1. Agenda
   1.I. 7:30 PM  Town Council
       Documents:
       19 NOV 6 AGENDA.PDF

   1.II. 7:30 PM  Town Council
          Documents:
          19 NOV 6 COUNCIL MTG.PDF

2. Documents
Wednesday, NOVEMBER 6, 2019  •  Horace T. Cahill Auditorium, Town Hall  •  Starting Time: 7:30PM

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE

ANNOUNCEMENTS
• 049 19 Council President: Marge Crispin Holiday Donations (Ann Toland/Pat Conrad)

APPROVAL OF MINUTES
• September 18, 2019

OLD BUSINESS
• 19 036 Mayor: Re-Appointment - Braintree Contributory Retirement Board, Edward J. Spellman, Jr. or take up any action relative thereto
• 19 037 Mayor: Appointment - Braintree Contributory Retirement Board, Joseph R. Driscoll, Jr. or take up any action relative thereto
• 19 038 Mayor: Appointment - Chief of Police, Mark W. Dubois or take up any action relative thereto
• 19 039 Mayor: Appointment – Conservation Commission, Kimberly Kroha or take up any action relative thereto
• 19 040 Town Clerk: Request for the Relocation of District 1A Polling Location – 74 Pond Street or take up any action relative thereto
• 19 042 Mayor: Transfer Control of Town Forest Land to Conservation Commission or take up any action relative thereto

NEW BUSINESS
• None

Refer to the Committee of Ways & Means
• 19 044 Mayor: To Approve the Purchase and Resale of an Affordable-Housing Unit at Turtle Crossing and the Expenditure of Funds for that Purpose or take up any action relative thereto

Topics the Chair does not reasonably anticipate will be discussed

UPCOMING MEETINGS:
Next Council Meeting scheduled on: Tuesday, November 19, 2019 @ 7:30pm

ADJOURNMENT
Wednesday, NOVEMBER 6, 2019 • Horace T. Cahill Auditorium, Town Hall • Starting Time: 7:30PM

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UPCOMING MEETINGS:
Next Council Meeting scheduled on: Tuesday, November 19, 2019 @ 7:30pm

ADJOURNMENT
September 18, 2019

MINUTES

A meeting of the Town Council was held in the Cahill Auditorium, Braintree Town Hall, on Wednesday, September 18, 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
Stephen C. O’Brien
Sean E. Powers
David M. Ringius, Jr.
Thomas W. Whalen

Not Present: Shannon L. Hume

Also Present: James Arsenault, DPW Director

ANNOUNCEMENTS

• 038 19 Council President: Recognition Certificates: Braintree American Little League
• 039 19 Council President: Recognition Certificates: Babe Ruth
• 040 19 Council President: POW/MIA National Recognition Day – September 20, 2019

Council took a 5 minute recess at 8:04 pm returning at 8:09 pm

APPROVAL OF MINUTES

• August 13, 2019

Motion by Councilor Kokoros to Approve Minutes of August 13, 2019

Motion: by Councilor Kokoros to Approve Minutes of August 13, 2019
Second: by Councilor Powers
Vote: For (8 – Bowes, Carey, Kokoros, O’Brien, Powers, Ryan, Ringius, Whalen), Against (0), Absent (1 - Hume), Abstain (0)
OLD BUSINESS

MOTION TO TAKE OFF THE TABLE Orders 19 026, 19 027, 19 028 and 19 029:

Motion: by Councilor Kokoros to TAKE OFF the TABLE Orders 19 026, 19 027, 19 028 and 19 029
Second: by Councilor Powers
Vote: For (8 – Bowes, Carey, Kokoros, O’Brien, Powers, Ryan, Ringius, Whalen), Against (0), Absent (1 - Hume), Abstain (0)

Council President Ryan referred to Councilor Whalen, Chairman of the Committee on the Department of Public Works for a recommendation. Councilor Whalen stated all of these petitions were tabled by the Committee on the Department of Public Works to September 18, 2019. We met this evening and approved for favorable recommendation to the full Council Order 19 026, 19 028 and 19 029. Order 19 027 was tabled to the next Committee on the Department of Public Works meeting.

• 19 026 National Grid Petition: Gardner Terrace or take up any action relative thereto

MOTION:
To replace and maintain approximately 250 feet of 2 inch plastic gas main from the existing main on Washington Street to #22 Gardner Terrace with staff recommendations:

To install and maintain approximately 250 feet of 2 inch 60 psig plastic gas main from the existing main on Washington Street, shown on National Grid’s 7/3/2019 plan as 2 inch 60 psig plastic, to #22 Gardner Terrace to replace mains shown on National Grid’s 7/3/2019 plan as 225 feet of 1.5 inch bare steel and 25 feet of coated steel with staff recommendations:

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

DPW: Gardner Terrace is not under the moratorium enacted by the Town in 2015. I would recommend that the petition for this road opening only be granted under the normal conditions imposed by the DPW Highway Division plus that:

1. If roadside surfaces are disturbed the surface is to be replaced in kind and in at least as good condition as before the work;
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 gas main be installed outside of the trenches of the water and sewer mains, storm drains 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.

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

September 18, 2019

Town Council
“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 trained traffic control personnel to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and traffic control 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 the Police Department.”

Motion: by Councilor Kokoros to Approve Order 19 026
Second: by Councilor Bowes
Vote: For (8 – Bowes, Carey, Kokoros, O’Brien, Powers, Ryan, Ringius, Whalen), Against (0), Absent (1 - Hume), Abstain (0)

• 19 027 National Grid Petition: Lawnview Drive and Pinecrest Road or take up any action relative thereto

MOTION:
To replace and maintain approximately 1405 feet of 2 inch plastic gas main from the existing main on Elm Street to the end at #121 Lawnview Drive and to replace and maintain 135 feet of 2 inch plastic gas main from Lawnview Drive to #9 Pinecrest Road with staff recommendations:

To install and maintain approximately 1405 feet of 2 inch 60 psig plastic gas main from the existing main on Elm Street, shown on National Grid’s 7/15/2019 plan as a 2 inch 60 psig plastic pipe to the end at #121 Lawnview Drive to replace mains identified on National Grid’s plan of 7/15/2019 as 850 feet of 2” bare steel and 560 feet of 1.5” coated steel, and to install and maintain 135 feet of 2 inch plastic gas main from Lawnview Drive to #9 Pinecrest Road to replace the main shown on National Grid’s plan of 7/15/19 as 1.5” coated steel with staff recommendations:

BELD: BELD has an 115,000 volt oil filled transmission line located on Elm 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 Elm Street. This is a concrete encased duct bank to be identified through the Dig safe process.

DPW: Both Lawnview Drive and Pinecrest Road are under the moratorium enacted by the Town in 2015 having been re-paved and microsurfaced in 2016. For longitudinal trenches in a road resurfaced as Lawnview Drive or Pinecrest Rd was the moratorium is 10 years. Road openings may be made after 2026 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 several users’ needs without excavating the recently resurfaced street, I would recommend that the petition for this road opening only be granted under the normal conditions imposed by the DPW Highway Division plus that:
1. after maintaining the temporary trench through one winter but within one year of placement of the temporary trench repair, the permanent repair be full-width mill and overlay of both Lawnview Drive and Pinecrest Road for the full length of the excavation;
2. If sidewalk surfaces are disturbed the surface is to be replaced in kind, at ADA compliant slopes and for the full width of the sidewalk;
3. all matches with existing surfaces be smooth, safe, properly surfaced and satisfactory to the Town;
4. the work be coordinated with the abutters to ensure that the properties are accessible at all times, including ADA compliant pedestrian access;
5. the gas main 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;
6. the DPW be notified when the construction conflicts with Town utilities so the resolution can be mutually agreeable;
7. as-built plans be prepared and submitted satisfactory to the Department of Public Works;
8. 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.

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 trained traffic control personnel to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and traffic control 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 the Police Department.”

Motion: by Councilor Kokoros to TABLE Order 19 027
Second: by Councilor Bowes
Vote: For (8 – Bowes, Carey, Kokoros, O’Brien, Powers, Ryan, Ringius, Whalen), Against (0), Absent (1 - Hume), Abstain (0)

- 19 028 National Grid Petition: Plymouth Road or take up any action relative thereto
MOTION:
To replace and maintain approximately 290 feet of 2 inch plastic gas main from the existing main on Washington Street to #22 Plymouth Road with staff recommendations.

To install and maintain approximately 290 feet of 2 inch 60 psig plastic gas main from the existing main on Washington Street, shown on National Grid’s 7/16/2019 plan as a 2” psig plastic lateral to #22 Plymouth Road to replace mains shown on National Grid’s plan of 7/16/2019 as 265 feet of 1.5 inch bare steel and 25 feet of 2 inch plastic with staff recommendations:

BELD: BELD has no underground electric utility conflicts or special requirements within the proposed scope of work.
DPW: Plymouth Road was totally reconstructed in 2014 and so is not under the moratorium enacted by the Town in 2015, but it remains in very good condition. It is noteworthy that the existing and proposed mains do not extend to the last three houses on the street. If it has not already occurred, those residents should be contacted by National Grid in an attempt to accomplish all work needed out there at the same time. I would recommend that the petition for this road opening only be granted under the normal conditions imposed by the DPW Highway Division plus that:

1. If roadside surfaces are disturbed the surface is to be replaced in kind and in at least as good condition as before the work;
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 gas main be installed outside of the trenches of the water and sewer mains, storm drains 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.

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 trained traffic control personnel to safely guide traffic through the work zone. If a closure is authorized by the DPW, it shall not be implemented until signs and traffic control 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 the Police Department.”

Motion: by Councilor Kokoros to Approve Order 19 028
Second: by Councilor Bowes
Vote: For (8 – Bowes, Carey, Kokoros, O’Brien, Powers, Ryan, Ringius, Whalen), Against (0), Absent (1 - Hume), Abstain (0)

19 029 Resident Petition: 40 Bowditch Street or take up any action relative thereto
MOTION:
To install a gas service lateral in Bowditch Street to service future house number 40 with staff recommendations:

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

DPW: Bowditch Street is under the moratorium enacted by the Town in 2015 having been re-paved and micro-surfaced in 2015. For transverse trenches in a road resurfaced as Bowditch Street was, the moratorium is 5 years. Road openings may be made after 2020 without waiving the ordinance. Since the
street is under the moratorium, the DPW recommends that the petition not be granted. However, if the Council finds circumstances warranting approval, and since the street is almost out of moratorium, we’d recommend that the petition for this road opening only be granted conditioned upon the contractor 1.) not leaving the trench pavement low for any length of time; 2.) after maintaining a bituminous concrete temporary trench repair through one full winter but within one year of the temporary trench repair, mill and overlay the full width of the street for the full width of the excavated trench plus 5 feet each side (repair would end up being approximately 13 feet wide by the width of the road, about 22 feet); 3.) repair or replace curbs / berms / sidewalk areas disturbed and retain drainage flow patterns all to the satisfaction of the Highway Superintendent; 4.) provide for infrared treatment of seams at the discretion of the Highway Superintendent and 5.) that surety in the amount of not less than $1000 be put in place to guarantee the satisfactory completion of the repairs.

The DPW also recommends that the following requirement be added to the permit, 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 to Approve Order 19 029
Second: by Councilor Bowes
Vote: For (8 – Bowes, Carey, Kokoros, O’Brien, Powers, Ryan, Ringius, Whalen), Against (0), Absent (1 - Hume), Abstain (0)

NEW BUSINESS
• 19 035 Town Clerk: Call to the General Election - November 5, 2019 or take up any action relative thereto (placeholder - Oct. 1 vote). No action was to be taken up this evening. This is a placeholder for a vote to be taken up at the October 1, 2019 Town Council meeting.

Refer to the Committee on the Department of Public Works
• 19 033 National Grid Petition: Commercial Street or take up any action relative thereto
  Motion: by Councilor Kokoros to Refer to the Committee on the Department of Public Works Order 19 033
  Second: by Councilor Powers
  Vote: For (8 – Bowes, Carey, Kokoros, O’Brien, Powers, Ryan, Ringius, Whalen), Against (0), Absent (1 - Hume), Abstain (0)
• 19 034 National Grid Petition: Elm Street and Adams Street or take up any action relative thereto
  
  **Motion:** by Councilor Kokoros to Refer to the Committee on the Department of Public Works
  Order 19 034
  
  **Second:** by Councilor Powers

  **Vote:**  
  For (8 – Bowes, Carey, Kokoros, O’Brien, Powers, Ryan, Ringius, Whalen),
  Against (0), Absent (1 - Hume), Abstain (0)

**Topics the Chair does not reasonably anticipate will be discussed**

Councilor O’Brien asked to make a statement under this agenda topic. The following is a brief summary:

I request the Mayor and Planning staff come before Town Council to discuss the status of the Master Plan. There was a Resolution drafted by Councilor Powers on behalf of the residents that the Executive Branch provide an updated Master Plan.

The residents have made it known they are requesting an updated Master Plan not a series of supporting reports.

It is loud and clear many residents did not agree with many of the proposed Zoning changes. I ask Order 19 011 Mayor: Comprehensive Zoning Ordinance – be brought before Town Council at our next meeting to deliberate what the next steps should be.

Withdrawal is something the Executive Branch should seriously consider.

I ask for an Update of the Master Plan and Update on Zoning whether from O&R or the Executive Branch.

**UPCOMING MEETINGS:**

Next Council Meeting will be held on: **Tuesday, October 1, 2019 @ 7:30pm**

**ADJOURNMENT**

It was unanimously voted to adjourn the meeting at 8:24p.m.

Respectfully submitted,

Susan M. Cimino
Clerk of the Council

**Documents provided for Meeting**

• Minutes of July 16, 2019
• 19 026 National Grid Petition: Gardner Terrace or take up any action relative thereto
• 19 027 National Grid Petition: Lawnview Drive and Pinecrest Road or take up any action relative thereto
• 19 028 National Grid Petition: Plymouth Road or take up any action relative thereto
• 19 029 Resident Petition: 40 Bowditch Street or take up any action relative thereto
See Charter Section 2-10 for your reference below.

SECTION 2-10: COUNCIL REVIEW OF CERTAIN APPOINTMENTS

The mayor shall submit to the town council the name of each person the mayor desires to appoint to any town office, as a department director, or as a member of a multiple-member body, but not including any position that is subject to the civil service law. The town council shall refer each name that is submitted to it to a standing committee of the town council which shall investigate each candidate for appointment and may make a report, with recommendations, to the full town council not less than 7 nor more than 21 days after the referral. The committee may require any person whose name has been referred to it to appear before the committee, or before the town council, to give any information relevant to the appointment that the committee, or the town council, may require.

Appointments made by the mayor shall become effective on the thirtieth day after the date on which notice of the proposed appointment was filed with the clerk of the council, unless 6 members of the town council shall within those 30 days vote to reject the appointment, or unless the town council has sooner voted to affirm the appointment. The question on rejection of any appointment made by the mayor shall not be subject to the procedure of charter objection provided in section 2-9 (b) of this charter.
Date: October 1, 2019

To: Charles B. Ryan, Council President

From: Joseph C. Sullivan, Mayor

Re: Re-appointment to Braintree Contributory Retirement Board

cc: Town Clerk
    Town Councilors
    Clerk of the Council
    Gerald J. Kenney, David Delgallo, Fred Viola, Peter J. Morin

Pursuant to my authority as Mayor under Section 3-3 of the Charter of the Town of Braintree and Massachusetts General Laws, Chapter 32, Section 20(4) (c), I hereby re-appoint Edward J. Spellman Jr. to the Braintree Contributory Retirement Board for a three year term effective November 10, 2019.

I thank you for your attention to this matter and I request favorable action.
Date: October 1, 2019

To: Charles B. Ryan, Council President

From: Joseph C. Sullivan, Mayor

Re: New appointment to Braintree Contributory Retirement Board

cc: Town Clerk
    Town Councilors
    Clerk of the Council
    Gerald J. Kenney, David Delgallo, Fred Viola, Peter J. Morin, Edward J. Spellman

Pursuant to my authority as Mayor under Section 3-3 of the Charter of the Town of Braintree and Massachusetts General Laws, Chapter 32, Section 20(4) (c), I hereby appoint Joseph R. Driscoll Jr., Esq., of 100 Hollingsworth Avenue, Braintree, MA 02184, to the Braintree Contributory Retirement Board for a three year term effective November 10, 2019. Mr. Driscoll will be replacing Mr. Peter J. Morin who has chosen not to seek re-appointment to the Board.

I thank you for your attention to this matter and I request favorable action.
MEMORANDUM

To: Charles B. Ryan, Town Council President
   Braintree Town Councilors

From: Joseph C. Sullivan
       Mayor

Re: Appointment of Mark W. Dubois as Braintree Police Chief

Date: October 8, 2019

President Ryan, Braintree Town Councilors,

Pursuant to Sections 2-10 and 3-3 of the Charter, I hereby appoint Mark W. Dubois as Chief of Police of the Braintree Police Department for a 3 year term.

Chief Dubois has served the Town of Maynard as the Police Chief since September 2012 and has an exemplary career in law enforcement spanning approximately 28 years. In that capacity Chief Dubois leads a staff of 35 sworn officers and civilian communicators to work with the town’s executive leadership and departments to address issues facing the community. Among other successes, has started several outreach initiatives and developed a new department policy and procedure manual to achieve full Massachusetts Police Accreditation in January 2016 and re-accreditation in February 2019. Prior to leading the Maynard Police Department, Chief Dubois served the Town of Shrewsbury as a patrol officer, patrol sergeant and lieutenant-operations division commander responsible for managing the uniformed patrol operations for the Department. Chief Dubois started his career in law enforcement as a dispatcher and part time reserve officer in the Town of Sutton prior to joining the Northborough Police Department as a full time patrol officer in August 1994.

In addition to serving as Police Chief in Maynard, Chief Dubois is currently the President of the North Eastern Massachusetts Law Enforcement Council (NEMLEC), the co-chair of the training working group on the Governor’s Council on Sexual and Domestic Violence and an instructor for the Municipal Police Training Committee (MPTC).
Chief Dubois is also a proud member of the United States Army Reserve, currently holding the rank of Major, where he serves in the Judge Advocate General (JAG) Corps and holds the position of Senior Defense Counsel for the Trial Defense Service. Chief Dubois received his law degree from New England School of Law in 2001 and holds a Bachelor of Science in Criminal Justice from Westfield State College. Chief Dubois has also completed the FBI National Academy, the FBI Law Enforcement Executive Development Seminar, the Police Chief Leadership Academy and the General Staff and Command Course offered by the United States Army.

A copy of Chief Dubois’ resume is attached for your reference.

Chief Dubois’ appointment provides our Department with the critical experience, leadership, and professionalism necessary to move forward in our pursuit of accreditation and to best serve the needs of the Department and our community.

For these reasons, your review of this appointment is appreciated.
NOTICE OF APPOINTMENT

Pursuant to the Authority vested in the Office of the Mayor in Article 3, Section 3-3 of the Town of Braintree Charter, also known as Chapter 189 of the Acts of 2005 and Massachusetts General Laws, Chapter 41, Section 97A, I hereby appointment Mark W. Dubois as Police Chief of the Braintree Police Department. I certify that Mark W. Dubois is qualified to perform the duties which will be required and that I make this designation solely in the interests of the Town of Braintree. I request that the Town Council act favorably upon this appointment within the timeframe established by the Charter.
Mark William Dubois

Town of Maynard
Chief of Police September 2012 – Present

Lead a staff of thirty-five sworn officers and civilian communicators in a Metro-West Boston community. Report to the Police Commission and Town Administrator. Developed a new department policy and procedure manual to achieved full Massachusetts Police Accreditation in January of 2016 and re-accreditation in February 2019. Implemented a new civilian joint public safety communications division for police and fire departments. Use a team approach to leadership including the command staff in policy considerations and decision making. I work well with the town’s executive leadership and all town departments to solve issues facing Maynard. My police and military leadership experience and education have made me a successful adaptive leader. I am confident I can adapt to the needs of the Braintree Police Department. I am a highly skilled manager of budgets and personnel and work well as part of the municipal team on such issues. We also partner with a variety of special community services; Domestic Violence Service Network, Police Assisted Addiction Recovery Initiative, Recovery Coach, Jail Diversion Program manager for mental health, and Communities for Restorative Justice.

Town of Shrewsbury

Lieutenant– Operations Division Commander February 2007-September 2012

Manage uniformed patrol operations of six sergeants, thirty patrol officers, dispatch supervisor and eight dispatchers. Department has a total staff of over seventy employees. All personnel matters involving patrol operations and communications work product, motorcycles, bicycle patrol, marine unit, department scheduling, budget review, prepare capital budget, plan future needs of the agency, develop and implement department policies and procedures, officer training, fleet purchase, maintenance, and repairs. Implemented new scheduling software to increase efficiency of personnel scheduling and personnel tracking systems including payroll. Department liaison to many outside agencies including Shrewsbury Senior Center, Triad group, media agencies, Westborough District Court, and school department. Conduct internal investigations and determined outcome. Respond to all major incidents in the community. Facilitate collective bargaining agreement with town manager and superior officer’s association.
Patrol Sergeant  
Shift supervisor in a very busy urban community bordering the City of Worcester. 
Supervised all aspects of police activity during tour of duty.

Patrolman  
July 2000 – September 2002

Town of Northborough  
Patrolman  
August 1994- July 2000
I was also a dispatcher and part time reserve officer for 3 years prior to starting in Northborough. Dispatching time was split between the Town of Sutton and the Massachusetts State Police.

Military  
United States Army Reserve  
October 2007-Present
Judge Advocate General Corps current rank of Major
Prior 3-year assignment ended in June 2018 as the Brigade Judge Advocate for the 804th Medical Brigade located at Ft Devens, MA. I was assigned as Special Staff to advise the Brigade Commander and subordinate Commanders on all legal and policy issues facing the Brigade. The Brigade has over 1200 Soldiers assigned and multiple locations throughout New England.
Mobilized to Ansbach Germany from October 2009 to October 2010.

Education  
New England Law – Boston  
Juris Doctor, May 2001
Boston, MA
Evening Division

Westfield State College  
Bachelor of Science in Criminal Justice, August 1996
Westfield, MA

Quinsigamond Community College  
Associates of Science in Criminal Justice, Highest Honors, May 1994
Worcester, MA

FBI National Academy Session 270 (2017)  
FBI- Law Enforcement Executive Development Seminar (2013)  
Police Chief Leadership Academy Endicott College (2016)  
Relevant Specialized Experience:

North Eastern Massachusetts Law Enforcement Council (NEMLEC) President 2019 and 2020. NEMLEC is a mutual aid organization consisting of sixty-five communities in Middlesex and Essex Counties serving a population of 1.5 million residents. NEMLEC provides specialized services of SWAT, Regional Response Team, Search and Rescue, School Threat and Response Team, Incident Command, Motorcycle Unit with a total compliment of approximately 400 team members. Prior to being elected to the Executive Board I was assigned to the Standards Committee to review and update all policies and procedures of the various teams.

Governor’s Council on Sexual and Domestic Violence 2015 to present: co-chair of training working group and I currently serve on the High-Risk Assessment working group. This group implemented high risk assessments that every police officer in Massachusetts has been training to use. Currently working to create best practices in starting a high-risk working group for each police department in Massachusetts.

Municipal Police Training Committee (MPTC) instructor 2002 to present. I have been teaching several topics to new recruits, in service officers and supervisors in several police academies since I graduated law school. I am considered a subject matter expert in Ethics and assisted with the creation of new curriculum.

Professional Activities and Memberships

Police Executive Research Forum (PERF)
FBI National Academy Associates (FBI-NAA)
International Association of Chiefs of Police (IACP)
Massachusetts Chief of Police Association
Middlesex County Chief of Police Association
Massachusetts Bar, Admitted January 2002
Committee Chairman for Boy Scout Troop 158, Shrewsbury
-both my sons are Eagle Scouts
Coach Shrewsbury Little League baseball
Coach Shrewsbury youth basketball and soccer
Alumni Association member of New England Law – Boston
Date: October 9, 2019

To: Charles B. Ryan, Council President

From: Joseph C. Sullivan, Mayor

Re: Appointment to Conservation Commission

cc: Town Clerk
    Town Councilors
    Clerk of the Council
    Christine Stickney, Director of Planning and Community Development
    Kelly Phelan, Conservation Planner

Pursuant to my authority as Mayor under Section 3-3 of the Braintree Town Charter I hereby appoint Kimberly Kroha, of 42 Herbert Road to the Braintree Conservation Commission.

I appreciate your review of this appointment and request favorable action. Attached is Kimberly Kroha’s resume.
Kimberly Kroha  
42 Herbert Road • Braintree, MA 02184 • (617) 750-5122 • kimkroha@yahoo.com

BAR CERTIFICATION

Massachusetts
Florida

EDUCATION

New England Law | Boston, formerly New England School of Law (evening division)  
Juris Doctor, summa cum laude. GPA: 3.91  
Rank: 1 out of 73; Valedictorian, Evening Division.  
Activities: National Environmental Law Moot Court Competition, 2012-2013
New England Scholar and Dean’s List, 2010-2013  
Sandra Day O’Connor Merit Scholarship, 2009-2013

The Green Building Certification Institute (GBCI)  
Leadership in Energy and Environmental Design, Accredited Professional (LEED AP), GBCI Number: 10311308

Florida Atlantic University

Bachelor of Science in Finance, magna cum laude. GPA: 3.76  
Honors: Honors Program, 1998-2000; Dean’s List

EXPERIENCE

Baker, Braverman, & Barbadoro, P.C.
Associate Attorney  
• Counsel clients in real estate and land use, bankruptcy, corporate law and litigation.

Massachusetts Supreme Judicial Court
Law Clerk for the Honorable Geraldine Hines  
• Analyzed issues, performed legal research and drafting, provided recommendations for dispositions of cases, and assisted chambers with scheduling, hiring, and other responsibilities.

Massachusetts Appeals Court
Law Clerk for the Honorable Geraldine Hines  
• Analyzed issues, performed research, and drafted memorandums and documentation for cases under advisement.

United States Bankruptcy Court, District of Massachusetts
Honors Judicial Internship with Judge Joan N. Feeney (15 hours per week)  
• Researched and drafted documents for cases under advisement by the court and for the Bankruptcy Law Manual.

Commerce Group, Inc., Headquarters in Deerfield Beach, FL  
Real Estate Manager (commercial real estate properties throughout the eastern United States)
• Managed financing needs and facilitated acquisitions and dispositions.
• Assisted permitting and construction scheduling for new development, renovations, and tenant build-out.
• Negotiated zoning issues with local municipalities.
• Drafted and negotiated leases using landlord and tenant forms for national, regional, and local tenants.
• Corresponded with tenants to resolve lease renewals, CAM disputes, and lease buy-outs.
• Hired and supervised leasing and real estate associates.

Leasing Manager  
• Performed market reviews for potential acquisitions, tenant prospecting, and preliminary lease negotiations.

Real Estate Associate  
• Conducted initial leasing contacts and market research to gather property ownership, city contacts, and due diligence.

PUBLICATIONS

Potholes in the Motor City: How Vacant Properties and Neighborhood Stabilization can Subject Detroit and Similarly Situated Municipalities to Liability
47 New Eng. L. Rev. 715 (2013)

MEMBERSHIPS

Real Estate Bar Association of Massachusetts; South Shore Chamber of Commerce.
Date: October 10, 2019
To: Charles B. Ryan, Council President
From: James M. Casey, Town Clerk
Cc: Joseph C. Sullivan, Mayor; Nicole Taub, Town Solicitor, Joseph Reynolds, Chief of Staff,
Subject: Relocation of District 1A Polling Location

With the recent relocation of the Marge Crispin Center from 74 Pond Street to the former Eldridge School at 46 Lincoln Street and pending changes in occupancy within the now vacant space at 74 Pond Street I am recommending that the District 1A Polling Location be permanently relocated to Braintree Town Hall to become effective January 1, 2020.

Over the past twenty-years the Marge Crispin Center operated within the area that served as the District 1A Polling Location. Each election, the Crispin Center staff would provide adequate space within the main level auditorium to serve as the polling location and, between elections, provide storage space for election equipment. On Election Day, the Director of the Crispin Center would open the building at 6:00am, allowing election workers access to the building to prepare the polling location for voter arrival at 7:00am. Additionally, at the completion of the election process, generally by 10:00pm, the Director would return to secure the building. The uncertainty of the future status of this space combined with building Election Day access requirements and the safeguarding of expensive voting equipment between elections, I feel that the public convenience would be better served by relocating the District 1A – Marge Crispin polling location to Braintree Town Hall.

Braintree Town Hall – Cahill Auditorium currently serves as a polling location of District 5A voters. In addition, during mandated Early Voting periods, it serves all twelve polling locations with minimal, if any, disruptions of the daily services provided within Town Hall. Braintree Town Hall is handicap accessible, providing two ADA compliant access points, and has sufficient parking to accommodate both voters and those using the services within the building throughout the day. Voter turnout trends reveals two peak voting periods; early morning hours, 7:00am – 9:00am, and in the evening, 5:00pm – 8:00pm. These peak hours coincide nicely to the hours when services are not provided at Braintree Town Hall.

M.G.L. c. 54, §24 requires Council approval to relocate a polling location from its current location to a new location. Section 24 also allows the Council to designate a polling location in an adjacent precinct of a town. Currently, the polling location for District 6A (South Middle School) is physically located in District 5B (Liberty School). And, on February 6, 2018, Town Council approved the relocation of District4A – East Middle School polling location to the Department of Elder Affairs Building, 71 Cleveland Avenue; also an adjacent voting district (District 2A).
Section 24 requires the Town to notify all registered voters affected by a polling location change by mail. As of this date, there are 2,245 registered voters in District 1A. This represents approximately 1,400 households in which a mailing would be required. It is estimated that this mailing would cost $1,000. However, if approval of this request is made by November 22nd, the required notification can be completed via an insert in the District 1A 2020 Annual Town Census mailing scheduled for the first week of January 2020 reducing the cost by 90%.

If approved, the State’s Voter Registration Information System (VRIS) will be updated immediately to ensure all new District 1A voter registrations are printed with the new polling location.

I respectfully request your support to relocate the District 1A Polling Location to Braintree Town Hall, One JFK Memorial Drive.

**MOTION:**

**UPONE THE REQUEST OF THE BRAINTREE TOWN CLERK, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, IT IS SO ORDERED:**

Pursuant to M.G.L. c. 54, §24, that the public convenience would be better served by relocating to Braintree Town Hall, One JFK Memorial Drive, the District 1A polling location which is currently located in the Crispin Center, 74 Pond Street.
MEMORANDUM

TO: Charles B. Ryan, President of the Town Council
   Town Council
   James Casey, Town Clerk
   Sue Cimino, Clerk of the Council

FROM: Joseph C. Sullivan, Mayor

DATE: October 10, 2019

RE: Transfer of Control of Town Forest Land to the Conservation Commission

With this request to the Town Council I am requesting approval for the transfer of the parcels of land in the Town Forest from the Office of the Mayor to the Conservation Commission.

I offer this recommendation after discussions that I have had with our planning and conservation department as well as the chairperson and other members of the conservation commission and other citizens. The purpose of this land transfer is to ensure that the land within the Town Forest will be permanently dedicated for use solely for open space and conservation purposes, including passive recreation — and to protect this land from any consideration of future development forever and a day.

The 1942 Annual Town Meeting voted, under Article 56 of the warrant, to establish the Town Forest, to be comprised of several parcels of land that had been taken by the Town in tax title foreclosure proceedings. The 1943 Annual Town Meeting, under Article 32 of the warrant, voted to assign additional tax-title parcels to the Town Forest. Several parcels were added to the Town Forest thereafter, in some cases by gift or other conveyance to the Town from private parties. The total area of the Town Forest is approximately 126 acres.
Pursuant to Chapter 45, Section 21 of the General Laws, which authorizes the establishment and management of town forests, the Town Forest was initially managed by a Town Forest Committee. When the new Mayor-Town Council form of government was established, the Town Charter did not provide for the continuation of the Town Forest Committee, and control of the Town Forest passed to the Office of the Mayor as the Town’s executive authority.

Chapter 45, Section 21 of the General Laws does not specify or limit the allowable uses of land that is managed as a town forest. Consequently, while the land within the Braintree Town Forest is currently undeveloped and kept in a natural state, this status could be changed in the future, if the Town were to decide to develop the land for the Town’s own purposes, or to dispose of the land to a private party. I am therefore proposing that the Town Forest be transferred to the care, custody, and control of the Conservation Commission, and that the land be formally dedicated to use solely for open space and conservation purposes (including passive recreation). This would eliminate the possibility that land within the Town Forest might be developed in the future.

Under Section 15A of Chapter 40 of the General Laws, a two-thirds vote of all the members of the Town Council is required to approve the transfer of municipal property that is designated for a specific purpose, from the control of one officer or board to the control of another officer or board, for a different municipal purpose. Section 15A also requires that, prior to that vote, the officer currently in control of the property is to determine that the property is no longer needed for its previous purpose. I hereby make that determination for the Town Forest land.

The attached Motion, if so approved by the Town Council, will transfer the Town Forest land from the Office of the Mayor to the Conservation Commission, and will dedicate the Town Forest land to use solely for open space and conservation purposes, including passive recreation. (The list of the assessors parcels that are currently included in the Town Forest is undergoing review to confirm its completeness, and will be provided prior to Town Council action on the Motion.)

I respectfully request that the Town Council act favorably on the following Motion:

**MOTION:** That the Town Council, pursuant to Section 15A of Chapter 40 of the General Laws of the Commonwealth, vote to transfer from the Office of the Mayor to the care, custody, and control of the Conservation Commission, the parcels of land that comprise the Town Forest, as listed on the attached Exhibit*; and, further, that said parcels shall be dedicated for use solely for open space and conservation purposes, including passive recreation.

* Exhibit to be provided by the Office of the Mayor upon review of assessors records
MEMORANDUM

TO: Charles B. Ryan, President of the Town Council
   Town Council
   James Casey, Town Clerk
   Sue Cimino, Clerk of the Council

FROM: Joseph C. Sullivan, Mayor

DATE: October 30, 2019

RE: #19-042 (Transfer of Control of Town Forest Land to the Conservation Commission): Supplemental Information

In a Memorandum dated October 10, 2019, I requested approval for the transfer of the parcels of land in the Town Forest from the Office of the Mayor to the Conservation Commission. The Memorandum indicated that the list of parcels to be transferred was undergoing review and cross-checking against the Assessors records, before being submitted to the Town Council.

Attached hereto is “Exhibit A: Town Forest Parcels To Be Transferred To The Conservation Commission.” Also attached is a map showing the location of the parcels that are to be transferred.

The Exhibit and the map include all of the Assessors’ parcels that are included in the Town Forest, with the exception of four small parcels (totaling 0.65 acres) that are located within the area of land that is bounded by Liberty Street and Old Liberty Street. These four parcels were separated from the remainder of the Town Forest when Liberty Street was constructed. Since these four parcels are not contiguous with the remainder of the Town Forest, the stated objective of preserving the Town Forest for open space and conservation purposes (including passive recreation) will not be adversely affected by excluding these four disconnected parcels from the
remainder of the Town Forest that is to be transferred to the Conservation Commission. The total area of land to be transferred to the Conservation Commission remains approximately 126 acres, the figure stated in the previous Memorandum.
### EXHIBIT A:
TOWN FOREST PARCELS TO BE TRANSFERRED TO THE CONSERVATION COMMISSION

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**Total Acreage:** 126.08