
Supervision Scope: Exercises judgment and initiative in the administration and execution of the department’s services, in the application of laws, regulations and procedures. Performs a variety of responsible functions in accordance with Federal and State election laws, Massachusetts General Laws, local bylaws and ordinances and Alcoholic Beverages Control Commission and the Department of Revenue regulations.

Supervision Received: Works under the direction of the Assistant Town Clerk/Licensing Coordinator and in accordance with all applicable Federal, State and Town laws and regulations. Incumbent functions independently referring specific problems to supervisor where clarification or interpretation of policy or procedure is required.

JOB ENVIRONMENT:
Work is performed under typical office conditions with some physical effort. Work environment is busy; with frequent interruptions. Work is subject to predicted seasonal fluctuations, which may require additional hours. Regularly operates computer, telephone, copier, facsimile machines and other standard office equipment in addition to election equipment, including automatic voting machines, ballot boxes, poll pads and a variety of software applications.
ESSENTIAL FUNCTIONS:
(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Duties are not necessarily in order of importance or frequency of performance.)

- Performs varied and responsible duties requiring a thorough knowledge of departmental operations and the exercise of considerable judgment and initiative in responding to inquiries, particularly in situations not clearly defined by precedent or established procedures.

- Maintains records, prepares reports and provides information for state and federal agencies as well as candidates and the general public as requested; compiles and writes various statistical reports.

- Provides assistance to voters and candidates regarding election matters; assists in election activities, including the processing of absentee and early voting ballots as well as the coordination of voter registration.

- Prepares voting lists, updates the jury lists, assist in sorting census materials, in preparation for the updating of census records in the computer, certifies, i.e. verifies signatures of registered voters on petition forms and nomination papers.

- Oversees the complete procedure for the licensing and renewal process for all licenses under the jurisdiction of the Mayor (all liquor licenses; Class I, II, III motor vehicle licenses; flammable storage; open storage; common victualler; entertainment licenses; amusement licenses; fortune teller; transient vendor; jewelers; auctioneers and special events). Responsible for insure compliance with the licensing guidelines, following up with the applicants to obtain necessary submissions, requesting comments from applicable town departments, and assists filing paperwork with proper state agency, when required, as well as preparing annual reports to the Alcoholic Beverages Control Commission and the Department of Revenue.
• **Serves as the Freedom of Information Records Reviewers for the Town Clerk’s Office, and Licensing Board.**

• Screens incoming mail, inquiries and visitors; responds appropriately to matters not requiring personal attention of the department heads; assists individuals in person or on the telephone; provides information relative to departmental procedures; assists the public and the department in filling out forms and applications; issues permits, licenses and other documents; collects fees and/or fines, maintaining associated records; types a variety of correspondence, memoranda, forms and reports; uses the computer for word and data processing and provides the traditional assistance of an administrative assistant.

• Enters data into several computer programs and applications including the State Voter Registration Information System (VRIS), Freedom of Information Application (FOIA), dog registrations and display kiosk applications.

• Issues a variety of licenses and permits e.g. certified copies of all vital records, (birth, marriage and death) as requested, along with marriage licenses, dog registrations and the various licenses issued by the Licensing Commission; and collecting related documentation and fees.

• Frequent interactions by phone, in person and correspondence via mail and email, requiring courtesy, tact and discretion with the general public, businesses, all town departments, municipal board and committee members, and state and local agencies; researches questions through official town records and General Laws, as necessary; provides information requested by town officials.

• Assists, and in absence of the Assistant Town Clerk, collects, records, and reconciles receipts and prepares turnovers to the treasurer on a weekly basis for Town Clerk related transactions, Licensing Board transactions and Cemetery Department deed and financial transactions.
In absence of the Assistant Town Clerk, Serves as Licensing Coordinator and performs administrative and clerical duties associated with Municipal Licensing Board hearings and meetings.

In absence of the Clerk of the Council provides backup duties as described in Chapter 189 of the Acts of 2005, also known as the “Braintree Charter” or “The Charter”; attends all Town Council meetings and other evening meetings to supervisors the recording of meeting minutes.

The employee has access to confidential information such as restricted vital statistics and criminal offender record information (CORI); requires application of appropriate judgment, discretion and professional office protocols.

Regular and predictable attendance.

KNOWLEDGE, SKILLS, AND ABILITY:

Knowledge: Must have a thorough knowledge of business English, spelling and arithmetic, as well as general knowledge of the laws and regulations affecting department operations. Knowledge and experience with various software computer packages. Performs varied and responsible duties requiring a thorough knowledge of departmental operations and the exercise of considerable judgment and initiative in responding to inquiries, particularly in situations not clearly defined by precedent or established procedures.

Skills: Good communication skills, both orally and in writing. Computer skills, beyond basic, applicable to current office programs.

Ability: Ability to maintain complex clerical records and to prepare reports from same. Ability to meet and deal with the general public appropriately and effectively and to maintain a courteous and patient attitude. Must be able to type 45-50 w.p.m.

REQUIRED QUALIFICATIONS:
High School graduation, supplemented by advanced training in administrative skills and techniques with three (3) years’ experience in administrative and typing, or any equivalent combination of education and experience. Typing, 45-50 wpm.
Assistant Town Clerk / Licensing Coordinator

Nature of Work:
Skilled record keeping and administrative work assisting the Town Clerk in conducting elections and maintaining official municipal records, including, but not limited to, voter registrations, Town Census, vital records, and licensing board records; serves as Licensing Board Coordinator performing administrative and clerical duties associated with Municipal Licensing Board hearings and meetings, and serves as department's Records Access Officer; responsible for processing monetary cash, check and online transactions; all other related work as required.

Supervision:
Supervision Scope: Exercises judgment and initiative in the planning, administration and execution of the department's services, in the application of laws, regulations and procedures. Performs a variety of responsible functions in accordance with Massachusetts General Laws, local bylaws and ordinances and federal laws and regulations.

Supervision Received: Works under the direction of the Town Clerk and in accordance with all applicable Federal, State and Town laws and regulations. Incumbent functions independently referring specific problems to supervisor where clarification or interpretation of policy or procedure is required.

Supervision Given: Supervises two full-time employee and provides guidance and direction to other employees within the department as well as election workers, volunteers and senior tax relief workers.

Job Environment:
Work is performed under typical office conditions with some physical effort. Work environment is busy; with frequent interruptions. Work is subject to predicted seasonal fluctuations, which may require additional hours. Regularly operates computer, telephone, copier, facsimile machines and other standard office equipment in addition to election equipment, including automatic voting machines, ballot boxes and poll pads.
ESSENTIAL FUNCTIONS:
(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Duties are not necessarily in order of importance or frequency of performance.)

- Assists the Town Clerk in the administration and operation of election activities; enters voter registration and certification data; issues, receives, and records absentee and early voting ballots; certifies signatures of registered voters on nomination papers of candidates for elective office, referendum and initiative petitions, etc.

- Serves as Licensing Coordinator and performs administrative and clerical duties associated with Municipal Licensing Board hearings and meetings.

- Serves as the Freedom of Information Records Access Officer (RAO) for the Town Clerk’s Office, and Licensing.

- In absence of the Clerk of the Council provides backup duties as described in Chapter 189 of the Acts of 2005, also known as the “Braintree Charter” or “The Charter”; attends all Town Council meetings and other evening meetings to supervises the recording of meeting minutes.

- The employee has access to confidential information such as restricted vital statistics and criminal offender record information (CORI); requires application of appropriate judgment, discretion and professional office protocols.

- Frequent interactions by phone, in person and correspondence via mail and email, requiring courtesy, tact and discretion with the general public, businesses, all town departments, municipal board and committee members, and state and local agencies; researches questions through official town records and General Laws, as necessary; provides information requested by town officials.

- Performs tasks related to the annual census; prepares material for List of Residents, Annual Town Report and Jury List.
• Records vital statistics, including births, marriages, and deaths; prepares monthly reports of vital statistics; forwards to state offices; issues certified copies of records and statistics in accordance with applicable laws.

• Records, certifies and files Zoning Board of Appeals and Planning Board decisions.

• Processes a variety of state and town licenses, certificates, and permits, including but not limited to, dog licenses, business certificates, raffle permits, burial permits and underground storage permits, in both paper and electronic format, and provides for adequate maintenance of associated records and the collection of fees; maintains appropriate town and state level contact information relating to such licenses and permits;

• Oversees the complete procedure for the licensing and renewal process for all licenses under the jurisdiction of the Mayor (all liquor licenses; Class I, II, III motor vehicle licenses; flammable storage; open storage; common victualler; entertainment licenses; amusement licenses; fortune teller; transient vendor; jewelers; auctioneers and special events). This individual is responsible for insuring compliance with the licensing guidelines, following up with the applicants to obtain necessary submissions, requesting comments from applicable town departments, and filing paperwork with proper state agency, when required, as well as preparing annual reports to the Alcoholic Beverages Control Commission and the Department of Revenue.

• Processes license applications and solicit input regarding same from respective Town departments.

• Assists in the preparation of departmental budget; assists in the preparation for presentation to Town Council.

• Collects, records, and reconciles receipts and prepares turnovers to the treasurer on a weekly basis for Town Clerk related transactions, Licensing Board transactions and Cemetery Department deed and financial transactions.

• Maintains personnel records; prepares payroll for Department staff.
• Maintains department files and public records, many of which are confidential.

• Performs other similar or related duties as required, or as situation dictates.

Special Requirements
• Massachusetts Notary Public appointment required within 90 days of appointment.

• Massachusetts Criminal Offender Record Information (CORI) approval within 90 days of appointment.

KNOWLEDGE, SKILLS, AND ABILITY:

Knowledge: Thorough knowledge of office practices and procedures; working knowledge of municipal operations and functions, election, licensing and related laws.

Skills: Excellent customer service skills. Supervisory skills. Skill in typing and computer applications.

Ability: Ability to maintain detailed and accurate records and prepare detailed reports across a spectrum of administrative functions to include election, vital records, licensing and financial transactions. Ability to work effectively under time constraints to meet deadlines. Ability to deal tactfully and appropriately with the general public, state agencies and town departments. Ability to organize statistical records and ability to operate various types of office equipment.

REQUIRED QUALIFICATIONS:

Bachelor degree preferred; three years of direct experience within the Town Clerk’s Department highly desirable; or five years of progressively responsible general office experience; experience in a municipal setting and dealing with the public strongly preferred; or an equivalent combination of education and experience.
TOWN COUNCIL

CLERK OF THE COUNCIL

NATURE OF WORK:

Primary support of the Legislative branch of government and liaison to the Executive branch of government and the general public and provides secondary support to the Office of the Town Clerk to include elections and licensing coordinator responsibilities. The Clerk of the Council shall give notice of meetings to its members and to the public, maintain a journal of its proceedings, correspond appropriately with the general public, handle sensitive and confidential information, responsible for financial matters within the Council Office including budgets, payroll, and expenses, develop and execute various Requests for Proposals (RFP), responsible for Information Technology including iPad applications, Council website and calendar, perform complex data analysis, develop public hearing notices, provide Notary Public services for Council Business and perform any other duties that may be provided by ordinance or by other vote of the Town Council. The Clerk of the Council shall provide administrative support to the members of the Town Council and Council Sub-committees at regularly scheduled meetings held outside of normal business hours and secretarial services to the members of the Town Council.
SUPERVISION:
Supervision Scope: Exercises judgment and initiative in the planning, administration and execution of the department's services, in the application of laws, regulations and procedures.

Supervision Received: As defined in the Braintree Town Charter, SECTION 2-8(c): Officers Appointed by Town Council - Clerk of the Council. Reports to the President of the Council (directly), and ALL Councilors (indirectly) although the majority of work is performed independently, is self-directed and requires personal initiative.

JOB ENVIRONMENT:
Work is performed under typical office conditions with some physical effort. Work environment is busy, with frequent interruptions. Work is subject to predicted seasonal fluctuations, which requires additional hours. Regularly operates computer, telephone, copier, facsimile machines and other standard office equipment in addition to election equipment, including automatic voting machines, ballot boxes, poll pads and a variety of software applications.

ESSENTIAL FUNCTIONS:
(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Duties are not necessarily in order of importance or frequency of performance. The Town Council as required may assign other duties.)

- Performs all duties of the Clerk of the Council as described in Chapter 189 of the Acts of 2005, also known as the "Braintree Charter" or "The Charter".

- Attends all Town Council meetings and other evening meetings as required. Supervises the recording of meeting minutes and prepares meeting agenda packages and other material as required. Notifies all applicable parties of actions taken at Town Council meetings.
• Required to exercise discretion, judgement and initiative in order to work within the written policies and procedures of the Braintree Charter and Town Council Rules.

• The Clerk will often be responsible for advising the Council President and other members of the Council with regard to their responsibilities to all Town Council matters.

• Maintains records of all Council votes, activities, resolutions, ordinances, changes and proposals. Maintains a record of all ordinances in a book properly indexed and shall number such ordinances consecutively in each year. Shall provide copies of the ordinances enacted during the year for inclusion into the Town’s annual report. Shall assist with the periodic review of the charter and ordinances.

• Shall perform the Clerk of the Council duties as specified in Section 7-7, “Citizen Initiative Measures” and Section 7-8, “Citizen Referendum Procedures” of the Braintree Charter.

• Coordinates the publishing of every proposed ordinance, appropriation order or loan authorization in a local newspaper and any additional manner as described in the Braintree Charter.

• Acts as Records Access Officer (RAO) for Town Council and ensures that all Council records are kept and made available to the general public in accordance with Massachusetts statutes.

• Update Council website to include posting of multiple Council/Committee Agenda, Meeting Documents, Minutes and administrative updates on a regular basis in order to be in compliance with M.G.L Chapter 66 Section 10.

• Provide IT support to members including iPad issues, software updates, evaluation of software, Council event calendar and preparation and delivery of meeting documents.
• In conjunction with Town Solicitor, prepare and execute RFP documentation for Town Auditor Contract and Outside Auditor Contract to include bidding specifications and execution of legal requirements.

• Provide analytical support to Council on various issues.

• Prepare vouchers for payment of bills and maintains accurate records of expenditures. **Utilizes Town’s financial software to process payroll and invoices.**

• Prepare Council budget. Represents Council at Budget Review meetings.

• Provide Notary Public services for Council Business.

• Acts as liaison to the general public for the Town Council. Coordinates with the Mayor’s Office and Council members for resolution on a wide range of residential/business issues.

• Answers phones and takes messages for Council members, opens, reviews, sorts and distributes mail and prepares outgoing mail, facsimiles, and parcels.

• Composes, types, copies, prints, files, posts, logs, and/or transmits conventional and electronic correspondence, reports, charts, forms, ordinances/resolutions, legal documents, statements, warrants, affidavits, lists, bids, notices, purchase orders, work orders, and/or related documentation; and maintains and updates related files.

• Creates and/or maintains spreadsheets, databases, filing systems, and resource library. Submits requests to departments as needed by Council members.

• **Assists the Town Clerk across all departmental functionalities as directed by the Town Council President and processes all Council Orders.**
  
  o Performs administrative and clerical duties in preparation of Municipal Licensing Board hearings and prepares legal notices required for public hearings **as needed.**
Assists in the administration and operation of election activities; enters voter registration and certification data; issues, receives, and records absentee and early voting ballots; certifies signatures of registered voters on nomination papers of candidates for elective office, referendum and initiative petitions, etc.

On Election Day acts as emergency fill-in for election warden, precinct clerk, inspector and tally clerk

- Regular and predictable attendance.
**KNOWLEDGE, SKILLS AND ABILITY:**

**Knowledge:** Thoroughly experienced in office practices and procedures. Working knowledge of IT practices and procedures. Familiarity with municipal government rules and regulations pertaining to the Council as dictated by the “Charter”. Knowledgeable in the “Roberts Rules of Order”.

**Skills:** Advanced computer application skills including Word, Excel and PowerPoint programs. Strong analytical skills. Excellent organizational and communication skills.

**Ability:** Ability to maintain confidentiality. Ability to multi-task and prioritize assignments. Ability to work independently. Ability to communicate effectively, both orally and in writing. Ability to research information on the internet. Ability to work as a team player and be a self-starter.

**REQUIRED QUALIFICATIONS:**

- Bachelor degree preferred; three years of experience working with a Town Council or Board of Selectmen highly desirable; or five years of progressively responsible general office experience; experience in a municipal setting and dealing with the public strongly preferred; or an equivalent combination of education and experience.

- Five (5) years of experience in general administrative, office management and secretarial work, paralegal and municipal experience strongly preferred.

- A thorough understanding of Microsoft Office products such as Word, Excel and PowerPoint required as well as an understanding of IT practices and procedures.

- Must be a Notary Public within 180 days of appointment.
Nature of Work:

Performs a variety of highly responsible functions across multiple departments; town clerk, licensing board and cemetery, in accordance with state statutes and town by-laws and ordinances. Serves as the town’s Chief Records Access Officer and acts as primary Information Source to town departments and general public regarding federal, state and local regulations.

Responsible for administrative and supervisory work in connection with recording, filing and custody of Town records and vital statistics; conducts elections; issues licenses and permits; Municipal Licensing Board, processing Cemetery Department deed recordings and financial transactions; and related work as required. Errors could result in lower standards of service and seriously affect individuals financially, should vital statistics be incorrectly recorded.

Supervision:

Supervision Scope: Exercises judgment and initiative in the planning, administration and execution of the department's services, in the application of laws, regulations and procedures. Performs a variety of highly responsible functions in accordance with Federal and State election laws, Massachusetts General Laws, local bylaws and ordinances and regulations of the Alcoholic Beverages Control Commission and the Department of Revenue.

Supervision Received: As defined in the Braintree Town Charter, SECTION 2-8(b): Officers Appointed by Town Council - Town Clerk.

Supervision Given: Exercises direct supervision over Assistant Town Clerk/License Coordinator, Administrative Clerks, Election Workers, volunteers and senior tax relief workers.

Job Environment:

Work is performed under typical office conditions with some physical effort. Work environment is busy; with frequent interruptions. Work is subject to predicted seasonal fluctuations, which may require additional hours. Regularly operates computer, telephone, copier, facsimile machines and other standard office equipment in addition to election equipment, including automatic voting machines, ballot boxes, poll pads and a variety of software applications.
ESSENTIAL FUNCTIONS:
(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Duties are not necessarily in order of importance or frequency of performance.)

- Manages multiple department functions, town clerk, licensing Board and cemetery deed recordings, under the Town Clerk Office responsibilities. Establishes methods and practices for the maintenance and safeguarding of town records in accordance with established statutes. Prepares and administers annual budgets for each of the sub-departments within the Town Clerk’s Office.

- Management of statutory town clerk functions including: maintenance of town records; coordination/administration of elections; issuance of permits and licenses; recording and reporting of vital statistics and other duties pertaining to the functions of the town clerk in accordance with Massachusetts General Laws.

- Serves as Chief Election Officer. Coordinate and administrate federal, state, and town elections. Manages the operation of election activities; hiring, training and supervision of election workers; direct oversite of details and procedures for elections to ensure that all statutory requirements are adhered to; records the results of election returns with state and local agencies; review and file all campaign and political finance statements; maintain voter database; maintain and test all equipment for voting. Oversees voter registration and certification data; issues, receives, and records absentee and early voting ballots.

- Serves as ex-officio member and Clerk of the Board of Registrars. Participates in the registration of voters; supervises revision of Register of Voters each year; certifies signatures of registered voters on nomination papers of candidates for elective office, referendum and initiative petitions, etc.; transmits lists of registered voters to the Secretary of State; sells registered voter list to approved vendors.

- Processes a variety of state and town licenses, certificates, and permits, including but not limited to, dog licenses, business certificates, raffle permits, burial permits and underground storage permits, in both paper and electronic format, and provides for adequate maintenance of associated records and the collection of fees; maintains appropriate town and state level contact information relating to such licenses and permits;
Serves as the custodian of official town records and responsible for the storage of and filing of all records of the town. Responsible for the town vault and the maintenance, disposition, and preservation of municipal archival records and materials.

Serves as a local Registrar of Vital Statistics. Records vital statistics, including births, marriages, and deaths; prepares monthly reports of vital statistics; forwards to state offices; issues certified copies of records and statistics in accordance with applicable laws. Assist with genealogical research for members of the public.

Serves as head of the licensing board and manages license board activities as per Section 5-7(c): DEPARTMENT OF MUNICIPAL LICENSES AND INSPECTIONS of the Braintree Charter.

Oversees the complete procedure for the licensing and renewal process for all licenses under the jurisdiction of the Mayor (all liquor licenses; Class I, II, III motor vehicle licenses; flammable storage; open storage; common victualler; entertainment licenses; amusement licenses; fortune teller; transient vendor; jewelers; auctioneers and special events). Responsible for insuring compliance with the licensing guidelines, following up with the applicants to obtain necessary submissions, requesting comments from applicable town departments, and filing paperwork with proper state agency, when required, as well as preparing annual reports to the Alcoholic Beverages Control Commission and the Department of Revenue.

Processes license applications and solicits input regarding same from respective Town departments.

Responsible for recording of cemetery deed recording of grave lot purchases and financial transactions, scheduling and recording of interments and monument installations.

Serves as Chief Records Access Officer for the town; responsible for establishing, implementing, drafting guidelines, training, and monitoring a tracking system for public records requests using a centralized tracking platform.

Administers oaths of office to all town officers.

Performs tasks related to the annual census; prepares material for List of Residents, Annual Town Report and Jury List. Supervises street listing, school census and state Census taking.
• Posts notices of open meetings filed by town boards and committees in compliance with the Open Meeting Law.

• Performs a variety of responsible functions, in accordance with state statutes, town bylaws, and office procedures, requiring the exercise of judgment and discretion in the interpretation and application of laws, regulations, and procedures.

• Responsible for the preparation and certification of Town Council Measures (any item that is put before the Town Council for vote).

• Provides administrative support to Town Council Office in absence of the Clerk of the Council

• Records and files Planning Board applications, maps, and decisions; and decisions of the Zoning Bylaw Board of Appeals.

• Answers questions from the general public, directly and by telephone, providing information and making referrals to other offices and agencies, as appropriate; researches questions through official town records and General Laws, as necessary; provides information requested by town officials.

• Prepares departmental budget for preparations for presentation to Town Council.

• Receives all non-criminal fines.

• Collects, records, and reconciles receipts and prepares turnovers to the treasurer on a weekly basis for Town Clerk related transactions, Licensing Board transactions and Cemetery Department deed, internment and monument transactions.

• Maintains personnel records; prepares payroll for department staff; reconciles daily and weekly cash receipts.

• Frequent contact with the general public, and other town departments and officials, including the Town Accountant, Town Solicitor and Mayor’s Office. Communication is by telephone, email, and in person.

• Performs other similar or related duties as required, or as situation dictates.
**SPECIAL REQUIREMENTS**

- Massachusetts Notary Public appointment required within 90 days of appointment.

- Massachusetts Criminal Offender Record Information (CORI) approval within 90 days of appointment.

**KNOWLEDGE, SKILLS, AND ABILITY:**

**Knowledge:** Thorough knowledge of record keeping systems, standard office procedures, Massachusetts General Laws governing elections, voter registration, vital statistics, and licenses and permits.

**Skills:** Supervisory skills required. Excellent organizational skills. Knowledge of state voter registration systems. Computer knowledge a necessity.

**Ability:** Ability to process, file and maintain public records. Ability to establish and maintain effective working relationships with Town Officials, Town departments, and the general public. Ability to express oneself clearly and concisely, orally and in writing. Ability to maintain confidentiality of privacy issues. Must be detail-oriented.

**REQUIRED QUALIFICATIONS:**

Bachelor’s Degree in business or public administration or liberal arts preferred; previous experience as an Assistant Town Clerk desirable or five (5) years of successful administrative experience in a responsible position. Ability to obtain commission as a Notary Public and obtain CORI approval. Valid driver’s license required. Working knowledge of State, Local and Federal statutes and regulations applicable to the duties and responsibilities of a Town Clerk’s office.
Form of Motion for Town Council approval of Braintree Property Associates (South Shore Plaza) Rezoning Request (Order #18-062):

MOTION:

That the Town Council vote, at the request of the property owner, Braintree Property Associates Limited Partnership, to amend the Zoning Map of the Town of Braintree, by rezoning from Residence B District to Highway Business District that portion of Assessors Parcel 2089-0-22 not already zoned as Highway Business District, including the private portion of Lakeside Drive, Silver Road and Bonnieview Road unzoned or not already zoned Highway Business District, and Assessors Parcels 2039-0-56 (off Silver Road), 2039-0-6 (131 Lakeside Drive), and 2039-0-7 (135 Lakeside Drive). The parcels to be rezoned are shown on a plan entitled, “Rezoning Plan Lakeside Drive, Braintree, Mass.,” prepared by Feldman Land Surveyors, dated October 15, 2018 and on file with the Town Clerk. The acreage to be rezoned totals 189,176 square feet or 4.343 acres. The rezoning request has been recommended favorably by the Planning Board, as detailed in its report to the Town Council dated ____________, 2019.
November 23, 2018

Charles B. Ryan, President
Braintree Town Council
c/o Office of the Town Council
Braintree Town Hall
1 JFK Memorial Drive
Braintree, MA 02184

Re: Petition to Rezone Land

Assessors
Reference: 135 Lakeside Drive, 2039 0 7; 131 Lakeside Drive, 2039 0 6; and
Silver Road, 2039 0 56

Portion of 250 Granite Street, 2089 0 22; private portion of Lakeside Drive—
being Lot 201 on Land Court Plan 10219-Q

Silver Road and Bonnieview Road

Petitioner: Braintree Property Associates Limited Partnership
c/o Richard C. Tonzi, Simon Property Group

Dear Mr. President:

Please find enclosed a petition to rezone land from Residence B to Highway Business District,
submitted in accordance with the procedure for rezoning applications promulgated by the Town
Council, as follows:

1. Completed Town of Braintree Application for Rezoning Worksheet with Letter of
   Authorization.

2. Three copies of each plan that further identify the land area to be rezoned, as follows:
   - Plan entitled, “Rezoning Plan Lakeside Drive, Braintree, Mass.” prepared by
     Feldman Land Surveyors, dated October 15, 2018; and
   - Plan entitled, “Overall Site Plan, South Shore Plaza, Braintree MA” prepared by
3. Legal Description for the property to be rezoned.

4. Three copies of a written narrative that identifies the proposed zoning classification change, addressing:
   a) Existing zone classification;
   b) Reason for the proposed zoning change; and
   c) Public benefits to the general area and community.

5. Certified List of Abutters within three hundred (300) feet of the “property proposed to be rezoned” in accordance with Article XV Zoning Amendments – Braintree Zoning Ordinance §135-1501 Amendments.
   - Copy of GIS Plan showing 300 feet from property to be rezoned.

6. Two sets of self-addressed envelopes to abutters, Planning Board’s of adjacent Communities, Massachusetts Department of Housing and Community Development (DHCD) and Metropolitan Area Planning Council.

7. The application is submitted by the property owner to be affected by the proposed change in zoning classification.

We hope that you will find the application to be complete and sufficiently detailed to process the Council Order in accordance with the General Laws and Town Zoning Amendment provisions.

Submitted this 23rd day of November, 2018.

Carl R. Johnson III, Attorney
for Braintree Property Associates Limited Partnership
**ORDER #: #18-062**

**Town of Braintree: Application for Rezoning – Worksheet**

### SECTION TO BE COMPLETED BY PETITIONER

<table>
<thead>
<tr>
<th><strong>Petitioner</strong></th>
<th><strong>Contact/Billing Information</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name:</strong> Braintree Property Associates Limited Partnership</td>
<td><strong>Name:</strong> Carl R. Johnson III, Esq.</td>
</tr>
<tr>
<td><strong>Address:</strong> 250 Granite Street, Braintree, MA 02184</td>
<td><strong>Address:</strong> 45 Braintree Hill Office Park, Ste. 200 Braintree, MA 02184</td>
</tr>
<tr>
<td><strong>Phone:</strong> 781-843-8201</td>
<td><strong>Phone:</strong> 781-848-0800</td>
</tr>
<tr>
<td><strong>Email:</strong> <a href="mailto:rtonzi@simon.com">rtonzi@simon.com</a></td>
<td><strong>Email:</strong> <a href="mailto:crjohnson@crj-law.com">crjohnson@crj-law.com</a></td>
</tr>
<tr>
<td><em>(Richard C. Tonzi, General Manager, South Shore Plaza, Simon Property Group)</em></td>
<td>If same as petitioner, write &quot;same&quot;</td>
</tr>
</tbody>
</table>

**Petition Submitted By:**

Richard C. Tonzi

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* M.G.L. Chapter 40A Section 5/Attorney General’s Handbook: Petitioner who can initiate submissions for adoption and or changes to the zoning bylaws include City/Town Council, board of Appeals, Planning board, Property Owner (not a tenant or lessee), 10 registered voters, Regional Planning Agency, Municipal Charter/Enabling Legislation.

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**Date Received**

---

**Date & Time Stamp**
BRAINTREE PROPERTY ASSOCIATES, LIMITED PARTNERSHIP

225 West Washington Street | Indianapolis, Indiana 46204

Charles B. Ryan, President
Braintree Town Council
c/o Office of the Town Council
Braintree Town Hall
1 JFK Memorial Drive
Braintree, MA 02184

Re:  Petition to Change Zoning Classification from Residential B to Highway Business District

Record Owner:  Braintree Property Associates Limited Partnership

Property Subject
to the Rezone:  135 Lakeside Drive, Assessor’s Parcel 2039 0 7
131 Lakeside Drive, Assessor’s Parcel 2039 0 6
Portion of 250 Granite Street, Assessor’s Parcel 2089 0 22
Private Portion of Lakeside Drive, Lot 201 on Land Court Plan 10219-Q
Fee in Silver Road and Bonnieview Road

LETTER OF AUTHORIZATION

The undersigned, Braintree Property Associates, Limited Partnership, by its General Partner, CPI-Braintree Corporation, with its principal office at 225 W. Washington Street, Indianapolis, Indiana 46204, hereinafter “Braintree Property Associates”; hereby authorizes Richard C. Tonzi of Simon Property Group, Inc. to sign the petition to change the zoning classification for the above-described property and to act as our authorized agent on behalf of Braintree Property Associates, the record property owner with respect to any and all applications, petitions or documents, without exception, in connection with the petition to rezone the above-described property.
BRAINTREE PROPERTY ASSOCIATES, LIMITED PARTNERSHIP

225 West Washington Street | Indianapolis, Indiana 46204

BRAINTREE PROPERTY ASSOCIATES, LIMITED PARTNERSHIP, a Massachusetts limited partnership

By: CPI-BRAINTREE CORPORATION, a Delaware corporation, its general partner

By: [Signature]
Name: Steven E. Fivel
Title: General Counsel & Secretary
AMENDED
WRITTEN NARRATIVE
Council Order #18-062

Introduction

This petition is submitted by Braintree Property Associates Limited Partnership ("BPA") the owner of the South Shore Plaza ("Plaza") located at 250 Granite Street being Braintree Assessor’s Parcel 2089-0-22 and contains 111.654 acres of land. BPA also owns the un-zoned private portion of Lakeside Drive, Silver Road and Bonnieview Road, and residentially zoned Assessor’s Parcels 2039-0-56 (off Silver Road), 2039-0-6 (131 Lakeside Drive) and 2039-0-7 (135 Lakeside Drive) containing a total of 1.78 acres. The total land area owned by BPA is 113.425 acres. The land area subject to the requested change in zoning classification from un-zoned and Residence B to Highway Business District amounts to 4.348 acres or roughly 3.8% of the total land area owned.

The property subject to the rezone petition is shown on the following plans and map to clarify the land area subject to the rezone as follows:

- Plan entitled, “Rezoning Plan Lakeside Drive, Braintree, Mass.”, dated October 15, 2018, prepared by Feldman Land Surveyors ("Rezoning Plan") (Exhibit Plan 1);
- Plan entitled, “Overall Site Plan, South Shore Plaza, Braintree, MA “ dated November 14, 2018, prepared by RJ O’Connell & Associates, Inc. (“OS-1 Plan”) (Exhibit Plan 2); and
- Copy of Land Court Plan 10219Q, Sheet 3, Noted on Certificate of Title No. 64123, in Land Court Registration Book 321, Page 123 (“LCP 10219Q”) (Exhibit Plan 3).

Plans and maps are collectively referred to as “Exhibit Plans”.

I. EXISTING ZONING CLASSIFICATION

Existing Zoning Classification of the 4.343 acres consists of 1.24 acres of un-zoned private roadway layouts (Silver Road, Bonnieview Road and the private portion of Lakeside Drive) and 3.103 acres of Residence B zoned land (131 and 135 Lakeside Drive plus vacant wooded lots).

The vacant wooded lots comprise 2.563 acres of land although zoned Residence B was commonly owned prior to the 1993 text amendment to Bylaw Section 135-701 Dimensional and Density Requirements, Note (9), and has been used for lot coverage, building coverage and open space calculations as part of the 111.645 acres that comprise the Plaza. As a result, the Plaza has paid real estate taxes on the 2.563 acres as HBD property at the commercial tax rate; the 2.563 acres comprises 60% of the land area petitioned to be rezoned.

II. WHY IS THE REZONE SOUGHT

1. Provide uniformity of zoning for the entire 113.425 acres owned by the petitioner consistent with the Highway Business District zoning for the property at 250 Granite Street used as a Regional Shopping Mall, and to enable the entire property owned by the petitioner to be utilized for dimensional and density calculations.

2. The majority (60%) of the land area subject to the requested reclassification is already taxed and utilized as Highway Business District land as part of the Plaza.

3. The adjoining land area is used for Highway Business. Residential zoning is no longer a suitable or desirable use of the property. The residential zoned land is not adjacent to any other residential zoned land and the South Shore Plaza should be uniformly zoned.

4. The rezone will allow for conformity with established use of the site as provided in the Zoning Ordinance Table of Uses.

III. PUBLIC BENEFITS TO THE GENERAL AREA AND THE COMMUNITY

1. Principal public benefit is increased taxable land area at the commercial tax rate. The 1.78 acres of land not already taxed at the commercial rate (un-zoned roadway layouts and remaining Residence B property) will increase tax dollars paid by roughly $30,000.00 annually.

2. The area subject to the rezone is a small piece of the 113.425 acres owned by BPA; the rezone, however, will permit future development opportunities on the entire property
that is suitable, complementary and vital to the economic future and social vitality of the South Shore Plaza with direct economic and social benefits to the Town of Braintree and South Shore region.
AMENDED

Zoning Boundary Description

A certain parcel of land situated in the Town of Braintree, Norfolk County, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point at the southwesterly corner of the parcel, said point being the end of Lakeside Drive at the southerly sideline;

Thence running N 46°11'42" E a distance of 40.00 feet to a point;

Thence turning and running N 48°19'44" E a distance of 123.86 feet to a point;

Thence turning and running S 37°37'48" E a distance of 126.21 feet to a point;

Thence turning and running N 86°02'12" E a distance of 39.85 feet to a point;

Thence turning and running N 03°57'48" W a distance of 120.29 feet to a point

Thence turning and running S 86°02'12" W a distance of 120.00 feet to a point;

Thence turning and running N 03°57'48" W a distance of 40.00 feet to a point

Thence turning and running N 86°02'12" E a distance of 280.00 feet to a point;

Thence turning and running S 03°57'48" E a distance of 20.00 feet to a point;

Thence turning and running N 86°02'12" E a distance of 140.00 feet to a point;

Thence turning and running S 03°57'48" E a distance of 10.00 feet to a point;

Thence turning and running N 86°02'12" E a distance of 140.00 feet to a point;

Thence turning and running S 03°57'48" E a distance of 275.00 feet to a point at the southerly sideline of Lakeside Drive, the previous thirteen courses by land now or formerly of Braintree Property Associates LP;

Thence turning and running S 73°02'12" W a distance of 285.58 feet to a point;

Thence turning and running S 84°19'12" W a distance of 105.10 feet to a point;

Thence turning and running N 78°06'18" W a distance of 103.20 feet to a point;

Thence turning and running N 53°41'48" W a distance of 176.25 feet to a point;
Thence turning and running N 43°48'18" W a distance of 95.91 feet to the point of beginning, the previous five courses by the southerly sideline of Lakeside Drive a 40-foot-wide private way.

The above described land encompasses the entirety of Silver Road and Bonnieview Road, both 40-foot-wide private ways, and contains an area of 189,176 Square Feet, 4.343 Acres more or less.
DATE: October 31, 2018
OWNER: Braintree Property Associates
ADDRESS: 131 Lakeside Drive, 135 Lakeside Drive, off Silver Road and a portion of 250 Granite Street
MAP & LOT: 2039 0 6, 2039 0 7, 2039 0 56 and 2089 0 22

This is to certify that at the time of submission of this form to the Board of Assessors, the names and addresses of the parties assessed as adjoining owners to the parcel of land shown and described are as written and are the parties according to the records of the Assessors.

Office of the Board of Assessors

Robert M Cusack
Chairman
SSP 131 LAKESIDE, LLC, a Delaware limited liability company, registered to do business in the Commonwealth of Massachusetts, with its principal offices at 225 West Washington Street, Indianapolis, Indiana 46204 (Grantor) in consideration of One Hundred and 00/100 Dollars ($100.00) grants to BRAINTREE PROPERTY ASSOCIATES, LIMITED PARTNERSHIP, a Massachusetts limited partnership, with its principal offices at 225 West Washington Street, Indianapolis, Indiana 46204 (Grantee),

with Quitclaim Covenants

Those two parcels of land situated in Braintree, County of Norfolk in the Commonwealth of Massachusetts, described as follows:

**Parcel 1:** (Silver Road)

Lot 55 on Land Court Plan No. 10219B filed with Certificate No. 9703, Sheet 1, Book 49.

The above described land is subject to easements referred to in Certificate No. 10301 so far as now in force and applicable.

The above described land is subject also to the restrictions set forth in Document No. 51687, expiring on October 17, 1983.


**Premises Address:** Silver Road, Braintree, Massachusetts

**Parcel 2:** (131 Lakeside Drive)

Lots 4 and 5 on Land Court Plan No. 10219B filed with Certificate No. 9703, Sheet 1, Book 49.

The above described land is subject to the easement referred to in Certificate No. 10301, so far as now in force and applicable.

For title see Document No. 1,374,824 filed with Certificate No. 195317.

**Premises Address:** 131 Lakeside Drive, Braintree, Massachusetts
IN WITNESS WHEREOF, the Grantor has caused these presents to be duly signed and executed this 20th day of November, 2018.

GRANTOR

SSP 131 LAKESIDE, LLC, a Delaware limited liability company

By: ________________________________
Name: Steven E. Fivel
Its: General Counsel & Secretary

STATE OF INDIANA
COUNTY OF MARION

Before me, a Notary Public in and for said County and State, appeared Steven E. Fivel, to me personally known as the General Counsel of SSP 131 LAKESIDE, LLC, a Delaware limited liability company, who acknowledged his execution of the foregoing instrument, and acknowledged to me that (he)/(she) signed it voluntarily for its stated purpose.

IN WITNESS my hand and Notarial seal this 20th day of November, 2018.

Notary Public

Tabitha S. Calhoun
Commission Expires: 5/30/2025
Massachusetts Quitclaim Deed

SSP 135 LAKESIDE, LLC, a Delaware limited liability company, registered to do business in the Commonwealth of Massachusetts, with its principal offices at 225 West Washington Street, Indianapolis, Indiana 46204 (Grantor) in consideration of One Hundred and 00/100 Dollars ($100.00) grants to BRAINTREE PROPERTY ASSOCIATES, LIMITED PARTNERSHIP, a Massachusetts limited partnership, with its principal offices at 225 West Washington Street, Indianapolis, Indiana 46204 (Grantee),

with Quitclaim Covenants

A certain parcel of land with buildings thereon, situated in Braintree, Norfolk County, Massachusetts, known as and numbered 135 Lakeside Drive, described as follows:

Lots 6 and 7 on Land Court Plan 10219B filed with Certificate No. 9703, Sheet 1, Book 49.

The above described land is subject to easements as set forth in a deed given by Thomas Forsyth to Michael Meade, dated May 31, 1873, duly recorded in Book 441, Page 149, so far as now in force and applicable.

For title see Document No. 1,369,376 filed with Certificate No. 194798

Premises Address: 135 Lakeside Drive, Braintree, Massachusetts
IN WITNESS WHEREOF, the Grantor has caused these presents to be duly signed and executed this 20th day of November, 2018.

GRANTOR

SSP 135 LAKESIDE, LLC, a Delaware limited liability company

By: 

Name: Steven E. Fivel

It's: General Counsel & Secretary

STATE OF INDIANA    }  
COUNTY OF MARION    } SS:

Before me, a Notary Public in and for said County and State, appeared Steven E. Fivel, to me personally known as the General Counsel of SSP 135 LAKESIDE, LLC, a Delaware limited liability company, who acknowledged his execution of the foregoing instrument, and acknowledged to me that (he)/(she) signed it voluntarily for its stated purpose.

IN WITNESS my hand and Notarial seal this 20th day of November, 2018.

Notary Public

Tabitha S. Calvain
Commission Expires: 5/30/2025