1. Agenda
   1.I. 7:30 PM Town Council
       Documents:
       19 APR 23 AGENDA.PDF

2. Documents
   2.I. 7:30 PM Town Council
       Documents:
       19 APRIL 23 COUNCIL MTG.PDF
NG
– AGENDA –

Tuesday, APRIL 23, 2019 • Horace T. Cahill Auditorium, Town Hall • Starting Time: 7:30PM

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

ANNOUNCEMENTS
• 009 19 Recognition: 4th Grade Girls Travel Basketball Team
• 010 19 Recognition: BHS Girls Basketball Team

APPROVAL OF MINUTES
• March 19, 2019

COMMUNICATIONS
• 018 19 Powers & Sullivan – FY2018 Year End Reports

OLD BUSINESS
• 19 009 Resident Petition: 79 Hayward Street or take up any action relative thereto
• 19 010 Resident Petition: 17 Jersey Avenue or take up any action relative thereto
• 19 013 Comcast Petition: 120 Ivory Street or take up any action relative thereto

NEW BUSINESS
• None

RESOLUTIONS
• 019 19 Proposed Resolution – In Support of Striking Stop & Shop Workers

Topics the Chair does not reasonably anticipate will be discussed

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

ADJOURNMENT
Tuesday, APRIL 23, 2019 • Horace T. Cahill Auditorium, Town Hall • Starting Time: 7:30PM

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NEW BUSINESS
• None

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• 019 19 Proposed Resolution – In Support of Striking Stop & Shop Workers

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

ADJOURNMENT
A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Tuesday, March 19, 2019 beginning at 7:30 p.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
          Thomas M. Bowes
          Timothy P. Carey
          Shannon L. Hume
          Stephen C. O’Brien
          Sean E. Powers
          David M. Ringius, Jr.
          Thomas W. Whalen

Also Present: Joseph Reynolds, Chief of Staff
              Ed Spellman, Finance Director
              James Arsenault, DPW Director
              Dr. Frank Hackett, Superintendent of Schools
              John Goldrosen, Town Solicitor
              Christine Stickney, Director Planning and Community Development
              Marybeth McGrath, Director Municipal Licenses & Inspections
              Daryn Brown, Golf Director
              Debra Saucier, DPW Financial Analyst
              Elizabeth Mees, Historical Commission Chair
              Ronald Frazier, Historical Commission Vice-Chair
              Rayna Rubin, Historical Commission
              Santina Giannino, Historical Commission
              Kate Nedelman Herbst, Historical Commission
APPROVAL OF MINUTES
• February 7, 2019
  Motion: by Councilor Kokoros to Approve Minutes of February 7, 2019
  Second: by Councilor Powers
  Vote: For (8 – Bowes, Carey, Kokoros, Hume, Powers, Ringuius, Ryan, Whalen),
  Against (0), Absent (0), Abstain (1-O’Brien)

ANNOUNCEMENTS
• 007 19 Recognition: Pop Warner Cheer Team
• 008 19 Recognition: BHS Varsity Dance Team

OLD BUSINESS (PUBLIC HEARINGS)
• 18 025 Mayor: Demolition Delay Ordinance or take up any action relative thereto (Public Hearing)

  Motion by Councilor Kokoros to Open Public Hearing for Order 18 025
    Motion: by Councilor Kokoros
    Second: by Councilor Powers
    Vote: For (9 – Bowes, Carey, Kokoros, Hume, O’Brien, Powers, Ringuius, Ryan, Whalen),
    Against (0), Absent (0), Abstain (0)

  Council President Ryan referred to Councilor Powers, Chairman for Committee on Ordinance & Rules for a recommendation. Councilor Powers stated the committee met on this. It was recommended for favorable action with a vote of 3-yes and 1-no.

  Council President Ryan asked if any member of the Council or General Public want to speak on Order 18 025?

  Councilor Hume stated this was voted in committee on March 5, 2019 and we just got new revisions on March 18, 2019 from the Town Solicitor and Christine Stickney. Shouldn’t this go back to committee and have them re-vote on the changes?

  Councilor Powers stated these changes were not substantial. It was just a few clarifications proposed from our Town Solicitor, John Goldrosen.

  Elizabeth Mees, Historical Commission Chair stated there are many communities in Massachusetts that have a similar by-law and the purpose is to have a period of time so that a property that is determined historically significant and over 75 years of age to be documented.

  Councilor Ringius stated this is only if a homeowner is seeking a complete demolition. This will not effect someone looking to do a renovation.

  Councilor Whalen stated the proposed ordinance states “or portion thereof”. That does not mean total demolition. This needs to be removed. I would like a clean copy. I would like to make a motion to TABLE this item 18 025.
Motion by Councilor Whalen to TABLE Order 18 025

**Motion:** by Councilor Whalen to TABLE Order 18 025 to April 2, 2019  
**Second:** by Councilor O’Brien

**Councilor Powers requested vote by ROLL CALL by Clerk of the Council:**
Councilor Ryan – yes  
Councilor Hume - yes  
Councilor Powers - no  
Councilor Whalen - yes  
Councilor Bowes - yes  
Councilor Kokoros - yes  
Councilor O’Brien - yes  
Councilor Ringius - no  
Councilor Carey - no

**Vote:** For (6 – Bowes, Kokoros, Hume, O’Brien, Ryan, Whalen),  
Against (3 - Carey, Powers, Ringius), Absent (0), Abstain (0)

Council President stated with a roll call vote and a count of 6-yes to 3-no this matter has been TABLED to April 2, 2019.

Motion by Councilor Kokoros to send Order 18 025 back to the Committee on Ordinance & Rules to have any issues/changes addressed.

**Motion:** by Councilor Kokoros to send Order 18 025 back to the Committee on Ordinance & Rules  
**Second:** by Councilor Bowes

**Councilor Powers requested vote by ROLL CALL by Clerk of the Council:**
Councilor Ryan – yes  
Councilor Hume - yes  
Councilor Powers - no  
Councilor Whalen - yes  
Councilor Bowes - yes  
Councilor Kokoros - yes  
Councilor O’Brien - yes  
Councilor Ringius - no  
Councilor Carey - no

**Vote:** For (6 – Bowes, Kokoros, Hume, O’Brien, Ryan, Whalen),  
Against (3 - Carey, Powers, Ringius), Absent (0), Abstain (0)

Council President stated with a roll call vote and a count of 6-yes to 3-no this matter has been sent back to the Committee on Ordinance & Rules.

Councilor Hume stated she agreed to have this item TABLED due to getting documentation the night before without time to review. It states in the Town Council Rules we should receive documentation the Wednesday before meeting dates. We have got to get the information in a timely manner so what is required of us and we can do our due diligence.
Motion by Councilor Kokoros to Open Public Hearing for Order 19 007

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

Council President Ryan referred to Councilor Bowes, Chairman for Committee of Ways & Means for a recommendation. Councilor Bowes stated the committee met on this and recommended favorable action to rescind the prior authorization.

Council President Ryan asked if any member of the Council or General Public want to speak on Order 19 007?

Council President asked if there is anyone else wishing to speak? Hearing none.

Motion by Councilor Kokoros to CLOSE the Public Hearing for Order 19 007

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

Motion read by Councilor Kokoros:

**ORDERED:**

That the Town of Braintree rescinds the following amounts that have been authorized to be borrowed, but which are no longer needed for the purposes for which they were initially approved:

<table>
<thead>
<tr>
<th>Unissued Amount</th>
<th>Loan Order Number</th>
<th>Date of Loan Order Approval</th>
<th>Original Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>$75,000</td>
<td>16 -065(2)</td>
<td>December 6, 2016 (Town Council) December 7, 2016 (Mayor)</td>
<td>golf course reconstruction</td>
</tr>
</tbody>
</table>

**Motion:** by Councilor Kokoros  
**Second:** by Councilor Powers  
**Vote:** For (9 – Bowes, Carey, Kokoros, Hume, O’Brien, Powers, Ringuius, Ryan, Whalen), Against (0), Absent (0), Abstain (0)
• 19 008 Mayor: FY19 Supplemental #2 or take up any action relative thereto (Public Hearing)

Motion by Councilor Kokoros to Open Public Hearing for Order 19 008

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

Council President Ryan referred to Councilor Bowes, Chairman for Committee of Ways & Means for a recommendation. Councilor Bowes stated the committee met on this and recommended favorable action for the 4 motions.

Council President Ryan asked if any member of the Council or General Public want to speak on Order 19 008?

Councilor O’Brien stated in the Committee of Ways & Means meeting he voted present on two items because they were listed as loans from the general fund however we were not provided any information or documentation on how that process would work where we would be providing a loan to the Golf fund.

Joe Reynolds, Chief of Staff stated there were not mention of loans in the motions. We moved funds from the general fund to the enterprise account which has been done numerous times. In the summary which was provided by the mayor he made a mention of a loan.

Councilor Kokoros stated two years in a row the golf course lost money. It came out of the general fund and now we are taking from certified free cash and giving to the golf and the tax payers are funding the golf enterprise again. I want to understand why we are doing this.

Joe Reynolds, Chief of Staff stated any money that comes out of our general fund applies to any operations in the town regardless if there is an enterprise account associated with it. There has been an inability to derive revenue in bad weather and the effects of bad weather. We took a look in what we can do to further our revenue making capabilities.

Councilor Kokoros stated I thought enterprise funds do not take from the tax payers and the town does not take from it. They make their own money from rates they set as does Beld and Water & Sewer. This is over $130,000 that we could use for other things like schools, roads, sidewalks. There are a million things we need to do yet we are going to use it for the golf course? What if you don’t golf and you are a tax payer?

Joe Reynolds, Chief of Staff stated golf is an operation of the Town of Braintree. We run golf through fees that are generated there.

Councilor Kokoros stated it is illegal to take tax money and pay for an enterprise account. I will not vote for this.

Ed Spellman, Finance Director stated enterprise funds are set up with the intent of a specific operation. They can be established for revenue solely from the enterprise but subsidized from the general fund. In this case that is what the funds are doing here is to subsidize. It is in the statute.
Councilor Powers read what was stated in the mayor’s memo stating these funds will be in the form of a loan. How will these funds be paid back?

Ed Spellman, Finance Director stated the intent will be in future years in the budget for golf there will be a line item to pay back the amount of the loan. A specific term has not been established. The thought was with this year’s operations we would see how things went and going forward it would be paid back. My original thought was to look at a 10 year period.

Councilor Powers asked to receive internal operations numbers for the second quarter (calendar year) for the golf to see where we are for some of the new initiatives like (concessions/simulators).

Councilor Kokoros asked if the Town auditors could look through the books and see what is going on at the golf course. We either need to raise the rates or cut your costs. I can’t take the tax payers money and invest it into the golf course. Why are we not successful there?

Daryn Brown stated the Town Auditor was at the golf course yesterday. We meet almost monthly. We discuss setting rates, reconciling books, and budgets. Part of these requested funds is to get our concessions operational. We need to fund the position of food/beverage manager and to purchase the food and beverages.

Councilor Kokoros ask for the breakdown of the $95,000 to the golf enterprise fund.

Daryn Brown stated it is for the salary for the food/beverage manager as an M12 ($67,000). The rest would be for the food/beverage purchases and hiring part-time help.

Councilor Kokoros asked where alcohol is being served they should be tip certified and what type of insurance and liability does this put on the town of Braintree.

Daryn Brown stated the Town Solicitor and Finance Director have selected insurance they thought was applicable and all of the servers are required to be tip certified and trained.

Councilor Kokoros asked if we already hired someone for this position being paid as M12. Daryn Brown stated yes.

Council President asked if there is anyone else wishing to speak? Hearing none.

Motion by Councilor Kokoros to CLOSE the Public Hearing for Order 19 008

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

**General Fund Motions:**

1. **Municipal Licenses and Inspections**  

**MOTION:** That the sum of $43,472 be transferred from FY 2018 Certified Free Cash to the Handicap Parking Fines Account.

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

**Enterprise Fund Motions:**

E-1. **Golf Enterprise Fund**  

**MOTION:** That the sum of $44,000 be transferred from FY 2018 Certified Free Cash to the golf enterprise fund for the purpose covering the capital equipment purchases outlined above.

- **Motion:** by Councilor Kokoros  
- **Second:** by Councilor Powers  
- **Vote:** For (7 – Bowes, Carey, Kokoros, Hume, Powers, Ringuius, Ryan, Whalen), Against (1 – O’Brien), Absent (0), Abstain (0), Present (1 – Kokoros)

Councilor O’Brien stated in light of the fact that the Chief of Staff corrected the language which further exacerbates the problem because we have a summary that says loan. Now it comes before us and it is not a loan and now I am even more concerned about this so I will be voting against this.

E-2. **Golf Enterprise Fund**  

**MOTION:** That the sum of $95,000 be transferred from FY 2018 Certified Free Cash to the golf enterprise fund for the purpose covering the new operations of the golf concession stand operations program within the enterprise fund.

- **Motion:** by Councilor Kokoros  
- **Second:** by Councilor Powers  
- **Vote:** For (7 – Bowes, Carey, Hume, Powers, Ringuius, Ryan, Whalen), Against (0), Absent (0), Abstain (0), Present (2 – Kokoros, O’Brien)
E-3. Golf Enterprise Fund

MOTION:
Where the Mayor was previously authorized by this Council to use a revolving fund in accordance with the provisions of Massachusetts general laws chapter 44, section 53e ½ during the fiscal year commencing July 1, 2018, that the sum of the amount authorized be increased from $90,000.00 to $110,000 for fiscal year 2019.

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

NEW BUSINESS
• None

Council President Ryan stated the Comprehensive Zoning Ordinance is being referred to the Committee on Ordinance & Rules this evening. There will not be any discussions on it. We are just going to be referring it.

Councilor Ringius stated I would say it would be preemptive to be referring this particular matter to the Committee on Ordinance & Rules. My feeling on that is this: This has been sort of a long process, this Comprehensive Zoning Package plus the 40R Smart growth that was initially included in one big package. The 40R has now been removed and now we are just talking about the Comprehensive Zoning Package. Planning did run 4 public meetings on it where a plethora of information was provided. They have set up Braintreezoning.com which includes these documents for people to review. This is 120 pages of material. It seems too soon to before we get a recommendation from the Planning Board. In my mind we should hold this off until after some sort of recommendation from the Planning Board.

Councilor Kokoros made a Motion to TABLE Order 19 011

Refer to the Committee on Ordinance & Rules TABLED
• 19 011 Mayor: Comprehensive Zoning Ordinance or take up any action relative thereto
   Motion:   by Councilor Kokoros to TABLE Order 19 011
   Second:  by Councilor O’Brien
   Vote:    For (9 – Bowes, Carey, Kokoros, Hume, O’Brien, Powers, Ringuius, Ryan, Whalen),
            Against (0), Absent (0), Abstain (0)

Councilor Kokoros read the following items for referral to committee(s):

Refer to the Committee of Ways & Means
• 19 012 Superintendent of Schools: Statement of Interest (SOI) with the MSBA for Braintree High School or take up any action relative thereto
   Motion:   by Councilor Kokoros
   Second:  by Councilor Powers
   Vote:    For (9 – Bowes, Carey, Kokoros, Hume, O’Brien, Powers, Ringuius, Ryan, Whalen),
            Against (0), Absent (0), Abstain (0)
Councilor Kokoros read the following item for referral to committee(s):

**Refer to the Department on Public Workss**

- 19 013 Comcast Petition: 120 Ivory Street or take up any action relative thereto
  
  Motion by Councilor Kokoros to Open Public Hearing for Order 19 001

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

**ADJOURNMENT**

It was unanimously voted to adjourn the meeting at 9:20p.m.

Respectfully submitted,

Susan M. Cimino
Clerk of the Council

**Documents provided for Meeting**

- 18 025 Mayor: Demolition Delay Ordinance
- 19 008 Mayor: FY19 Supplemental #2
- 19 007 Mayor: Rescind prior Borrowing Authorizations
To: Charles B. Ryan, President of the Council

CC: Susan Cimino, Clerk of the Council
Dan Sullivan, Town Auditor

From: Shawn McGoldrick, Town Auditor

Date: April 5, 2019

Regarding: Audit Reports Review

Dear President Ryan,

We have reviewed the fiscal year 2018 audit reports and have noted the following:

**CAFR:**

**Summary:**

Page 30 - General Fund Unassigned Fund Balance

- Unassigned fund balance represents the portion of fund balance that is not constrained for any particular purpose.

- Unassigned fund balance was $19,301,569 at June 30, 2018 and is comprised of unassigned fund balance of the general fund as well as fund balance of the Town’s general, capital and school building stabilization funds. At June 30, 2018 the balances of the unassigned fund balance of the general fund, general stabilization fund, capital stabilization fund and school building stabilization fund was $16,321,895, $145,160, $1,803,417 and $1,031,097, respectively.

- Unassigned fund balance increased $476,146 in fiscal year 2018 as compared to a decrease of $4,698 in fiscal year 2017. The net increase in fiscal year 2018 of $476,146 is a result of the general fund unassigned fund balance decreasing $341,502; general stabilization fund increasing $57,275; capital stabilization decreasing $270,724 and school building stabilization fund increasing $1,031,097. The net decrease in fiscal year 2017 of $4,698 was a result of unassigned fund balance increasing $37,216; general stabilization fund decreasing $453,078; and capital stabilization fund increasing $411,164.
• Unassigned fund balance as a percentage of general fund revenues is 13.3% at June 30, 2018 as compared to 13.6% at June 30, 2017. The Town has consistently held the ratio of unassigned fund balance to revenues at a rate of higher than 13% for the past 6 years. The ratio shows the presence of resources that can be used to overcome a temporary revenue shortfall. The Town’s ratio of consistently greater than 13% is considered adequate bordering toward the strong range (15% or more) and far from the low range (0-5%).

General Fund Revenues:

The Town had a favorable budget to actual variance for revenues in fiscal year 2018 of $1,976,027. The Town has consistently had favorable budget to actual variance for revenues, but depending on the fiscal year the causes differ. The three revenue sources that have been favorable for the past six years are tax liens, motor vehicle and other excise taxes and intergovernmental. Tax liens will always be favorable as long as actual revenue is collected, as tax liens cannot be budgeted. Motor vehicle and other excise tax actuals continue to outperform budgetary expectations, which is not uncommon in most communities. As far as intergovernmental goes, in fiscal year 2018 the majority of the favorable variance relates to FEMA reimbursements received, but not budgeted.

General Fund Expenditures:

You will note that the Town consistently has a favorable variance (turn back) in general government, public safety and public works expenditures.

General Government – The main driver of these general government turn backs in fiscal year 2018 and 2017 are from the Human Resource Department with approximately $337K and $240K, respectively. Drilling down further, the employee benefits line-item has the largest turn back of approximately $283K and $157K, respectively.

Public Safety – The main driver of these public safety turn backs in fiscal year 2018 was from the Municipal Licenses and Inspection Department with approximately $123K. Drilling down further, the inspections/code enforcement has the largest turn backs of approximately $112K.

Public Works – The main driver of these public works turn backs in fiscal year 2018 and 2017 are from the Highway line-item with approximately $102K and $136K, respectively. Also in fiscal year 2018, turn backs from the building maintenance line-item of approximately $81K is present.

Management Letter:

Overall four management letter comments exist; 1) Internal control over completion of the tax recapitulation process, 2) Reconcile and adjust receivables in the general ledger, 3) Timeliness of recording budgeted transfers and 4) an informational comment on documentation of internal controls.

The internal control over completion of the tax recapitulation process and timeliness of recording budgeted transfers has been resolved in the eyes of Management based on their response. The reconcile and adjust receivables in the general ledger comment is currently being worked on by Management, but feel this is something we can also help out with and look into as well to tighten the control.
We continue to believe that comment number four (documentation of internal controls, which exists in the management letter again as informational) is very important to the Town in order to help strengthen the Town’s existing internal control framework. We, in conjunction the Director of Finance, began this process late in fiscal year 2018 and continued during fiscal year 2019 in order to finalize the design and implement this recommendation by the end of 2019.

**Reports on Federal Award Programs:**

A “clean” report was issued for the Town, with no material weaknesses or significant deficiencies noted. There were also no findings or questions costs noted.

Please contact me anytime if you have questions regarding this or any other matter.

Sincerely,

Shawn McGoldrick
Councillor Ryan has submitted to the Braintree Town Council for consideration an amendment to General Ordinances, Chapter 12.08 – Excavation and Obstructions:

To see if the Town will vote to amend its General Ordinances, Chapter 12.08 – Excavation and Obstructions, by amending Section 12.08.010, Permit, for the purpose of adding a new paragraph D and paragraph E as printed in the attachment hereto.
Make the following change to the Town Ordinances, Section 12.08.010, ADD subsections D. and E., as follow:

12.08.010

D. Except as noted in Section E. below, no permit shall be granted within the moratorium period specified below for any non-emergency\(^1\) excavation within the improved area.

<table>
<thead>
<tr>
<th>Improvement</th>
<th>Description</th>
<th>Longitudinal Trench</th>
<th>Transverse Trench (or transverse plus longitudinal totalling less than 150 feet.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reconstruction</td>
<td>New pavement over repaired or replaced granular base(^2)</td>
<td>10 years</td>
<td>5 years</td>
</tr>
<tr>
<td>Mill &amp; Overlay</td>
<td>New pavement over milled existing pavement</td>
<td>10 years</td>
<td>5 years</td>
</tr>
<tr>
<td>Overlay</td>
<td>1-inch plus full lane width overlay of existing pavement(^3)</td>
<td>10 years</td>
<td>5 years</td>
</tr>
<tr>
<td>Shim with Microsurface, Chip Seal, Cape Seal, etc.</td>
<td>Less than 1-inch full width surface treatment over paved shim along middle area of road</td>
<td>10 years</td>
<td>5 years</td>
</tr>
<tr>
<td>Microsurface, Chip Seal, Cape Seal, etc.</td>
<td>Less than 1-inch full width surface treatment over existing pavement</td>
<td>10 years</td>
<td>3 years</td>
</tr>
<tr>
<td>Other treatments</td>
<td>Not known at this time</td>
<td>TBD(^4)</td>
<td>TBD(^4)</td>
</tr>
</tbody>
</table>

E. The Town Council may grant a petition of National Grid or other gas company for a permit to excavate in an improved area under the moratorium and may require such mitigation and repairs as it sees fit, and it may require that surety be posted to secure the completion of the required mitigation and repairs.

The Mayor may grant a petition of others for a permit to excavate in an improved area under the moratorium for public safety related concerns, and may require such mitigation and repairs as he sees fit, and he may require that surety be posted to secure the completion of the required mitigation and repairs.

The minimum mitigation and surface repair requirement that should be expected for longitudinal excavation in an improved area in the first seven years of the moratorium is for full width curb to curb milling and re-paving for the full length of the excavation along the road plus another 25 feet at each end.\(^4\)

The minimum mitigation and surface repair requirement that should be expected for a) all transverse excavation or for b) longitudinal excavation in the last three years of the moratorium is curb to curb milling and repaving the extent of the excavation plus another 5 foot length each edge in the direction of traffic. \(^4\)

All pavement markings shall be replaced in-kind. Curbs and sidewalks must be repaired or replaced, each to the satisfaction of the Highway Superintendent. Infrared treatment of seams may be required at the discretion of the Highway Superintendent.

\(^1\) Emergency excavations for National Grid or other gas company shall consist of excavation to fix a "Grade 1" leak. For all others an emergency shall be as defined in Massachusetts' "DIG SAFE" law, MGL C.82 S 40 and 40A through 40E.

\(^2\) Includes improved sidewalks

\(^3\) To be determined by the Town Council as cases arise.

\(^4\) Length and/or width of repair may be varied at intersections and in other special circumstances.
YEAS: Bowes, Clifford, Hume, Kokoros, O'Brien, Owens, Powers, Ryan

NAYS: NONE

ABSENT: Mullaney

PASSED IN COUNCIL: AUGUST 11, 2015
PRESENTED TO MAYOR: AUGUST 12, 2015

A True Record, Attest:

James M. Casey, Town Clerk

_____________________________

Joseph C. Sullivan, Mayor

Date Approved

8-17-15
Memo

Date: March 27, 2019
To: Susan M. Cimino, Clerk of the Council
From: Bob Campbell
CC: Jim Arsenault, Dave McKenna
RE: Street Opening Petition, 19-009 Huntley Rd (79 Hayward St)

The DPW has reviewed the subject petition for the street opening location and have the following recommendations:

19-009 – 79 Hayward Street, Install gas service lateral in Huntley Road to service house number 79 Hayward St. Huntley Road is under the moratorium enacted by the Town in 2015 having been re-paved and microsurfaced in 2015. For transverse trenches in a road resurfaced as Huntley Road was the moratorium is 5 years. Road openings may be made after 2020 without waiving the ordinance. Since the street is under the moratorium, I recommend that the petition not be granted. However, if the Council finds extenuating circumstances and there is no viable option to meet the resident’s needs without excavating the newly re-paved street, I would recommend that the petition for this road opening only be granted on the conditions that since the gas main in Huntley Road is adjacent to the house-side edge of the roadway and since the sidewalk is not under the moratorium, after maintaining the temporary trench through one winter but within one year of placement of the temporary trench repair, the permanent repair be confined to the trench area itself plus a 2-foot overlap of each trench edge. We also recommend that the following requirement be added to the permit, if it is to be granted:

“Neither National Grid nor any contractor is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works or the Highway Superintendent. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor’s engineer and approved by the DPW and Police Department.”

Bob Campbell
Town Engineer
March 28, 2019

Town of Braintree
Ms. Susan M. Cimino
Clerk of the Council
One JFK Memorial Drive
Braintree, MA 02184

Dear Ms. Cimino:

Please see the below comments for the National Grid petition #19 009

- **19 009** National Grid Petition: 19 009 Resident Petition: 79 Hayward Street or take up any action relative thereto

Please note, BELD has an 115,000 volt oil filled transmission line located on Hayward Street. BELD Engineering should be notified in advance of any excavation to be performed in close proximity to this line. BELD will provide onsite support and safety personnel at no cost to the project. BELD also has a 13,800 volt underground system on the road. This is a concrete encased duct bank to be identified through the Dig safe process.

Darron MacDonald
Field Engineer
Office: 781.348-1072
Cell: 339-235-6450

Your hometown electric and broadband department
Cimino, Susan M.

From: Arsenault, James
Sent: Friday, March 01, 2019 9:01 AM
To: Cimino, Susan M.; Reynolds, Joseph
Cc: Ryan Charles
Subject: RE: Hayward Street

Sue,

The house in question, 79 Hayward Street, is on the corner of Hayward Street and Huntley Road. Hayward was milled and paved and Huntley was shimmed and micro-surfaced. Both were completed in 2015 and both are under the five year moratorium.

Our gas maps indicate the gas mains on Hayward and Huntley are both on the house side. If the connection is allowed to proceed staff recommends they tie into Huntley since Hayward Street is very busy and has allot of truck traffic while Huntley is a dead end road.

James Arsenault, PE
Director of Public Works
Town of Braintree
85 Quincy Avenue
Braintree, MA 02184
Telephone (781) 794-8254

From: Cimino, Susan M.
Sent: Thursday, February 28, 2019 5:01 PM
To: Arsenault, James; Reynolds, Joseph
Cc: Ryan Charles
Subject: RE: Hayward Street

Jim,

#79 Hayward Street is requesting gas hookup. They realize Council needs to approve this.
Do you happen to know what side of the street the connection to the gas line is, where is the gas line connection, which way is the line coming in?
How much of an impact to the road would this be?

Thank you,

Sue

Susan M. Cimino
Clerk of the Council
TOWN OF BRAIN TREE
One JFK Memorial Drive
Braintree, MA 02184
781-794-8152

From: Arsenault, James
Sent: Friday, June 29, 2018 1:24 PM
To: Cimino, Susan M.; Reynolds, Joseph
Cc: Ryan Charles
Subject: RE: Hayward Street
Susan/ Joe,

Staff indicate Huntley was shimmed and microsurfaced in 2015 and will be out of the moratorium after 2020. Hayward in that area was milled and overlaid in 2016 and will be out of moratorium after 2026.

James Arsenault, PE
Director of Public Works
Town of Braintree
85 Quincy Avenue
Braintree, MA 02184
Telephone (781) 794-8254

From: Cimino, Susan M.
Sent: Friday, June 29, 2018 9:55 AM
To: Arsenault, James; Reynolds, Joseph
Cc: Ryan Charles
Subject: Hayward Street

Jim,

Do you know when Hayward Street and Huntley was last repaved/reconstructed?

Thank you,
Sue

Susan M. Cimino
Clerk of the Council
TOWN OF BRAINTREE
One JFK Memorial Drive
Braintree, MA 02184
781-794-8152
Susan/ Joe,

Staff indicate Huntley was shimmed and microsurfaced in 2015 and will be out of the moratorium after 2020. Hayward in that area was milled and overlaid in 2016 and will be out of moratorium after 2026.

James Arsenault, PE
Director of Public Works
Town of Braintree
85 Quincy Avenue
Braintree, MA 02184
Telephone (781) 794-8254

Jim,

Do you know when Hayward Street and Huntley was last repaved/reconstructed?

Thank you,
Sue

Susan M. Cimino
Clerk of the Council
TOWN OF BRAINTREE
One JFK Memorial Drive
Braintree, MA 02184
781-794-8152
This is the letter we used thankyou

Sent from Yahoo Mail for iPhone

Begin forwarded message:

On Thursday, July 19, 2018, 5:25 PM, Cimino, Susan M. <scimino@braintreema.gov> wrote:

Frank,

After speaking with you today via telephone I will submit this email for a Resident Petition for a new gas line to your house at 79 Hayward Street.

During the lockout of National Grid’s workers, no new permits for gas construction projects shall be issued by the Town Council. This roadway is currently under moratorium and as such will have to be brought before the Committee on the Department of Public Works for a recommendation and the Full Council for a vote to be able to even consider conducting a service connection. This item will be referred to the Committee on the Department of Public Works on August 14, 2018. A meeting will be scheduled after the August 14, 2018 date and I will inform you of such.

Please reply to confirm you would like to move forward with your Resident Petition: 79 Hayward Street.

Feel free to contact me with any questions or concerns.

Thank you,

Susan

Susan M. Cimino

Clerk of the Council
Begin forwarded message:

From: frank mc elhinney <haywardhome2018@yahoo.com>
Date: June 30, 2018 at 3:50:03 PM EDT
To: Ryan Charles <ryan@braintreema.gov>
Cc: <ryan24@comcast.net>
Subject: Gas 79 Hayward st.

Hi Charlie,

Thanks for coming out to meet with me. I’m currently renovating our home there due to a damaged heating pipe over the cold winter we had. We have an old oil boiler right now that needs replaced due to the freeze up. We’re adding an addition and basically taking to house to the studs and upgrading everything, as we love the area and we’ve 4 kids 8,4,2,2months. Which 2 will be attending Ross in September and 1 attending magic years play school also.

I was hoping to upgrade to a more efficient gas boiler heating and hot water system. There is gas on both Hayward and Huntley. Although both streets were paved recently. We’re hoping to be allowed to take a gas line in off of Huntley road, which I believe the gas line is relatively close to the side walk on our side of the street. Also the side walks were not resurfaced, so I would just be a small repair on the road. We’d really appreciate it if we were aloud to do this.

Thanks, Frank

Michelle

Get Outlook for iOS
DATE: March 8, 2019
OWNER: Frank McElhinney
ADDRESS: 79 Hayward Street
MAP & LOT: 3058 0 2A

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
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</table>

Parcel Count: 22

End of Report
Memo

Date: March 27, 2019
To: Susan M. Cimino, Clerk of the Council
From: Bob Campbell
CC: Jim Arsenault, Dave McKenna
RE: Street Opening Petition, 19-010 17 Jersey Av

The DPW has reviewed the subject petition for the street opening location and have the following recommendations:

19-010 – Install gas service lateral in Jersey Avenue to service house number 17. Jersey Avenue is under the moratorium enacted by the Town in 2015 having been re-paved and microsurfaced in 2016. For transverse trenches in a road resurfaced as Jersey Avenue was the moratorium is 5 years. Road openings may be made after 2021 without waiving the ordinance. Since the street is under the moratorium, I recommend that the petition not be granted. However, if the Council finds extenuating circumstances and there is no viable option to meet the resident’s needs without excavating the newly re-paved street, I would recommend that the petition for this road opening only be granted on the conditions that since the gas main in Jersey Avenue is adjacent to the house-side edge of the roadway and since the sidewalk is not under the moratorium, after maintaining the temporary trench through one winter but within one year of placement of the temporary trench repair, the permanent repair be confined to the trench area itself plus a 2-foot overlap of each trench edge. We also recommend that the following requirement be added to the permit, if it is to be granted:

“Neither National Grid nor any contractor is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works or the Highway Superintendent. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor’s engineer and approved by the DPW and Police Department.”

Bob Campbell
Town Engineer

85 Quincy Ave, Braintree, MA 02184 Telephone: 781-794-8010 Fax: 781-356-6803
March 28, 2019

Town of Braintree
Ms. Susan M. Cimino
Clerk of the Council
One JFK Memorial Drive
Braintree, MA 02184

Dear Ms. Cimino:

Please see the below comments for the National Grid petition #19 010.

- **19 010** National Grid Petition: **19 010** Resident Petition: 17 Jersey Avenue or take up any action relative thereto.

  BELD has no underground electric utility conflicts or special requirements within the proposed scope of work.

Darron MacDonald
Field Engineer
Office: 781.348-1072
Cell: 339-235-6450
Sue,

The house in question, 17 Jersey Ave, staff indicate is on the odd side so going by our records the main would be on their side.

James Arsenault, PE
Director of Public Works
Town of Braintree
85 Quincy Avenue
Braintree, MA 02184
Telephone (781) 794-8254

Jim,

This address is 17 Jersey Avenue. Can you determine with the street # being #17 what side of the street the gas main lies relative to the property?

Thank you,
Sue

Susan M. Cimino
Clerk of the Council
TOWN OF BRAINTREE
One JFK Memorial Drive
Braintree, MA 02184
781-794-8152

Sue/ Joe,
Staff indicate that Jersey Avenue was shimmed and micro-surfaced in 2016. The old gas plans (1970?) we have in our office show the main on the odd side of the street. For security reasons the gas company no longer releases detailed gas main locations to anyone. Not sure if a new main has been installed since but they usually install the new main close to the old main if possible so it would most likely be on the odd side of the street. Since no address was indicated below I am not sure what side of the street the gas main lies relative to the property.

Hope this helps...

James Arsenault, PE
Director of Public Works
Town of Braintree
85 Quincy Avenue
Braintree, MA 02184
Telephone (781) 794-8254

From: Cimino, Susan M.
Sent: Tuesday, July 17, 2018 10:20 AM
To: Arsenault, James; Powers, Sean E.; Reynolds, Joseph
Cc: Ryan Charles
Subject: RE: National grid Gas Permits

Jim,

When Jersey Ave was resurfaced in 2016 what type of resurfacing was done?
Can you tell from the gas line already in Jersey Ave if the connection would be on this resident’s side of the street?

Thank you,
Sue

From: Arsenault, James
Sent: Monday, July 16, 2018 9:39 AM
To: Powers, Sean E.; Cimino, Susan M.; Reynolds, Joseph
Cc: Ryan Charles
Subject: RE: National grid Gas Permits

Councilor Powers/ Joe/ Sue,

Normally if this were a homeowner request they would have to ask National Grid for the connection and if approved by the them and the Town (moratorium roads), National Grid would contact us regarding obtaining a right of way permit. As noted below National Grid crews normally does all service connections and therefore this would most likely this activity would be on hold for the time being. Looking at the 100 roads street list Jersey ave was resurfaced in 2016. Therefore this roadway is currently under moratorium and as such would have to brought before the council to be able to even consider conducting a service connection.

James Arsenault, PE
Director of Public Works
Town of Braintree
85 Quincy Avenue
Braintree, MA 02184
Telephone (781) 794-8254

2
From: Powers, Sean E.
Sent: Monday, July 16, 2018 9:09 AM
To: Arsenault, James; Cimino, Susan M.; Reynolds, Joseph
Cc: Ryan Charles
Subject: RE: National grid Gas Permits

Jim -

Thanks for the information. What type of permits are needed for service connections to homes? Has National Grid indicated that they are not currently doing service connections during the lock out?

This homeowner is concerned that if the town does not issue any new gas line construction projects, that that will somehow effect his home service connection.

Thanks,

Sean

From: Arsenault, James
Sent: Monday, July 16, 2018 7:27 AM
To: Cimino, Susan M.; Reynolds, Joseph
Cc: Powers, Sean E.; Ryan Charles
Subject: RE: National grid Gas Permits

Sue/ Joe,

Staff indicate that National Grid crews normally do all service connections. Private gas crews are not working either, except in emergency leak repairs that “management” can’t do themselves.

James Arsenault, PE
Director of Public Works
Town of Braintree
85 Quincy Avenue
Braintree, MA 02184
Telephone (781) 794-8254

From: Cimino, Susan M.
Sent: Friday, July 13, 2018 3:14 PM
To: Arsenault, James; Reynolds, Joseph
Cc: Powers, Sean E.; Ryan Charles
Subject: Fwd: National grid Gas Permits

Jim,
Can you please clarify below.
Thank you,
Sue

Sent from my iPhone

Begin forwarded message:

From: "Powers, Sean E." <powers@braintreema.gov>
Date: July 13, 2018 at 2:07:58 PM EDT
To: "Cimino, Susan M." <scimino@braintreema.gov>
Subject: FW: National grid Gas Permits

Sue - can you forward this to the Mayor's office for clarification. I think normally these hook ups are done by a private contractor?

Sean

From: Greg Pessa [Greg@wchcr.com]
Sent: Friday, July 13, 2018 9:48 AM
To: Powers, Sean E.
Subject: National grid Gas Permits

Hi Sean,

I hope all is well with you. I currently rent in Braintree and recently bought a property in Braintree that needs a new heating system. The plan was to switch from oil to gas with National Grid installing the line from the street (already on Jersey Ave). Is this included in the permit ban? Any idea of alternative actions I can take to ensure I have heat for the winter?

Thanks,
Greg Pessa
DATE: March 8, 2019

OWNER: Gregory M Pessa
Sarah A Johnson

ADDRESS: 17 Jersey Ave.

MAP & LOT: 2004 0 5

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
### Subject Parcel ID:

#### Subject Property Location:

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<th>Location</th>
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Parcel Count: 25

**End of Report**
Date: April 3, 2019  
To: Susan M. Cimino, Clerk of the Council  
From: Bob Campbell  
CC: John Morse, Jim Arsenault, Darron MacDonald  
RE: Comcast Petition, 120 Ivory Street, 19-013

The DPW has reviewed the plans for the subject petition for the new communications cable location and have the following recommendations:

19-013 French Avenue and Pearl Street to service 120 Ivory Street, install and maintain approximately 308 feet of communications cable in 2 (one-above-the-other) 4” PVC concrete encased conduits 24 inches deep, 180 +/- feet in French Avenue and 118 +/- feet in the northerly sidewalk of Pearl Street and including 1 new 2’ X 3’ vault in the Pearl Street sidewalk at the driveway into 120 Ivory Street.

Neither French Avenue nor the Pearl Street sidewalk is under the moratorium. The DPW recommends that the permit be granted with the normal conditions imposed by the DPW Highway Division plus that:

1. Where sidewalk surfaces are disturbed the surface is to be replaced in kind, at ADA compliant slopes and for the full width of the sidewalk and including fully ADA compliant curb ramps;
2. all matches with existing surfaces be smooth, safe, properly surfaced and satisfactory to the Town;
3. the work be coordinated with the abutters to ensure that the properties are accessible at all times, including ADA compliant pedestrian access;
4. the conduit be installed outside of the trenches of the water and sewer mains and other utilities in service and that the trench pavement not be left low for any length of time;
5. the DPW be notified when the construction conflicts with Town utilities so the resolution can be mutually agreeable;
6. as-built plans be prepared and submitted satisfactory to the Department of Public Works;
7. the construction portion of the permit period not exceed two months from the start of construction and that the entire permit period be set at one year beginning at the date of Council approval.

Regarding the Traffic Management Plan,

1. In phase 1 paint the “temporary crosswalk” as permanent at the existing curb ramps just north of the location shown. The W11-2 (Pedestrian Crossing) and W16-7P (downward arrow) should be fluorescent yellow-green instead of yellow, should be permanently mounted and should be left in place, if possible;
2. In phase 2 a second traffic control person is probably needed at the Pearl Street end of the work zone;
3. In phase 4 the existing crosswalk from the west side of French Avenue crossing Pearl Street should be shown and an accessible temporary pedestrian crossing from Ivory Plaza to Pearl Plaza must be added at the point of sidewalk closure.

We also recommend that the following requirement be added to the permit, if it is to be granted:

“Neither Comcast nor any of its contractors is authorized to close any street or to close a direction of travel to facilitate their work without authorization from the Director of the Department of Public Works or the Highway Superintendent. The Chief of Police can also authorize a closure for a police or fire emergency. Construction zone traffic safety issues are to be addressed by using appropriate traffic control signs and devices and the use of police officers for traffic control to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and police officers (where needed) are properly in place in conformity with the written plan prepared by the contractor’s engineer and approved by the DPW and Police Department.”

Bob Campbell
Town Engineer
April 9, 2019

Town of Braintree
Ms. Susan M. Cimino
Clerk of the Council
One JFK Memorial Drive
Braintree, MA 02184

Dear Ms. Cimino:

Please see the below comments for the Comcast Petition 19 013.

**19 013 Comcast Petition:**

**Please note:** BELD has an 115,000 volt oil filled transmission line located on Pearl Street/Ivory Street. BELD Engineering should be notified in advance of any excavation to be performed in close proximity to this line. BELD will provide onsite support and safety personnel at no cost to the project. BELD also has a 13,800 volt underground system on French Ave, Pearl Street and Ivory Street. This is a concrete encased duct bank to be identified through the Dig safe process.

Please see attached letter sent to Mr. Flewelling (Comcast) stating the new installation specifications required by BELD.

Darron MacDonald
Field Engineer
Office: 781.348-1072
Cell: 339-235-6450
**Rail Stripe Widths Shall Be 6 Inches Except Where Rail Lengths Are**

*Nominal lumber dimensions are satisfactory for barricade rail width dimensions.*

A truck-mounted attenuator may be used on the work vehicle and the shadow vehicle. Flashing warning lights and/or flags may be used to call attention to the advance warning signs.

Where the work space is short, where road users can see the roadway beyond, and where volume is low, vehicular traffic may be self-regulating.

In order to maintain the systematic use of fluorescent yellow-green background for pedestrian, bicycle and school warning signs in a jurisdiction, the fluorescent yellow-green background may be used on channelizing devices separating the work space from vehicular traffic. Barricades supporting signs and closing sidewalks.

For nighttime closures, Type A Flashing warning lights may be used on lane closure signing or ROAD NARROWS signs, may be used to control vehicular traffic.

Street lighting may be considered for pedestrian, bicycle and school warning signs. For nighttime closures, Type A Flashing warning lights may be used on lane closure signing or ROAD NARROWS signs, may be used to control vehicular traffic.

Innovative Thinking. Engineered Solutions.


**NOTE:** ALL WORK SIGNAGE TO BE MOUNTED ON SELF-SUPPORTING STANDS OR BE ATTACHED TO EXISTING FIXTURES.

**FREE STANDING SELF SUPPORT SIGN PER SEC. 6F.03 MUTCD 2009 EDITION, DECEMBER 2009 PAGE 581-582**

**1' (.3 M) MIN. (TYPICAL) (NOT TO SCALE)**

**CALL 811 OR 1-888-DIG-SAFE IT'S FREE AND IT'S THE LAW KNOW WHAT'S BELOW CALL BEFORE YOU DIG**

**TRAFFIC LEGEND**

- WORK ZONE
- DRUM
- SIGN
- VARIABLE MESSAGE BOARD
- 2 WAY TRAFFIC
- POLICE DETAIL
- EXISTING MBTA BUS STOP
- T
- RELOCATED MBTA BUS STOP
- T
- POLICE
- ARROW BOARD
- TYPE 3 BARRICADE
- HIGH LEVEL WARNING DEVICE
- CONSTRUCTION TRUCK
- TRUCK MOUNTED ATTENUATOR
- TRAFFIC FLOW
- TRAFFIC FLOW
- PROPOSED TRENCH CHANNELIZING DEVICE (CONE)
- UTILITY POLE
- TELEPHONE MANHOLE
- POLICE
- OFFICER AHEAD
- POLICE
- TRUCK-MOUNTED ATTENUATOR (OPTIONAL)
- WORK VEHICLE (OPTIONAL)
- FREE STANDING SELF SUPPORT SIGN (TYPICAL)
- ON-SITE TRAFFIC
- TRAFFIC OFFICER AHEAD
- W20-8
- W21-1A
- 700mm (28 in MIN.)
- 75-100 MM (3 TO 4 IN)
- 150mm (6 in)
- 50 mm (2 in)
- 100mm (4 in)
- RETROFLECTIVE BANDS
- CONES
- NIGHT AND/OR FREEWAY HIGH SPEED ROADWAY (≤70 km/h) (≤ 45 mph)

**Notes for Figure 6H-18 - Typical Application 18 Lane Closure on a Minor Street**

1. This TTC shall be used only for low-speed facilities having low traffic volumes.

Option:

2. Where the work space is short, where road users can see the roadway beyond, and where volumes are low, vehicular traffic may be self-regulating.

Standard:

3. Where vehicular traffic cannot effectively self-regulate, one or two flaggers shall be used as illustrated in Figure 6H-10.

Option:

4. Flashing warning lights and/or flags may be used to call attention to the advance warning signs.

5. A truck-mounted attenuator may be used on the work vehicle and the shadow vehicle.

**Figure 6H-1 Page 668-669 Section 6H-01 of the Manual On Uniform Traffic Control Devices (MUTCD) 2009 Edition**
The treatment shown should be used on a minor road having low speeds. For higher-speed traffic, shadow and work vehicles shall display high-intensity rotating, flashing, oscillating, or strobe lights from view when work is not in progress.

A truck-mounted attenuator may be used on the shadow vehicle.

Manual On Uniform Traffic Control Devices

Figure 6H-6 Page 644-645

Section 6H-01 of the (MUTCD) 2009 Edition

Notes for Figure 6H-6 - Typical Application 6

Shoulder Work with Minor Encroachment

Figure 6H-6

PUBLIC AND PRIVATE UTILITIES PRIOR TO BEGINNING CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES SHOWN ARE APPROXIMATE AND NOT WARRANTED TO BE CORRECT. THE CONSTRUCTION TRUCK MOUNTED ATTENUATOR OR THE variables shown are only for guidance and must be adjusted as needed in the field.

TRAFFIC LEGEND

TRAFFIC FLOW

FREE STANDING SELF SUPPORT SIGN (TYPICAL)

TRAFFIC FLOW

NOTE: ALL WORK ZONE TO BE MOUNTED ON SELF SUPPORTING LEGS OR STANDS OR ATTACHED TO EXISTING FENCES.

TRAFFIC MANAGEMENT PLAN: PHASE IV

SULLIVAN TIRE COMPANY

NOTE:

TRAFFIC LEGEND

TRAFFIC FLOW

FREE STANDING SELF SUPPORT SIGN (TYPICAL)
NOTE:
ALL WORK SIGNAGE TO BE MOUNTED ON SELF SUPPORTING STANDS OR BE ATTACHED TO EXISTING FIXTURES.

FREE STANDING SELF SUPPORT SIGN

PER SEC. 6F.03 MUTCD 2009 EDITION, DECEMBER 2009 PAGE 581-582

1' (.3 M) MIN. (TYPICAL)

(NOT TO SCALE)

NOTE:
POLICE DETAIL OFFICER TO SET UP HIS POSITION AS NEEDED IN FIELD.

NOTE:
CONTRACTOR TO PLACE SIGNS AND TRAFFIC CHANNELIZATION DEVICES PER THE MUTCD.

Notes for Figure 6H-1 - Typical Application 1

Work Beyond the Shoulder

Guidance:
1. If the work space is in the median of a divided highway, an advance warning sign should also be placed on the left side of the directional roadway.

Option:
2. The ROAD WORK AHEAD sign may be replaced with other appropriate signs such as the SHOULDER WORK sign. The SHOULDER WORK sign may be used for work adjacent to the shoulder.

3. The ROAD WORK AHEAD sign may be omitted where the work space is behind a barrier, more than 24 inches behind the curb, or 15 feet or more from the edge of any roadway.

4. For short-term, short duration or mobile operation, all signs and channelizing to the rear may be eliminated if a vehicle with activated high-intensity rotating, flashing, oscillating, or strobe lights is used.

5. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:
6. Vehicle hazard warning signals shall not be used instead of the vehicle’s high-intensity rotating, flashing, oscillating, or strobe lights.
March 14, 2019

Ms. Susan Cimino  
Town Council Record Access  
One JFK Memorial Drive  
Braintree, MA 02184

RE: 120 Ivory Street Braintree  
Grant of Location-Petition

Dear Ms. Cimino:

Enclosed please find materials supporting Comcast request for a grant of location from the Braintree Town Council. The work associated with the attached petition is for the purpose of installing new underground conduit to number 120 Ivory Street. For a detailed description of the work please refer to the attached construction plans and traffic control plans.

I look forward to the opportunity to address this matter in further detail at the next Braintree Town Council Meeting. Should you have any questions or concerns, please feel free to contact me at (617) 279-7864.

Sincerely,

[Signature]

David R. Flewelling  
Comcast  
Specialist 2, Construction

Enclosure (3)
PETITION OF COMCAST FOR LOCATION FOR CONDUITS AND MANHOLES

To the Town Council for the Town of Braintree, Massachusetts:

Respectfully represents Comcast of Massachusetts III, Inc., a company incorporated for the distribution of telecommunications services, that it desires to construct a line for such telecommunications under the public way or ways hereinafter specified.

French Street: Starting at Utility Pole No. 2 excavating to place (2) 4" PVC Conduits 308' ± to a proposed 2'x3' vault located in the sidewalk. From the newly placed vault the conduit installation continues on to private property to provide service to number 120 Ivory Street.

Wherefore, your petition prays that, after due notice and hearing as provided by law, the Town Council may by Order grant your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by Comcast dated March 1, 2019 and filed here with, under the following public way or ways of said Town of Braintree.

Comcast
By: ____________________________
David R. Flewelling
Specialist 2, Construction

Dated this March 1, 2019

Town of Braintree Massachusetts

Received and filed __________________, 2019
ORDER FOR CONDUIT LOCATION

In the Town Council for the Town of Braintree, Massachusetts.

ORDERED:

That permission be and hereby is granted to Comcast of Massachusetts III Inc., to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated March 14, 2019.

French Street: Starting at Utility Pole No. 2 excavating to place (2) 4" PVC Conduits 308' ± to a proposed 2'x3' vault located in the sidewalk. From the newly placed vault the conduit installation continues on to private property to provide service to number 120 Ivory Street.

Substantially as shown on plan, filed with said petition.

Also that permission be and hereby is granted said Comcast to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the Town Council or to such officers as it may appoint to the supervision of the work.
2. Said Company shall indemnify and save the Town harmless against all damages, costs and expense whatsoever to which the Town may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the Town.
3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of One Hundred Thousand Dollars ($100,000) (reference being had to the bond already on file with said Town) conditioned for the faithful performance of its duties under this permit.
4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the Town Council for the Town of Braintree, Massachusetts, held on the ______ day of _______ 2019.

(over)

______________________________
City Clerk
DATE: March 8, 2019
APPLICANT: Comcast Cable Communications
OWNER: Francis X Messina
Ivory Plaza Ltd. Partnership
ADDRESS: 120-140 Pearl Street
MAP & LOT: 1029 0 16

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
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Subject Property Location:

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Parcel Count: 43

End of Report
RESOLUTION IN SUPPORT OF STRIKING STOP & SHOP WORKERS

WHEREAS: It has come to the attention of the Braintree Town Council that approximately 31,000 Stop & Shop workers at two hundred and forty nine locations throughout Connecticut, Rhode Island and Massachusetts are currently on strike: and

WHEREAS: Many Stop & Shop workers live in the Town of Braintree, and

WHEREAS: Stop & Shop forced the workers on strike by proposing pension reductions to non-vested employees and newly hired employees; and

WHEREAS: Stop & Shop workers are fighting for good, family-supporting jobs; and

WHEREAS: The union has offered a proposal that protects the pension benefits of current and future members, fully maintains health and welfare benefits for all current and future member and provides innovative wage rates while allowing the company to remain competitive, and

WHEREAS: Stop & Shop has made $2 billion in profit over the past year and its Shareholders will receive $880 million in dividend payments; and

BE IT THEREFORE RESOLVED: That the Town of Braintree urges Stop & Shop CEO Carl Schlicker to resolve and put an end to the Stop & Shop strike; and

BE IT THEREFORE RESOLVED: That the Town of Braintree go on record in support of the striking Stop & Shop workers to protect wage, pension and health benefits; and

FINALLY BE IT THEREFORE RESOLVED that the Town of Braintree supports striking Stop & Shop workers in the fight for good jobs that benefit for every worker and their families, in our community.