

1. Agenda

1.I. 7:30 PM Town Council

Documents:

[19 MAY 14 SPECIAL TOWN COUNCIL MEETING.PDF](#)

1.II. 7:30 PM Town Council

Documents:

[19 MAY 14 COUNCIL MTG.PDF](#)

2. Documents

Charles B. Ryan  
President  
At Large

Shannon L. Hume  
At Large

Sean E. Powers  
At Large

Thomas W. Whalen  
District 2

Thomas M. Bowes  
District 3



Charles C. Kokoros  
Vice President  
District 1

Stephen C. O'Brien  
District 4

David M. Ringius, Jr.  
District 5

Timothy P. Carey  
District 6

## OFFICE OF THE TOWN COUNCIL – AGENDA –

**Tuesday, MAY 14, 2019** • Horace T. Cahill Auditorium, Town Hall • Starting Time: **7:30PM**

### PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

### ANNOUNCEMENTS

### APPROVAL OF MINUTES

- April 23, 2019

### COMMUNICATIONS

- 023 19 Council President: Section 8-5: Periodic Review of Charter and Ordinances

### OLD BUSINESS

- 19 011 Mayor: Comprehensive Zoning Ordinance or take up any action relative thereto (Public Hearing)
- 19 014 Mayor: FY19 Supplemental Appropriation #3 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 is the ANNUAL TOWN MEETING to be held on: **Tuesday, May 28, 2019 @ 7:00pm**

### ADJOURNMENT

Charles B. Ryan  
President  
At Large

Shannon L. Hume  
At Large

Sean E. Powers  
At Large

Thomas W. Whalen  
District 2

Thomas M. Bowes  
District 3



Charles C. Kokoros  
Vice President  
District 1

Stephen C. O'Brien  
District 4

David M. Ringius, Jr.  
District 5

Timothy P. Carey  
District 6

## OFFICE OF THE TOWN COUNCIL – AGENDA –

**Tuesday, MAY 14, 2019** • Horace T. Cahill Auditorium, Town Hall • Starting Time: **7:30PM**

### PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

### ANNOUNCEMENTS

### APPROVAL OF MINUTES

- April 23, 2019

### COMMUNICATIONS

- 023 19 Council President: Section 8-5: Periodic Review of Charter and Ordinances

### OLD BUSINESS

- 19 011 Mayor: Comprehensive Zoning Ordinance or take up any action relative thereto (Public Hearing)
- 19 014 Mayor: FY19 Supplemental Appropriation #3 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 is the ANNUAL TOWN MEETING to be held on: **Tuesday, May 28, 2019 @ 7:00pm**

### ADJOURNMENT

Charles B. Ryan  
President  
At Large

Sean E. Powers  
At Large

Shannon L. Hume  
At Large

Thomas W. Whalen  
District 2

Thomas M. Bowes  
District 3



CHARLES C. Kokoros  
Vice President  
District 1

Stephen C. O'Brien  
District 4

David M. Ringius, Jr.  
District 5

Timothy P. Carey  
District 6

## OFFICE OF THE TOWN COUNCIL

# April 23, 2019 MINUTES

A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Tuesday, April 23, 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  
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: Ed Spellman, Finance Director  
James Arsenault, DPW Director  
Michael Nelligan, Powers & Sullivan

### APPROVAL OF MINUTES

- March 19, 2019

**Motion:** by Councilor Kokoros to Approve Minutes of March 19, 2019

**Second:** by Councilor Powers

**Vote:** For (9 – Bowes, Carey, Hume, Kokoros, O'Brien, Powers, Ringius, Ryan, Whalen),  
Against (0), Absent (0), Abstain (0)

### ANNOUNCEMENTS

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

## COMMUNICATIONS

- 018 19 Powers & Sullivan – FY2018 Year End Reports

Michael Nelligan, Partner with Powers & Sullivan the Town's outside audit firm, stated this audit is complete. I congratulated the Mayor on another strong year. Everything went very smoothly conducting the audit. In 2017 the CAFR won the award for the 6<sup>th</sup> time in a row and the 2018 CAFR has been submitted as well. It is a very prestigious award. The Management Letter has comments about reconciliation so that receivables and recording Council Orders are on the recap sheet that is required to be filed with the Department of Revenue. We look at that and compare it with the budget. There were some Council Orders from the prior year that did not get on there. We look to see all the transfers are posted correctly. As a result of these comments a spreadsheet is being put into place. This is one of the things the Town Accountant is picking up.

Ed Spellman, Finance Director stated with the new Munis software, we will work with the Department Heads so this comment will not be here next year.

Michael Nelligan, Partner with Powers & Sullivan stated OPEB and Pension liabilities are fully on the books. The pension plan is 67% funded. This is in the upper third of the communities in the state. The general fund expenditures are at 16%. In 2010 it was 8.9%. The fund balance has grown very healthy over the past 15 years. New debt was due to school building and ESCO and Water & Sewer borrowed \$5.9 million for various infrastructures projects. The Management Letter also mentioned Police and Fire detailed reconciliations. Documentation of Internal Controls (COSO) is also a standard concern that we are trying to encourage everyone to adopt.

## OLD BUSINESS

The two resident petitions were told their streets were under moratorium for three more years. The street would need to be repaved as per the Street Moratorium Ordinance.

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

**The resident at 79 Hayward Street hereby respectfully requests to install service as follows:  
To Install and maintain gas service lateral in Huntley Road to service house number 79 Hayward Street with staff recommendations:**

**BELD:** 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.

**DPW:** 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 and with conditions repaving is crown to curb (as stated in street moratorium ordinance). 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.”

**Motion:** by Councilor Kokoros

**Second:** by Councilor Powers

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

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

**The resident at 17 Jersey Avenue hereby respectfully requests to install service as follows:  
To Install and maintain gas service lateral in Jersey Avenue to service house number 17 with staff recommendations:**

**BELD:** There are no underground electric utility conflicts or special requirements within the proposed scope of work.

**DPW:** 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 and with conditions repaving is crown to curb (as stated in street moratorium ordinance).. 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."

**Motion:** by Councilor Kokoros

**Second:** by Councilor Powers

**Vote:** For (9 – Bowes, Carey, Hume, Kokoros, O'Brien, Powers, Ringuius, Ryan, Whalen),  
Against (0), Absent (0), Abstain (0)

- 19 013 Comcast Petition: 120 Ivory Street or take up any action relative thereto  
**French Avenue and Pearl Street to service 120 Ivory Street, to 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 with staff recommendations:**

**BELD:** There is a 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.

A letter has been sent to Mr. Flewelling (Comcast) stating the new installation specifications required by BELD.

**DPW:** 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.”

**Motion:** by Councilor Kokoros

**Second:** by Councilor Powers

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

## **NEW BUSINESS**

- None

## **ADJOURNMENT**

It was unanimously voted to adjourn the meeting at 8:54p.m.

Respectfully submitted,

Susan M. Cimino  
Clerk of the Council

## **Documents provided for Meeting**

- 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
- Powers & Sullivan FY2018 Year End Reports



Joseph C. Sullivan  
Mayor

## Town of Braintree 2019 Charter Review Committee



OFFICE OF THE  
TOWN COUNCIL

In Summer 2019, the Mayor and the Town Council shall provide for a review to be made of the Town Charter as required by Section 8-5 of the Charter by a special committee appointed by the Mayor and the Council President. A complete copy of the Town Charter can be found at <https://braintreema.gov/DocumentCenter/View/1258/Town-Charter-PDF?bidId=>.

This special committee shall be comprised of nine (9) members. Four (4) members shall be appointed by the Council President and five (5) of the members shall be appointed by the Mayor. At least two (2) of the persons appointed by the Town Council President shall be members of the Town Council and the remaining members shall be voters of the town.

The special committee shall complete its review and file a report with the Clerk of the Council no later than May 1, 2020.

Braintree's excellence as a community is due in large part to citizen participation in government and community affairs. The Mayor and Council President encourage you to register by completing this form, indicating your occupation, background and areas of interest. Please return completed form to: Mayor's Office, Braintree Town Hall, 1 JFK Memorial Drive, Braintree, MA 02184 or email: [mayorsoffice@braintreema.gov](mailto:mayorsoffice@braintreema.gov) or to Town Council, 1 JFK Memorial Drive, Braintree, MA 02184 or email: [scimino@braintreema.gov](mailto:scimino@braintreema.gov) no later than May 28, 2019.

NAME: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

PHONE: (H) \_\_\_\_\_ (C) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

OCCUPATION: \_\_\_\_\_

Date of Submittal: \_\_\_\_\_ No. of Years in Braintree: \_\_\_\_\_

**Please attach additional sheet(s) providing background information, relevant experience(s) or resume.**

Please indicate any other areas of interest:

\_\_\_\_\_  
\_\_\_\_\_